



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Wednesday evening, April 8, 2020

Day 16

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta

The 30th Legislature

Second Session

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Legislative Assembly of Alberta

7:30 p.m.

Wednesday, April 8, 2020

[The Speaker in the chair]

The Speaker: Hon. members, please be seated.

Government Bills and Orders Second Reading

Bill 8

Protecting Survivors of Human Trafficking Act

Ms Renaud moved that the motion for second reading of Bill 8, Protecting Survivors of Human Trafficking Act, be amended by deleting all the words after “that” and substituting the following:

Bill 8, Protecting Survivors of Human Trafficking Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

[Debate adjourned April 8: Ms Renaud speaking]

The Speaker: Hon. members, is there anyone who would like to speak to amendment REF1? The hon. the Member for Edmonton-Glenora has the call.

Ms Hoffman: Thank you very much, Mr. Speaker and colleagues. It's my honour to be here tonight as we consider what I think is a wise and useful amendment around Bill 8, Protecting Survivors of Human Trafficking Act. The amendment, of course, recommends that we refer this to committee. There are a number of reasons why I think that this would be useful.

One, I want to say how glad I am that we are spending time during the 30th Legislature discussing human trafficking. I think that this is an issue of significant concern for myself and many in our world and, hopefully, a growing concern for folks in our province. I sort of feel like we're sitting at the cusp of a time when we once were, a few decades ago, talking about other issues that weren't really super high in the public consciousness such as sexual assault. When I think about some of the comments that I still hear people in positions of prominence, even judges, say around sexual assault, I am shocked, first of all, I want to say, by how far we've come but by how much further we still have to go. That's on an issue that we've been discussing already in this province for decades. Of course, we have made significant progress, but when we still have judges saying things like, “Keep your legs together,” I think that it speaks to how much more needs to be done than simply having a day of recognition or other smaller efforts.

I want to say that I think this bill is a really positive step in the right direction. I think it really is going to move us forward as a society. But I have a number of questions, and I will go through some of those now. They are questions that I've had people, in the very short amount of time that we've had this bill on the Order Paper, already raise with me, questions that I think a committee could certainly deal with. This committee, in particular, I think would be – that wasn't quite two metres, but good try, hon. colleague. We're all doing our best, I know.

I think that this committee would be an excellent place to consider some of these questions. For example, one of the questions I have is with regard to individuals who have experienced human trafficking. I know that in the bill we sometimes move between the language of “survivor” and “victim.” I'm going to choose to use the language: individuals who have experienced human trafficking. I

think that this is an area that continues to be – and I think it's probably evident by the fact that here we are considering this bill, but we still haven't exactly landed on what language would be most inclusive, acceptable, and owned by the actual individuals themselves. So I appreciate that it flops between the two. I think that's a step in the right direction, and I think that the change in the bill's title is a step in the right direction as well. I think that the original title, that we were informed of prior to the bill actually being presented, many people found concerning and troubling, so I think that this is certainly a step in the right direction.

I also have to say that the fact that the bill addresses three different areas – labour exploitation, sexual exploitation, and then as well organ and tissue exploitation – I think is good, and I think it's probably robust, but I'm not certain. This is one of the reasons why I think that it would be appropriate for this to be considered at committee. I do think that those three areas are probably three areas of interest, and for sure I've heard a great deal about labour and sexual exploitation in Alberta. I haven't heard a lot yet about organ and tissue, but I imagine that is an area of growing concern internationally, and there probably are others as well. So I appreciate that it does touch on those three.

It does define human trafficking, which I think is good and useful, and then within that, it defines one of those three areas. It defines, specifically, sexual exploitation, but it doesn't define the other two. So I'm finding that a point of interest. Why did we choose to define that one and not the others? Do we need to define that one? Is it defined in other pieces of legislation that would be appropriate? Or, rather, does the definition of human trafficking encompass that question? So that is one of my early questions.

I also have to say that I think this bill is a tiny slice of what's required to support people who have experienced human trafficking. I think the bill is a good first step, but the resources and supports that are required after a bill is passed are of paramount concern to me, and I fear that with the kinds of cuts that we've seen through the budget that was rushed through in this place just a couple of short weeks ago, or maybe three now – some days the days and weeks blend together. I think that when we have this new ... [interjections]

The Speaker: Order. Hon. members, if you'd like to have private conversations, I encourage you to do that outside in the members' lounge. The hon. Member for Edmonton-Glenora has the call. I think it's reasonable to allow her to have it uninterrupted.

Ms Hoffman: I appreciate that, Mr. Speaker. Thank you very much.

I think that one of the pieces now is that there will be an expansion to restraining orders, as spoken to in this legislation. As far as I understand, human trafficking is already a criminal offence, so I would assume that there would be the ability to get maybe not a restraining order but a warrant. There is a piece around a search warrant mentioned in the bill, so I would be happy for us to discuss that more.

With regard to the restraining order the point I was trying to make – thank you; I lost my thought there a little bit after the interjection, which I do appreciate, Mr. Speaker – was around the stretched resources we already have in the public service and in law enforcement, for example. Now, having an additional area of opportunity, which I think is a good one, the ability to get a restraining order, of course, I think that there will be – a lot of people who have experienced human trafficking aren't folks who have a lot of cash to be able to acquire legal supports, so I worry that without a robust injection into legal aid and other areas of

support, it might not be able to be fully exercised. I imagine that that is something that this Assembly will want to consider.

As well, I wanted to touch on some of the concerns I have around the piece with regard to labour exploitation, which I think is a large and continuing-to-grow area of significant concern. I think most of the folks I talked to who experienced labour exploitation started as temporary foreign workers in our province. There are a number of language and immigration barriers that are in place that would make it difficult for them to be able to fully exercise their rights under this new bill. I have questions, which I think the committee would be in the best position to answer, around what the language supports would be as well as the immigration supports.

I think a lot of folks feel that they're in a very precarious situation. They come here under a work permit that ties them to one specific employer, and then when that employment situation becomes unsafe, they don't feel that they have the supports they need to be able to exit that situation. Making sure that we have robust supports around immigration as well as language supports for folks who have experienced labour exploitation I think is something that would be responsible for any government to exercise when it comes to taking care of and being allies of those who've experienced human trafficking and wanting them to no longer be part of that awful cycle.

I appreciate that there's a piece in here around compensation for people who've been trafficked. I think that that is fair, and I think it's just. Whether it belongs under the civil justice system or not is something of a question for me. I think this is one of the routes that we have available. I'm wondering why that one was chosen and, again, how it's going to be more accessible than the current resources that are available under legal aid. I don't think it is. So is this something that would be expanded on, and would we have increased opportunities within the civil justice system to exercise this ability to receive compensation? I think that often it's the case that there's an order, but it's not actually executed. How do we make sure that we have the ability and the supports in place to be able to do that?

There's the piece around a search warrant. One of my questions here is: how is this different from existing warrant processes? It's my understanding that trafficking is a criminal offence already, so wouldn't there already be a warrant process that would apply? If there isn't, I would appreciate understanding why that is the case. Again, these are conversations that I think are rich and multidimensional and deserve an opportunity to be explored.

7:40

I mentioned the fact that the definition of sexual exploitation is in this bill, but the other two forms of exploitation that are referred to aren't defined at all. I find myself again questioning: why is it that we would define only one of the three different forms that are mentioned in the bill? Yeah. Why isn't labour as well as organ exploitation defined?

Also, I think the animals piece was mentioned a few times in here, and it made me think about how there are times when people feel like they don't necessarily have a lot of power or ability to influence situations, but when they see somebody or some other living thing, including an animal, that also has a very difficult existence, it can compel people to put themselves in an even more compromising situation. So I appreciate that that is mentioned. It seems like an interesting side piece to the core argument, but I think it is interesting nonetheless. I do want to say that I'm glad that we are talking about this. I think this is something that is a significant issue. It is incredibly important. I'm grateful that the name was changed.

So the next pieces are: how are we going to actually fund this and make sure that it has the legs and the teeth that it needs to be impactful? We've learned a lot watching the evolution of sexual assault awareness in our province, our country, and the world, and I think that there are things that we need to do to get further ahead in the next few decades than we are right now with regard to this issue as well. I know that there are a few NGOs that do work in this area. What are we going to do to support them in executing what this legislation outlines? Unless we actually support people in getting their protection orders, which are mentioned here – and this is, I think, a big piece of what the NGO community is likely focused on – I think that this will not be meaningful. So what are we actually going to do to increase funding and support for the NGOs that do work in this important area of what will likely become law?

Also, what are we doing around supporting expanding law enforcement? Of course, this is also a growing area of pressure and concern, and with some of the very negative cuts that we saw to law enforcement, I worry that we're not sufficiently funding law enforcement or legal aid to be able to deliver on what I think we all probably believe is useful legislation. Again, bills without any mechanism for implementation or enforcement I think do an injustice. Given that the budget we just rushed through had so many negative impacts to areas that we will be continuing to lean on as we move forward, I have questions about that. I think those are sort of my overarching questions and points of consideration.

The last piece I want to add to this is that I think this is important. I think this is useful. We typically would have an opportunity to present it to the public and engage with the public and specific stakeholders in an open way to get all of their advice and feedback to make what is probably quite good great. I think that one of the ways to make it great is by supporting this motion to refer to committee, to be able to do the work to actually ensure that it is great.

I believe that this is something that we should all take incredibly seriously, and we should make sure that we put the right mechanisms in place to end human trafficking and to make sure that everyone's human rights can be upheld in this province. Certainly, we know that there are many, many examples of where that has not been the case to date, and allowing that to continue, of course, would be incredibly wrong. Making sure that we have the appropriate understanding and support from the broader community I think would be beneficial to the folks that I imagine we are trying to support through this bill. Again, the piece around defining "sexual exploitation" but not defining "labour" or "organ exploitation," I think, is an area of inconsistency in this legislation that deserves some clarity. Whether it's to define all three or to have the overarching definition of human trafficking applied to all three, I'm fine with either one, but I think that we at least owe it to have this thoughtful conversation with the community and those who are impacted to ensure that the legislation is as supportive as it possibly can be.

Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see the hon. the Minister of Culture, Multiculturalism and Status of Women has risen.

Mrs. Aheer: Thank you very much, Mr. Speaker, and thank you to the member for the discussion and the thoughtful questions. I don't believe that I can answer all of the questions, but I'd like to potentially provide some clarifications around this, and the Minister of Justice, I'm sure, will be providing some oversight to this as well. I just wanted to start off with a few things, and I apologize if I miss

some bits and pieces, but I'm sure we'll be discussing this some more.

With respect to the other two definitions, as I understand it, with respect to human trafficking, it was before within the sex trade, and sexual exploitation was under the auspices of prostitution and didn't include definitions around children, small children, and other situations. That's why the Palermo protocol has been used, in order to expand that definition to make sure that it's a much broader definition, Mr. Speaker, to be able to make sure that we're able to protect other people, obviously, outside of the many people who are caught in the sex trade and prostitution. Those were initially considered the reasons that people were pulled into this, which, of course, we know is not true because people from all walks of life are pulled into trafficking because of, quite often, the trust that they have with people who are pulling them into these absolutely horrific acts. Not to mention that multiple people will buy and sell people across borders, so we are dealing with border issues as well.

I also wanted to mention that when it comes to – you were asking about the warrant process. The civil warrant that is being brought forward in this piece of legislation is uniquely different from any other warrant in Canada. If we're talking about warrants, I think criminal warrants is what you were talking about before and about being able to enter into a place. A criminal warrant requires a lot more evidence in order to be able to go in and actually save a human being, but if we're looking at civil warrants, less evidence is required in order to be able to potentially go in and remove a victim from a situation, especially children because if children are needing to be removed from a situation where potentially trafficking is being involved – recently you probably read about the incident where there were five that were arrested, Mr. Speaker, in terms of human trafficking. Many of the reasons that they were arrested – there were multiple reasons. There were drugs involved, sex trade, human trafficking, and multiple other things. But I think the Minister of Justice will be able to speak to your concerns a little bit closer.

The other thing I wanted to say, too, around language – and the member had mentioned around robust supports around immigration. Just in some of the key actions we actually talk about – I'm assuming that the member is referring to, Mr. Speaker, the folks that are coming in to work, temporary foreign workers and others. What we've found and what has been the case with folks that are coming in on trafficking in the sense of labour is that a lot of these relationships have been built outside of the country, and then they're brought in. You may remember the case in Red Deer where a family was actually being locked up in a room in Red Deer and then being forced to work and then not given any of that money for the work that was being incurred.

The language around labour and the language around organs and tissue donation is fairly straightforward in the definitions that are already provided. However, it's been the experience of those of us who've been privileged enough to sit around the tables, to have these round-tables and talking about this, that there may be a way to look at that to see if there are tweaks that need to be made to that, but that can happen through regulations, too, as you know.

The other thing I was going to mention, too, is that the member had mentioned that discussions and outreach and consultations needed to be done. As you know, Mr. Speaker, this was part of a platform commitment for us. Also, during my time when I was honoured to be part of the opposition, this was a huge part of the work that we had been doing at that time.

7:50

Also, the Minister of Community and Social Services, the ministers of Children's Services and Justice, and myself have held

several round-tables discussing with multiple, multiple persons within the community who are experts in this, finding out what is the best way forward to make sure that this legislation will be able to help the most vulnerable.

I do believe that at this point in time, yes, we are in a pandemic. Yes, we are part of something unprecedented that none of us really know how to deal with, but people are still suffering right now, Mr. Speaker. It's never been more important because at a time when all of us are vulnerable for a very different reason, those who are most vulnerable will find themselves to be in positions of extreme vulnerability.

Thank you.

The Speaker: Hon. members, the time for 29(2)(a) has elapsed.

We are back on the amendment. Is there anyone else that would like to speak to the amendment? I see the hon. Member for Edmonton-Whitemud has risen.

Ms Pancholi: Thank you, Mr. Speaker. I'm pleased to rise today to speak in second reading of Bill 8, the Protecting Survivors of Human Trafficking Act, and specifically to speak to the referral amendment that was moved by my colleague the Member for St. Albert to refer this bill to the Standing Committee on Families and Communities. I want to thank the Member for Edmonton-Glenora for the issues she raised as well as the Minister for Culture, Multiculturalism and Status of Women for her comments.

I want to, as many of my colleagues, I believe, already have earlier today and, again, the Member for Edmonton-Glenora did already, express my support for the introduction of measures to address human trafficking. I believe it is very important. It's a significant issue, and I think even the short conversation we've had already this evening reflects that it touches on so many issues. It does touch on medical issues such as organ and tissue exploitation as well as labour exploitation; sexual exploitation; adults, children, individuals who are brought from other countries to come work here, temporary foreign workers, citizens of Canada and Alberta. Really, there is no section of person who may not be affected in some way by human trafficking, and the steps to bring forward a bill to address this are important. It's incredibly important, and I do thank the government for taking concrete measures to address this.

I have spent some time in the past year or so since I've been elected speaking with some stakeholder groups who were involved and at the time were, I guess, in the beginning stages of being consulted and talked to about the scope of the plan for human trafficking as put forward by the government, and they were very pleased to see that there were measures being taken to address this. We can all agree that this is a very significant issue. I do believe that there are gaps within our existing legislation that have been inadequate in addressing the variety of issues that human trafficking brings up, so it is important to have some measures to address it.

But because of the very reason that I just mentioned, that it does sort of slip through the cracks in some ways of so many of the measures that we already have – we have a lot of criminal protection measures in place. We have child protection measures in place, yet somehow human trafficking has managed to work within those cracks and find those gaps and allow for the victimization of adults, children, men, women, so it is important to address that. But because of its complexities, I do believe it is important that we have a very fulsome and thorough discussion about that. While I appreciate that the government has some urgency with which to bring it forward – I do appreciate that – I am a little concerned about doing it at this specific time because of the complexity of the issues. There needs to be that full overview of all of the various cracks,

where legislation – criminal legislation, civil legislation – has created those gaps and how we can address that.

This is not to say that the government has not been working on those measures. I believe they have been. However, I do worry that the legislation that was brought forward just earlier this week – the legislation itself is not the whole answer to the issue. I understand that. It's only one piece of it. But it's our understanding that a number of the stakeholders who were engaged in early discussions haven't even had an opportunity to review the legislation. It was just introduced, you know, this week, and I know that some of the stakeholders we spoke to – until we spoke to them, they weren't even aware that the legislation had been tabled, so they didn't know what the content of the legislation is. I'm not saying necessarily that it's not good or that it's got those problems, but I think the reality is that I'm not the person who is closest on the ground to deal with those issues.

There are the people in the organizations who do that work and have been dealing with the survivors of that and know those cracks who would know best, and we need an opportunity to make sure that, at least for this part of the action plan on human trafficking, the legislation actually addresses all of those issues. Perhaps there are opportunities to improve it, and I believe that's why it's an appropriate thing to refer this to the Standing Committee on Families and Communities to have that opportunity to address that.

Even within our own caucus as we were reviewing this legislation, we realized how many areas it dealt with, right? It's brought forward by the Minister of Justice, so it obviously has clear implications for the justice system. It also, of course, has implications for children's services. I'm very glad to see that this bill is addressing children, and that has clear implications. It has implications for the ministry of status of women, for labour. So it is a very complex issue, and it deserves a fulsome discussion. It deserves a fulsome analysis not only from the stakeholders who do that work every day but also from the various ministries.

Simply from my own perspective as the Official Opposition critic for Children's Services, I had some questions off the top when I reviewed the legislation for the first time about how it interacts, for example, with the Protection of Sexually Exploited Children Act, a piece of legislation that's been in place for a number of years and a very important piece of legislation. There are some overlaps, and there are some issues. I think it's important to make sure that those two pieces, the proposed bill as well as the existing legislation, line up because we want absolute clarity with respect to how we are addressing the issue of children, in this case, who are being sexually exploited as part of human trafficking, as part of prostitution. We just want to make sure that those pieces line up.

For example, I want to highlight a few questions that I had with respect to how Bill 8 interacts with the Protection of Sexually Exploited Children Act. One of the questions that I had was under the – I'll call it PSECA to make it shorter. That is sort of the acronym by which it's known. It, for example, has clear direction and authorities with respect to apprehension orders. It allows for a director of child welfare or a police officer to apprehend a child where there is a belief that there is sexual exploitation happening.

Of course, that's absolutely appropriate, but I had questions about how that interacts with the proposed authority under Bill 8 for a human trafficking order because under PSECA only a child welfare director or a police officer may actually seek an apprehension order. They're the only ones who have standing under that act to go to the court and seek an apprehension order of a child who may be sexually exploited. However, under the human trafficking act, the proposed act, that authority to seek a human trafficking order may be made by a victim or, in the case of a child, the legal custodian or guardian of that child.

Not to say that there's necessarily a conflict there but more that: if an order is being sought to apprehend a child, is it better for an apprehension order to be made? And does that actually require the involvement of a police officer or a child welfare director, or is simply removing the child, which I believe is what the human trafficking order would allow, sufficient? I think, then, that we'd also require an apprehension order because to actually place that child in the custody of somebody else would require an apprehension order. Again, not to say that it is a conflict so much as: have the logistics of those situations been considered?

I think that would be a fantastic discussion to have at the Families and Communities Committee, where we'd have the opportunity to bring in stakeholders, to bring in the ministries to sit around. We could seek briefings from the Justice ministry, from Children's Services to talk about how those issues would interact with each other.

Again, this is a question that I have. Does one supersede the other, a human trafficking order versus an apprehension order? How do they simply logistically work? Again, we want this process and these issues to be dealt with as quickly and smoothly as possible.

I also want to note that the Member for Edmonton-Glenora mentioned, for example, that sexual exploitation is defined under the proposed Bill 8. It is not defined under PSECA, so I thought: is there an opportunity here for PSECA to align? Perhaps there are exceptions within the specific context that PSECA applies to that perhaps that definition is not applicable, but I do think that there's probably been some question for some time as to whether or not PSECA needs to define sexual exploitation in the context of that act, and here we have a definition. It seems to be appropriate, but again I'm not the one on the ground who deals with these issues, and I'd like to know, actually: should Bill 8 at the same time be amending PSECA to include a definition of sexual exploitation?

8:00

Now, I appreciate the comments made. Before I actually leave that, I'm going to finish up my comments on PSECA first because I did have one other question as well that sort of came to mind when I looked at that bill. Under the proposed Bill 8 there are definitions. There's a definition of human trafficking, and it does refer to transportation. I want to make sure I have the language correct. I have so many pieces of paper here. It does define human trafficking to include the "transportation, transfer, holding, concealing, harbouring or receipt of a person." I wanted to just comment that it uses the terms "transportation," "holding," and "concealing." Those are actions that would be considered human trafficking under Bill 8.

However, under PSECA it also refers to the authority of a child welfare director to convey a child. It grants the authority to convey a child; it grants the authority to confine a child for their protection. I certainly do not think anybody is presuming that that action under PSECA would be described as human trafficking, but because there is some language that overlaps there, I think clarity needs to be made, perhaps a statement in Bill 8 that says: obviously, this does not apply to the conveying or confinement under PSECA. Again, this is a legal technicality, but we want to make sure that the two pieces of legislation line up appropriately. I think that requires that conversation between Justice and Children's Services, because we don't want any suggestion that one act is in any way limiting the effectiveness of another. We want to make sure they work well together. So these are just questions.

I'd like to go back as well to the comments by the Member for Edmonton-Glenora about the fact that sexual exploitation is addressed in Bill 8 but that what's not addressed is a definition of

organ or tissue exploitation and labour exploitation. Now, I appreciate that the Minister of Culture, Multiculturalism and Status of Women rose to speak on that issue, and she mentioned that that's something that could be worked out in the regulations. However, because this is what I do, I looked carefully at the wording. Section 20 of the proposed Bill 8 is actually the regulation-making authority under this bill, and it actually does not grant the authority for regulations to be made to define what those issues are in regulation. In fact, the regulations are quite limited in terms of process and procedures: forms that can be used, what class of person may seek on behalf of a victim a warrant to permit entry, the form and manner of serving notices, the rules to be followed in a proceeding for a human trafficking order, the fees that may be payable.

There's a general regulation-making authority, but I can tell you that by legislative precedent it certainly is not typical and it would not typically be legal, I must say, to use the regulation to define the terms in the act when there is no definition within the act itself. Again I question whether or not that can be done by regulation, defining those things. I do recognize, though, by the way, that it's not necessary, that not every term in every legislation is always defined, but I think that those are fair questions to ask because they are sort of unknown issues.

There are a lot of complexities around the temporary foreign workers being brought in. I think labour exploitation is an issue, as the minister gave an excellent example of, and we do need some clarity around what that means. I know it's complicated because it deals with federal immigration issues as well. With respect to the temporary foreign workers, even if they are being exploited and they can be removed, they're here to work for a certain employer only. So what do we do with that temporary foreign worker when they've been removed from a human trafficking situation but they're not authorized to work for any other employer? They're in limbo. I appreciate, again, that it's complex. It has to do with immigration status with the federal government, but those are sort of the issues.

This is important – very important – legislation. I think we're all agreed on that. It does deserve the time to consider all these issues and how they work together and to hear from stakeholders and all the ministries that might be involved to further clarify how those things will work together so that it can be the most effective piece of legislation that we want it to be. I strongly encourage the members in this House to support our referral amendment just so that we can give this issue the attention it deserves and make sure that we have come forward with the strongest and most effective legislation that we can.

You know, we're not looking at postponing things. Obviously, the coming-into-force date of this act, should it pass, is not until the end of December right now. We know conversations are still going on with stakeholders, but the stakeholders also need an opportunity to take a look in detail at this legislation to assist in making it as strong as possible by providing their feedback, and a committee is an excellent venue in which to do that. I certainly would not want this to be pushed forward too quickly because we are in an urgent, emergent situation. We really need to give it the attention and time that the complexity of this issue deserves.

Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available, and I see the hon. Member for Calgary-West has risen.

Mr. Ellis: Well, thank you, Mr. Speaker. I thank you for this opportunity, and I'd like to thank the member for her comments. Finally, we've found it. We've found the piece of legislation, after almost a year, which the NDP want to double and triple down on.

It's the Protecting Survivors of Human Trafficking Act. That's the one. So when I sit here and I look at this outrageous amendment that says that this bill is to be "referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2," that is absolutely . . . [interjections] You know, I'm getting heckled from the other side. Certainly, I by no means would ever assert that somebody wasn't in the House earlier this morning when I addressed many of the issues that many of these members have already brought up now. I would never do that.

Let me just say this. This pattern of behaviour is consistent, and it's consistent with what I experienced and my colleagues experienced when we were in opposition. We look at Serenity's law, as an example. You can go check *Hansard*, Mr. Speaker. You can go and check the video, and you will see that under first reading of Serenity's law you heard people oppose Serenity's law. Shame. Shame. That would have been that former government that opposed Serenity's law, no different than what we're seeing right here. We're talking about children and we are talking about women who are currently in jeopardy. I mentioned that earlier this morning. To delay this any further is – you cannot do that. You cannot sit there and defer this to a committee when we have women and children, who are primarily the victims of human trafficking.

Again, I would never refer to people that weren't here this morning, but for those who did not see and wanted to see the video from earlier this morning, I again referenced the pin that I wear. It is what we would call credibility. It is 10 years on the streets of Calgary dealing with people such as those horrible people that traffic human beings such as women and children. That is shameful. As I stated earlier this morning, Mr. Speaker, the bad people, the criminals, do not care about COVID-19. They do not care about social distancing or physical distancing. Those people are trafficking young women as we speak.

These are tools in the tool box to help these people, and it is shameful that this amendment is being put forward right now. I listened earlier to what the Member for St. Albert was saying. She was referring to the fact that there's no mention of persons with disabilities in this. Well, I don't know about anybody else in this House, but I consider a person with disabilities to be a person. I consider that person with disabilities to be a human being. It doesn't say in the act, when we refer to human trafficking, "people and people with disabilities," because people with disabilities are human beings.

Let's put that in perspective, Mr. Speaker.

Ms Ganley: Point of order, Mr. Speaker.

8:10

The Speaker: Hon. members, a point of order has been called.

The hon. Member for Calgary-Mountain View.

Point of Order Imputing Motives

Ms Ganley: Thank you very much, Mr. Speaker. I hesitate to interrupt because the member appears to be somewhat wound up. I've given a certain amount of lead to this, but I think it's fair to point out that the member is rising and suggesting that the Member for St. Albert was suggesting somehow that persons with disabilities are not persons. I think that that is . . .

An Hon. Member: Yes. Look at *Hansard*.

Ms Ganley: Okay. I don't think that we need heckling right now given the seriousness of the subject matter.

I think that to suggest that is a bit absurd. When she says that they're not explicitly mentioned, what she means is that those words are not explicitly mentioned. I don't have the *Hansard* in front of me right now, but I seriously doubt that what she was trying to communicate was that they were not people. The Member for St. Albert has a long history of working in the disability field. She has a long history of supporting individuals; her family members still do that work. I think that to impute to her that motive, that she was trying to imply that a person with a disability is not a person, is very, very unfair. I think that it is a violation under 23(h), (i), and (j) because I think it is designed not only to create disorder in this place but to impute to that member something which is deeply unfair, I think, to anyone who has known her, and I think anyone in the disability community would leap to her defence.

I would like the Member for Calgary-West, who, understandably, has a lot of feelings about this issue, to at minimum apologize and withdraw for suggesting that the Member for St. Albert would imply that such persons were not persons.

The Speaker: The hon. the Deputy Government House Leader on the point of order, please.

Mr. McIver: Well, thank you, Mr. Speaker. I think what we have here is a disagreement. At the end of the day, the hon. Member for Calgary-West never at any point claimed that somebody else said that somebody thought that disabled people were not people. He was making the point that they are people. I think what we have here is a very sensitive Opposition House Leader that disagrees with the debate, and that's actually fair enough. That's what we do here. We debate. There's a reason that we have an opposition across from the government. I'm not criticizing them for this. I was in opposition for four years in this House, and at that point I considered it part of my job to oppose the government in their viewpoints where necessary. At this point I think the hon. member is doing her job by opposing the government viewpoints. From that standpoint, she's doing her job. Where she falls short is that she didn't actually have a point of order that she was opposing when she interrupted the hon. Member for Calgary-West.

It's a disagreement, Mr. Speaker.

The Speaker: Thank you.

I'm prepared to rule without any further comments unless someone feels very strongly. Hon. members, I might just say to the House leaders this evening that I would encourage both of the House leaders to not try to imply what one or the other House leader might be doing during the use of a point of order. Both of you, I think, did a fine job this evening of utilizing that as a tool to make a point. I would encourage you to not do so should we have other points of order this evening.

The other thing that I would say is that I think that this is a very serious matter. I think that we can often have a wide range of opinion on a dispute of the facts. I think it's reasonable to believe that the hon. Member for Calgary-West was referring to an interpretation of the bill, which, as such, wouldn't be a point of order, but I do think that we all need to be particularly cautious with the words that we use inside the Chamber so as to not impute false motives to another member.

I don't think that this is a point of order at this point in time, but I would encourage members to be cautious with the language that they use when referring to other members inside the Assembly. As such, there is no point of order.

The hon. Member for Calgary-West has a minute and 15 seconds remaining.

Debate Continued

Mr. Ellis: Well, thank you very much, Mr. Speaker. I'd like to just clarify that I certainly would never want to impute motives to any member within this Chamber. I will state, of course, what I heard right prior to 1800 hours, or 6 p.m., when this amendment was presented, that part of the reasoning for this was that there was no mention of persons with disabilities, so I encourage anybody to look that up in *Hansard*.

But, Mr. Speaker, am I passionate about this? Of course I'm passionate about this, because I have seen, as I've stated before, the underbelly of society. I have seen, first-hand, children and women who have been victimized by predators. It's shameful. It's shameful. This is something that is a tool in the tool box for law enforcement that could assist them. You know, for me, I think about myself when I was a constable and a sergeant, even when I was doing staff sergeant work. You know what? Let's get the bureaucracy out of the way, and let's start helping the people on the front lines.

Thank you.

The Speaker: Hon. members, that concludes 29(2)(a).

As such, we are on amendment REF1. Is there anyone else wishing to speak to the amendment? The hon. Member for Fort McMurray-Wood Buffalo has risen to speak to the amendment.

Mr. Yao: Thank you very much, Mr. Speaker. I believe a lot of our viewers might be a little bit confused on this amendment that the opposition has brought forward. Again, we're talking about Bill 8, Protecting Survivors of Human Trafficking Act, and the Member for St. Albert has asked that this be put to committee. You know what? Our viewers are confused on this issue as to why the opposition is fighting this bill. To our viewers out there, they should be aware that for the Official Opposition, Her Majesty's Official Opposition, it isn't their job to oppose bills, but how much effort they put into fighting a bill reflects what they believe in that bill. So I have a hard time trying to understand why they're fighting this bill and trying to put it to committee because, as they know, many bills that go to committee kind of go away. Certainly, for our viewers out there, they should know that these are delay tactics that the opposition uses to delay the legislation from getting somewhere.

This legislation impacts slavers. It impacts those that have been enslaved. It is interesting to hear some of the arguments, that we're clarifying and classifying things. Like, the member earlier talked about the medical issues, the adults, the children, the immigrants, the exploitation of all these people but that we need more defined terms, things like that. I have a hard time with that. They also speak about things like the redundancy of this law because there are already laws in the exploitation of children act and other areas. They refer to legal technicalities that need to be reviewed in this law. I have to say that these are really poorly thought out arguments. These are really bad arguments for what we're trying to accomplish here.

I'm trying to bite my tongue here, sir, but it's tough, see, because we're trying to get this through, and we don't want it to die. We're trying to protect these people because that's what this government believes in. This was going to be our Bill 1 this term, and then this whole COVID thing came about. This was really something that we're trying to deal with. Even in the Fair Deal Panel, there was someone talking at every town hall about the exploitation of people and the slavery involved. It was really disappointing. You hear a lot of these things happening. Certainly, I'm encouraged to see that young gentleman come out to these hearings, to this debate on the bill, Protecting Survivors of Human Trafficking Act.

The member across: we also talked about, you know, that she was closest to the ground. I can guarantee you that I've got two members on my side of the House that have been very close to the ground in this thing, including one gentleman from Calgary-West, who spoke on that. He spoke from the heart, and I respect him for that because I can understand what he had to deal with. In my previous career maybe not so much, maybe five, 10 minutes with someone like that. We're not even aware of what the background history was whereas people in law enforcement usually have to investigate those things after and deal with the long-term consequences of that. So to the Member for Calgary-West, to the Member for Leduc-Beaumont: I respect them for their experiences as well as others that sit in this House today, that flank you, Mr. Speaker.

8:20

But again back to this bill, Bill 8, protecting survivors of human trafficking. The resistance from the opposition is, I think, out of proportion to this bill. I hope that they quit trying to delay this bill and putting it to committee and other delay tactics on this bill. During the four years they were in government, they didn't come close to a bill like this, Mr. Speaker. That's this government doing that, and I commend this government for doing that.

I took so many notes, Mr. Speaker, that I don't know which to speak on on this whole thing. I'm frustrated, just like I know that our viewers out there are frustrated by the opposition to this. But at least if they want to hear someone talk about this bill, let it be about something logical instead of an opposition railing on about technicalities. Again, it's about who this impacts: people who enslave others, people who abuse others, and people who are the victims of that. I know that people across the way are good people. I'm sure they are. Maybe they're just trying to play politics with us. I don't know.

I know that the Member for Edmonton-Riverview, as an example, really expressed concerns that she had to be back in her constituency here in Edmonton and that she had to waste time talking about bills like this when she should be in her constituency. I can only imagine what it's like for those members who are living here in Edmonton to struggle to get to their constituency, certainly. I know. I feel for you. I have to go all the way to Fort McMurray. That's a heck of a drive.

Oh, where to go? Where to go? You know, I know that we taught you about how to consult, and maybe that's what you're trying to go for. Last term, if you remember, we taught you about consulting on Bill 6, when you really didn't do any. And then for our platform for this new Legislature we did a lot of consulting to create our policy, and we're standing by that policy, and we're going to deliver on that because that's what Albertans voted for us on. But we hope we demonstrate to the opposition how to create a policy.

Again, I'm struggling with why the opposition is fighting this bill. It's just disappointing. Maybe they just simply want to rag the puck for some reason or another. I can't quite grasp that either. They do need to get back to their constituencies, five minutes away, as would I. I'd love to be home.

I'm going to leave that. I'm just curious how many more members from the opposition are going to speak on this amendment to try to basically kill the bill. I'd also like to know how many members – I'm going to be gauging this. So can our viewers. You can watch TV to see how much they talk about this bill and how much time they're trying to delay on this bill. That would be so unfortunate, that they would fight such a bill that has so much good in it. If it's redundant, I don't care because of what it accomplishes. I believe it covers a lot of gaps in some of these other bills. That's why our government is doing it. That's why the Minister of Justice put forward this bill.

With that, Mr. Speaker, I'll end this. You know what? I just want them to know that I have a lot of notes. I could really quote them on a whole bunch of things that they said, and I'll gladly do so a second time if I have to speak on this matter again.

With that, Mr. Speaker, I want to thank you for this time and opportunity to educate our viewers who are watching with dismay as the opposition fights a bill on protecting survivors of human trafficking. That would be something, indeed.

Thank you so much, and thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-Glenora has risen under 29(2)(a).

Ms Hoffman: Thank you very much, Mr. Speaker and to the members for an opportunity to rearticulate my support for this bill, our caucus's support for this bill. What we have been saying – and maybe it hasn't been said clearly enough, so I'll try again – is that this is incredibly important legislation. We want to make sure that we get it right. As was mentioned, there isn't the ability to have additional definitions outside of the legislation given the act that this is referring to, so this is one of the reasons why, again, I think this is good. I think it's very good. I think that the minister is planning on implementing it before the end of the year. I think we can take a little bit of time through a fair and robust process.

The Member for Calgary-West used to chair the Committee on Families and Communities, and it is a committee that I think has done some very good work recently but also over many terms of this Assembly in this Legislature. I think it has the ability to engage in making sure that we have the right definitions.

I heard the member use some language. When I've talked to members who are part of this community, the language that they have chosen to refer to when I said, "What language do you want me to use around you and the experiences you've had?" – and I wrote it down here – is "individuals who have experienced human trafficking." That was the language they wanted to use.

I appreciate the passion and the commitment that all of us bring to this discussion. I appreciate that the language of the bill has been amended in the title and in some areas flips between "victim" and "survivor." I don't think that that's a bad thing. I think that that probably shows that there was some additional growth that happened in the last few months, between when this was originally given a title that many who worked in this community found very offensive – I think that expanding this has been a good, solid step.

I think that committees can do incredibly enriching work. I think that they can do it through video conferencing. They can do it through phone participation. I imagine many members have participated in committee work remotely, and I think that it can be a way to give respect to the work that needs to be done to ensure that this is the best legislation possible for people in the community.

Again, I am very supportive of this. I think it is a very positive step in the right direction. I think it's important that we also, through the work of this committee, put the expectation to the multiple ministers that this will certainly fall on to ensure it is properly implemented with the great respect of our Assembly and the great encouragement and, rather, pressure to properly fund legal aid, to properly fund the NGOs that will be delivering this work in the community, to ensure that this outreach is done in multiple languages so that folks who are impacted, of which many don't speak English confidently, can have the full confidence that they understand the law, that they understand their rights, and that they can exercise them, Mr. Speaker.

Also, I want to say that I appreciate that there was a desire to specifically name "children" in the legislation. I don't think that

that's a bad thing. I, of course, think children are people, as the Member for St. Albert thinks people with disabilities are people.

I think that it's important for all of us to remember that we have the ability in this place and the honour and the responsibility to bring forward our best, to contribute in a way that makes laws for our province that will leave this place better than the way we found it. I think that for anyone to impute false motives, whether it be the last speaker or the speaker prior, is not becoming of the important work that we are tasked to do here tonight and any day when we are in this Assembly. It is a tremendous honour.

This building is one of the places we do that work. Committees are another place we do that work. Committees are one of the ways that we can have full and active participation from private members of both caucuses, members that aren't necessarily on Executive Council. They're also a way that we can engage with stakeholders who – I appreciate the expertise that the minister brings to this file. I also appreciate the expertise that people who have worked on this file for their entire careers bring to it. I think that part of the responsibility, of course, of the minister is to engage with the community, but it's also the responsibility of private members, including the Official Opposition, to have that same ability to engage and validate.

Certainly, when members of the Wildrose caucus were in opposition, they would have never taken the government's word that they'd engaged and that they'd done all of the active engagement that was necessary. They, of course, rightfully, engaged with stakeholders as well, and that was why it was important to have a legislative process and committee process that supported that work, Mr. Speaker.

Thank you very much.

8:30

The Speaker: Hon. members, Standing Order 29(2)(a) has unfortunately elapsed, and as such we are back on the referral amendment.

The hon. Member for Calgary-Mountain View has caught my eye.

Ms Ganley: Thank you very much, Mr. Speaker. I think it's worth noting a couple of things just because we've had some, I think, perhaps overblown statements about this needing to come in immediately and our opposition to it, so let me reiterate for what is many, many times today – allow me to reiterate that we support this bill. We have questions about it because we don't necessarily have the work that the government did. They don't generally provide that, which is fair. Governments don't provide all of the work that went into legislation. That's how this works. But, you know, we get to find out about it by reading the bill, by talking to stakeholders, and by asking questions in this place, and I don't think that that's unreasonable. I definitely don't think that it's shameful.

I mean, out of one side the members opposite are insinuating that it's shameful for us to turn up here and ask questions while at the same time they're saying that we don't want to turn up and do our job, which is to ask questions. So that's a bit confusing to me, but I do want to point out that the in-force date for part 2 of this bill, which is the trafficking orders which we are all talking about here, is the end of December of 2020. That's nine months from now. I think to say in that nine months, "Allow us to take the time to consider the legislation" – because yes, this is important. Yes, it is urgent. Yes, there are people experiencing it right now. Yes, we ought to move quickly on this. But it doesn't come into force for nine months, so to suggest that by asking for an additional day or an additional few weeks to speak to stakeholders, we are somehow

trying to delay or obfuscate or suddenly we're against a bill that we've stated support for, I think, is incorrect.

I just had a couple of other things to add with respect to this bill because we have been reaching out to folks to try to have those conversations. Certainly, my hon. colleagues have brought up a lot of the issues, and I have spoken to this bill already earlier today, so I won't repeat my comments, but, again, I think it's worth stating that top of mind is that we are in support of this bill. It is a step in the right direction. I think it's a pretty complex area. It has a lot of interactions. You know, it having been introduced yesterday morning, so this being the second day that the language was on the floor, it's not unreasonable for us to have a few outstanding questions, I think.

One of the things that, in my conversations with individuals who do work in this area, has come up as top of mind is secure shelters. As I mentioned earlier today on this bill, you know, this is a good piece of the puzzle, but it is only a piece of the puzzle. There need to be supports in place, a number of different supports – supports for people who many need to stay in the country, supports for people who may need psychological support, supports for people who may need legal advice – and none of that is outlined in this bill. What has been indicated or I understand from department staff is that that is to be dealt with by way of the task force and/or committee. The challenge is that the task force committee is also not in this bill, so we don't know who's on it or when it will be established or what the rules around that will be or what the timelines are for the report.

I think it's worth asking these questions because what I have understood from stakeholders is that one of the big areas of concerns is that this needs to come, but with it need to come supports, supports that cost money. So that is worth saying. One of the things that they have indicated is secure shelters, specifically for victims in this area. Often there is a lot of trauma. Often there is a lot of complexity – and here I'm thinking about victims of sex trafficking – that comes with those individuals, and other shelters may not be the best location. What is being asked is that there be a secure place to take individuals who have experienced human trafficking and to provide them with a safe space to go, where advocates can refer them so they can be housed and so that they can be safe and so that they don't potentially fall into the situation again. Often there is a power dynamic and often there is a relationship, as I think colleagues on both sides of the aisle have mentioned.

I think another thing worth considering is the interaction with the victims of crime fund. Some of these organizations may be supported through the victims of crime fund. Some of the individuals who have experienced human trafficking would be seeking support through the victims of crime fund, and there is a mechanism for that. We know that the minister, from estimates, has indicated that he is looking for a million dollars worth of savings in terms of victims support groups, and he is looking to cut the budget significantly in terms of direct financial benefits to victims. So that will interact with that. Now, this isn't to say that victims of crime can't be supported from some other line item in the budget, but it is to say that there is an intention and a stated intention in the budget to revamp the victims of crime fund to allow monies from the victims of crime fund to flow to organizations that are not victims of crime organizations or are not victims of crime.

Now, I think that support for police and for prosecutors is very important. Certainly, I think I'll have more to say about that on another day. That is not what we are here to discuss. But I think it's worth pointing out that there is an interaction there. There is an interaction when you're talking about cutting money to victims of crime while you're bringing this through. We don't know exactly what that plan looks like.

I think with that, it's worth ending my comments. I will state again, as I have on multiple occasions, that this appears to be good work. But it is reasonable, especially in light of the fact that the in-force date for those protection orders is not until nine months from now, that we would bring forward a referral amendment so that this could go to a committee. Potentially this House – I mean, we don't know what's going to happen, especially in light of COVID-19. We don't know what's going to happen, when we'll be here, when we'll be able to be here. Committees can operate by phone. They can operate by video conference. They can operate in a lot of different ways. So this work around consulting stakeholders and ensuring everything else is in a row could occur in a committee.

I need to make it absolutely clear that when I state that I support this referral, it is not because we are trying to play political games. It is not because we want to delay this bill. It is because we think that this is an incredibly important issue that deserves due care and attention and deserves time to study the legislation. Given that the government is not bringing this into force for almost nine months, I don't think that the reasons around the urgency or immediacy of this are necessarily – yeah. I'm not sure that that's the best argument.

With that, I will end my comments. I'm sure others wish to join the debate.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I've seen the hon. Member for Calgary-Glenmore on a couple of occasions. Is she hoping to address Standing Order 29(2)(a) or on the amendment?

Ms Issik: Standing Order 29(2)(a).

The Speaker: Standing Order 29(2)(a) to the hon. Member for Calgary-Glenmore.

Ms Issik: Thank you, Mr. Speaker. I rise because we've heard discussion this evening about need for clarity. Certainly, we've had much debate over the day about, you know, the fact that there needs to be programmatic pieces that go along with this legislation. This legislation does not boil the ocean, nor do I think that at this juncture we should try to boil the ocean. This is a specific set of tools to address specific issues.

8:40

Now, I've heard a number of issues supposedly that need clarification, justifying a need to be referred to committee. The biggest one I've heard is issues around definitions. I'll just try to provide some clarity around definitions. The Palermo protocol provides a definition. This is an internationally recognized protocol, agreed on by multiple nations. The definition for trafficking is such:

- (a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- (b) The consent of a victim of trafficking in persons to the intended exploitation set forth... [above] shall be irrelevant where any of the means set forth... [above] have been used;

That is an internationally recognized definition in the Palermo protocol.

In this bill, section 1(1):

- (d) "human trafficking" means the recruitment, transportation, transfer, holding, concealing, harbouring or receipt of a person by means of
 - (i) the threat or use of force or other forms of coercion, abduction, fraud or deception,
 - (ii) repeated provision of a controlled substance,
 - (iii) the abuse of power or of a position of vulnerability, or
 - (iv) the giving or receiving of payments or benefits to achieve the consent of a person having control over another person,
 for the purpose of taking advantage of or exploiting that person, including any form of sexual exploitation, forced labour or services, including slavery or practices similar to slavery, or the removal of a human organ or tissue;

That sounds remarkably similar to the Palermo protocol. I think that is a fairly decent definition, and I don't think there's much confusion about it.

There was an earlier point today with respect to the mention of individuals with physical or mental disabilities, and I would point out in section 3(2)(c):

- (2) In determining whether to grant an order under subsection (1), the court may consider the following and any other relevant factors:

- (c) whether the victim has a physical or mental disability;

That has been expressly stated in this piece of legislation.

So there's clarity on two of the major points that we've had debate on that drove this amendment to refer this to committee. I think there's clarity there, so I'm really not clear on why we would have to refer this to committee. I think this bill is very clear. It is a set of tools. It was not meant to be programmatic. We certainly know that it is not going to provide all of the answers, particularly for individuals who've experienced exploitation. It does not provide all of the programmatic pieces. It was not meant to. What it is meant to do is help us rescue people who right now are experiencing sexual exploitation, who are going to be – because we are entering an extended period of economic crisis that will drive even further sexual exploitation of individuals and other forms of exploitation.

I really urge that we not support this amendment. However, I'm standing on 29(2)(a), so I'll leave it at that.

The Speaker: Hon. members, there are just a couple of seconds, like three, on Standing Order 29(2)(a). Unfortunately, that time has expired.

We are back on the referral. We are going to move back to the government side as the previous member was the hon. Member for Calgary-Mountain View. The hon. Minister of Culture, Multiculturalism and Status of Women has the call.

Mrs. Aheer: Thank you, Mr. Speaker, and again thank you for the opportunity to discuss this. I just wanted to address a few issues here. The statement of this being overblown: I would think that we need to be extremely careful about how it is that we're talking about this particular issue. I just wanted to read. I will enter this in. This is from ACT Alberta. I'm sure you're all familiar with this. I just wanted to actually – the Member for Edmonton-Glenora was speaking about language around how it is that we speak about the folks that have been impacted by human trafficking. Just to be clear, most of the work that's been done on this has been supported and worked on with various organizations throughout, just to clarify because she had mentioned about this, and I just wanted to give a bit of clarification around this.

It says in their actual description – sorry. My little thing is not working here. Anyways, they talk intermittently between victim, survivor, and persons who have been impacted by human trafficking, and the language is actually flipped around significantly by all people who work in this particular field working with those persons. Depending upon the situation and many other factors that, as we know when we're talking about – human trafficking is extremely complex and, as the member opposite had mentioned earlier, can be extremely difficult to really put your finger on and describe what's going on. Just to be clear, that language, all those words – “victim,” “survivor,” and “persons impacted by human trafficking” – Mr. Speaker, have been used by the associations, the experts in the field at all levels, at all times, at various points with it. Just as a point of clarification.

One of the things, too, in terms of defining other portions of human trafficking: there are universal realities of labour exploitation and trafficking, and those universal realities are actually reflected in the UN declarations on human rights. They're also reflected in the Palermo protocol and then, therefore, reflected within the legislation that we're bringing forward, all of those being extremely important to be able to recognize what it is. But more important is being able to give especially new Canadians the ability to understand their rights in this country, to be able to make sure that they understand that when they come here, they're free citizens, and they cannot be held, and they cannot be used for labour. In fact, it's not just adults that are being trafficked for labour; children are as well. So it's extremely important that those definitions are what have been used and what continue to be used under this legislation.

Otherwise, it would be very easy for people whom they trust – families, in other words – to be able to say that a person is being brought in and that they're paying off a debt to a family or, you know, being used for helping to pay the mortgage under the house that they're living in. There are a lot of different ways that a person can be used this way, so it's very important that we follow the protocols that have been set out by people that have been doing this long before we have. I just wanted to make that point of clarification. I hope that helps as well.

I think that in regard to this amendment – I had mentioned this earlier. I'm going to read something, and I apologize if this is at all disturbing. This isn't an easy thing to read, but I will make sure that this is copied and put into the – and this was from an article done by Global News. They'd actually interviewed women that had been trafficked. Many of you may have read this, so I apologize because the language is not easy to read. It says here:

“A lot of the times it was five men on me, sitting on a chair, my hands tied . . . And there were objects involved as well, and I can't fathom how many times I tried to get out of that situation and I couldn't. I would scream for help and when I did that, they would tie my mouth up so I couldn't scream. They would withhold my phone so I couldn't make a phone call,” she courageously shared with tears spilling down her cheeks.

These are just a few of the stories that we hear, some of the extreme, despicable, horrific acts that are forced upon people that are in relationships with people that they trust initially.

There's a lot of grooming involved. There's a lot of work, especially when we're talking about children. A lot of people do not realize that the people that are forcing them into these situations are actually breaking the law. You can imagine children who have been put into these situations: many of them grow up in these situations and have been bought and sold amongst many people not only in this nation but across the world. So you can imagine that by the time authorities are able to intervene, the amount of trauma that has been incurred makes them believe that this is part of who they are, part of their humanity.

When we're dealing with human rights violations like this and this level of dehumanization, there isn't a speed fast enough by which we can bring forward legislation. There is no amount of speed with which we can try and bring forward legislation that at least starts to scrape the surface.

8:50

Many of the members have said in here: you're right; it is a jumping-off point, largely, to a degree, very much a beginning. But can we begin? We're asking for your permission to begin. We're asking for the ability of this Legislature to look beyond partisanship and to understand that there are real people behind every single situation, real human beings that right now should even have the privilege of watching this and wondering what the heck we are waiting for, who are questioning the ability to not be able to debate it fulsomely here when this was part of our platform commitment. We knew that we were going to be bringing this legislation forward for 11 months, and I'm sorry if the opposition didn't take it upon themselves to learn about this earlier. You knew the legislation was coming. It could have happened four months ago, it could happen a year from now, but all of the people in this House knew how important this legislation was and how important it was to bring it.

This is phase 2 of several phases of this legislation that will come through. So, yeah, there is still a lot of consultation to happen, especially, as members have mentioned, on the complexities of what has to happen on the legal points of how this legislation is comprised. I don't think anybody in this House is disputing that at all. The dispute comes around where robust debate needs to happen. Robust debate needs to happen around how it is that we understand this legislation, so I have no problems with the questions. It's really hard to know, when you're given a piece of legislation, having been on the opposition side. I agree with the member. You don't always have everything in front of you, so there's no such thing as a silly question. That's for sure.

You know, there were questions around whether the legislation on human trafficking aligns with legislation around protections of children. The way that the legislation will work is that it will have to because you would never want a person who is in child welfare removing a child from a situation to be considered a human trafficker. I just don't even know how those two would ever come to not align appropriately, especially with the ability to remove a child against their will from a home to make sure they are protected.

ACT Alberta: we were talking about special areas for survivors, victims, and people who have been impacted by human trafficking, having safe places to be able to go to. I actually believe that one of the members and I attended together at Reset at one point in time to see some of the great work that was being done there not only through therapy but re-education, putting these incredible people with an ability and life skills to be able to get back to life, to be able to reclaim their lives. How much time do we really want to take, folks, in helping people to reclaim their lives?

The definitions are very much there. We are following protocols that have been set by other cultures, nations, and places around the world. I mean, these are, unfortunately, day-to-day events in some places. There are many cultures that undervalue girls on a regular basis, and they are considered chattel and things to sell. It happens all over the place, and it's happening here, in this country of freedoms and a place where we believe that we all have an even playing ground, or we try to. We're still – there are so many gaps. We talk about these things all the time. But is this really a gap that we want to continue to fill, or do we want to have this as a starting point and get moving?

Have the time to consult further on the legislation and some of the meatier pieces of this legislation: I totally agree. But there are

some things that deserve all of our attention, that deserve compassion and immediate action. This is one of those things. This is when we look at ourselves as a legislative body, and we don't question the why. The questions of how and where and how you get there are all legitimate questions, but the why cannot be up for questioning. I think many of the members in here, on both sides, have stated for the record that it's a good thing to go forward. It doesn't matter who came up with it, quite frankly. It doesn't matter. It takes all of us to get that legislation across the finish line, every one of us. We all have a really important part to play in that. Quite frankly, I'd like to be on the right side of this piece of legislation.

Moreover, we have a responsibility, especially in a province like ours, where we have a tremendous number of people coming from other provinces. In fact, you know, once we're on the other side of this evil COVID, we get to put our lives back together with our families and friends and start attracting people back into this province and bringing people here because we're going to be the place that everyone wants to be, right?

We want people to come here, but we have to know that girls and women and children understand their rights in this country, those that have had those rights taken from them for far too long. One of the girls that was in this article that I was reading about: 35 years she's been trafficked. Thirty-five. Do you think she wants to wait to see people that she knows, that have been through this? Bought and sold in the United States and Canada, folks. This isn't happening somewhere else; this is happening here, in our city. We're 12 out of 129 cases in Canada. That's 12 too many, and that's only the ones that we know of, who've had the courage to come forward without legislation to protect them.

If you think about crises that we've all been through – one of the members had mentioned about languages, and I don't know if you realize that right now our government is putting out crisis information in at least eight languages and potentially four more. We're working on that really actively, and we really appreciate those questions because they're good questions. Information like this: absolutely, it's a priority to make sure that it's in several languages. Absolutely. As you know, in a crisis if you've ever – I remember that one of my children ran away from me in a mall one time. I lost my mind. I felt like the world was spinning around me. I could barely speak my language, my original language of English, let alone try and understand it in a different language. The crisis moments that we go through are difficult enough without being able to understand it in your language, so it's a really good question and definitely part of what will need to come forward. But, please, folks, understand that this is just part of a larger piece of legislation. We really need your help and the support and also collaboration on things that, you know, need to enhance and empower this legislation and empower the people who have been victimized. At the end of the day, that's what this is.

You know, one of the members had mentioned about language and using overblown language, but I read an article where the opposition had said that this legislation is just lip service. Again, I question how a piece of legislation ended up on the side where people are talking about lip service, when everybody in this House knows how important this is. We're talking about cuts to spending. There is \$12 billion that has gone to the front lines right now, folks, to help save the people in this province so that we have people to be able to represent. Having dollars to make sure that there are supports to go around this is an imperative piece of the legislation, and there will be adequate time to be able to talk about this, but this is actually enacting the legislation so that we can get to work. Yeah, parts of it will not come forward until December 31. That's correct. But there's an entire body of regulations, and for those of you who

have been in government, you know that. You know better. It takes time to enact regulations like this, especially when it's through Justice. It takes time because all of those things have to align.

Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-Whitemud has risen.

Ms Pancholi: Thank you, Mr. Speaker. I'm pleased to rise again to speak, and I appreciate the comments from the Minister of Culture, Multiculturalism and Status of Women. I am a little bit confused because I actually think every single member who has stood up to date to speak to this bill has actually expressed our support for the bill in terms of the content of it but have legitimate questions. Perhaps this is hearkening back a little bit to the fact that, you know, back in the day, before I was an elected official, I was a lawyer who actually worked on drafting legislation within the government of Alberta. I then practised for many years interpreting legislation.

9:00

Part of the reason why I and, I believe, the members on this side of the House, but particularly me with my background as a lawyer, feel that it is so important that I'm asking these questions – it's not from a partisan perspective about support or lack of support. We've been very clear that we think this is absolutely a pressing and important issue. We've been very clear about that repeatedly. We actually have done our homework, contrary to what the minister has said. I mentioned already that I've been speaking with stakeholders about this since I was elected.

I'm very aware of that, of the issues and the intricacies and the importance of this work and this legislation, but the legislation was introduced yesterday, and some of these stakeholders had not even seen it. So to suggest that asking questions is somehow stalling – we're simply saying that this is important work, and we need to make sure it's right. As a lawyer who spent so many years carefully interpreting and looking at the wording of every specific piece of legislation that applied to my clients' situation and parsing those details very carefully, that is part of what we do.

It is, in my view, critically important that the content of that legislation actually be accurate, and sometimes I think we forget in this House that it's not just about partisan positions, but we're actually saying that we're in support here. All of the members here have indicated our support for this issue, but, please, let's make sure that the law we are being asked to review and pass today is accurate, meets the objectives that we are seeking to meet, reflects the realities of the concerns of the stakeholders. Let's make sure that we are actually thinking very carefully about this language because it is going to be what stands for a long time. We know it's not easy to have legislation come before this House. We know it's not an easy process to make amendments to legislation, so we need to get it right – that's the important part about this – because the issue is so grave.

I don't think anybody on this side of the House has stated any of the things that the minister has said about us saying that it's overblown or lip service. None of us said that. We've actually all been very clear on this side of the House that this is important work. That's what we've been saying. I want to make sure, on behalf of the importance of this work, that the language – and not just of this act. As we've talked about and I mentioned repeatedly, which nobody responded to when they said that they were critical of the fact that we questioned definitions, nobody questioned the definition of human trafficking. We recognize that that's taken from the Palermo protocol. We know that. What we're saying is that there are specific terms, even within that definition, that are further

defined within the act but certain terms that are not, and we asked questions about that.

We want to make sure that this act is accurate and appropriate because it's going to stand for some time, and it interacts with so many other pieces of legislation. It interacts with so many fields of work: the justice system, children's services, all these myriad pieces of information. I don't think we want to hold up the effectiveness of this legislation by rushing it through because we haven't given the time to the actual wording. That's what I care about.

I have to say that one of the things I've been challenged with since I've been an elected official as opposed to a lawyer before is how little thought is actually given in this House to the actual content of the words when it comes to these partisan discussions. I really, deeply care about making sure that the language of the act is as accurate as possible, particularly on an issue as important as this.

I want to say that I think it's incredibly appropriate – and that is exactly what this House is meant to do – to look at the language carefully and make sure it's appropriate and to recognize that the stakeholders, who work in this world every day, need to have an opportunity to review the specific legislation. They are obviously committed to the same goals with respect to human trafficking. They absolutely are. We know that. But this is going to be the legislation.

I have to say, Mr. Speaker, that I'm also deeply concerned about how frequently since I've been here this evening it's been characterized that this is an urgent issue, yet they're not actually implementing it for nine months. It is an urgent issue. We need to get it right. So let's not talk about the fact that we're in this House debating it as a delay. It is actually about making it accurate, and if the minister wants to make it an urgency issue, then it shouldn't be proclaimed in nine months. It should be proclaimed now.

The Speaker: Hon. members, we are on the amendment. The hon. Member for Edmonton-Castle Downs has the call.

Ms Goehring: Thank you, Mr. Speaker. I rise today to debate Bill 8, Protecting Survivors of Human Trafficking Act, specifically to the amendment that has been put forward by the Member for St. Albert that this not be read a second time and that it be referred to Families and Communities in accordance with Standing Order 74.2.

I need to say that I absolutely support legislation that protects survivors of human trafficking. I come from a background of social work, where I dealt with families, with people who have survived human trafficking as children, as adults, so I've seen it first-hand. It's not just about reading an article in the newspaper; I wrote reports on it. Then I worked in the court system, Mr. Speaker, and I assisted workers and police in obtaining protection orders regarding the Protection of Sexually Exploited Children Act. That was my job prior to being elected, so I am intimately aware of the impact of human trafficking on individuals, and I wholeheartedly support any legislation that we can do that would protect and support.

However, in saying that, I also support that this be referred to the Standing Committee on Families and Communities at this time because – like many members have expressed concerns about, it's not with the legislation's intent; it's about some of the wording, and it's about some clarity that's absolutely required. I'm coming from a place of fear that without having this robust conversation, without having all of the stakeholders included in this conversation and direction, there are going to be some loopholes that are in here. I know that when we talked about the PSECA legislation and how that is such an important piece of legislation that intersects with this – the Criminal Code intersects with this; the labour code intersects

with this – I think that there are some major pieces that are missing in this legislation.

When we look at the ability to apply under PSECA, it is applied under a police officer or a child intervention worker. If a person is applying on behalf of a child under the Protecting Survivors of Human Trafficking Act, is there a notification process in terms of notifying Children's Services that this has occurred? Would it be a conversation, perhaps, before to determine which legislation would best meet the needs of the person that they're looking at assisting? Would it be a protection order under PSECA, would it be a protection order under the Protecting Survivors of Human Trafficking Act, and who makes that decision? I think that that's some clarity that absolutely needs to come forward.

I can speak first-hand as a child protection worker to when legislation under the Drug-endangered Children Act was introduced, and that allowed police officers to apprehend a child if they suspected that they were at risk of being exposed to drugs. We called it DECA. What didn't happen initially was conversations between EPS, police across the province, and Children's Services on how that legislation would play out. We knew that you could apply for this, but then what? There was this huge gap in what services needed to be offered in the interim, because there was already legislation under Children's Services, under CYFEA, that allowed for children to be removed from a home based on being exposed to drugs and being endangered in that way. Having those systems in place prior to the legislation happening was essential, and it didn't happen, and it created some barriers in terms of wanting to do the job, which is what we're saying.

We want to do this – we want to protect survivors of human trafficking, absolutely – but we need to make sure that we're doing it in the most effective way. By having this referred, we can have robust conversations and make sure that those loopholes aren't there. When we look at the people that are doing the trafficking, the bad guy, if you will, they're mass manipulators, and if they can figure out these loopholes in how to get through the legislation, we want to prevent that. Ultimately, we want to make sure that the bad guy gets charged and that the person that has experienced human trafficking gets supported. Without having these robust conversations, there is a fear that this isn't going to happen. The intention isn't to create loopholes, but the consequence is going to be that there are loopholes, and those are things that we need to look at.

I know that there has been discussion about a task force, which I think is absolutely incredible. What I think would be even better is to have that task force provide us information on how the legislation should read. These are experts that we're trusting to come together to talk about ways to support those that are experiencing human trafficking, but why not have them come and bring recommendations about this legislation? I haven't heard that that's happened. I haven't heard that some of these amazing individuals that do this 24 hours a day – they eat, sleep, and breathe this. They should have input into this. We talked about having the task force up and running. In my opinion, having that task force direct the legislation at the beginning is essential, having their fingerprint on what needs to happen.

9:10

There are other areas in here that I think also need to be looked at. When we look at the section speaking to confidentiality, it talks about the different ways in which individuals can restrict print about people being disclosed. What I see as a glaring misstep here is that there is nothing related to children in here. When it comes to CYFEA, the Child, Youth and Family Enhancement Act, when it comes to PSECA, when it comes to even the young offenders act,

children's names can't be reported. It's part of those pieces of legislation, yet it's not in this piece of legislation. To protect a child, different pieces of legislation have it in there that speak to that specifically.

The other piece is around a media ban when it comes to children and making sure that that conversation happens, having consultation with the media in terms of what their feedback is around confidentiality and how that plays.

Something that I've heard from both sides of the House that I think is really important – and I'm glad that we're talking about this – is the procedure of grooming. When we look at how skilled some of these individuals are at getting the people whom they target, it's bigger than sometimes just the person that they're actually targeting for trafficking. It could be their loved ones. It could be that single mom that they see. They could have access to their child. So they create a relationship. In lots of these circumstances the bad guy isn't unknown to the family, so there's some sort of loyalty sometimes in ensuring that this person is protected. That not only comes from the person being trafficked themselves but from their family. To have this expectation that someone is going to come forward on behalf of this person is tough, and it puts the people being trafficked and it puts their family members in a situation that isn't always accurate.

I'm happy to see a piece in here that talks about an application being made despite a victim – the defence can't be that the victim was a willing participant. I believe that is what it says. I'm happy to see that, but I think it can go a step further and talk about: what else can we do on behalf of the victim in terms of this? When it comes to extending the protection order, does that individual have to come forward and make the application, or can somebody do it on their behalf? If we look at experience with domestic violence, there are instances where police respond where you can clearly see that domestic violence has occurred. Police talk to the bad guy. The bad guy says: "No. Nothing happened." Police talk to the person that was victimized, and that person says: "No, no. Nothing happened." Right? At some point the police have the ability to still lay charges. They know the person was victimized. They still have that ability. I'm hoping that this legislation will cover that, because we know that there are going to be times when we know someone is experiencing human trafficking, but they don't have the courage, the strength, or perhaps sometimes even the understanding to be able to articulate that.

When we look at how we're going to be working with individuals, there's a clause in here that says: "with the victim's consent." Sometimes you might have a victim in terms of this legislation that doesn't give their consent, so then what? It articulates in here that if it's a child, that consent isn't required; it's waived. But what happens to an individual when we know that they can't give consent, that they're unable to give consent and perhaps even unwilling? I know I have worked with many families, and individuals, heartbreakingly, do not see themselves in the role of victim. They've been so groomed and so beaten down that they see that they deserve this. They see that this is something that's normal. So we have to be super aware of what the language in this is and not be putting people at risk even further, and that is something that I think can be worked through in committee.

Those are conversations that I think should happen. It's absolutely not about delaying this. It's about making sure that we get it right. I come from a place of just caring about people, and I know that everybody in this Chamber wants to make sure that this piece of legislation goes forward. Having those conversations with people to say what they would have needed in that situation is something that's essential.

Talking about the supports for afterwards: I've heard many people talk about this in this House, having a place that is safe for someone to go to. We see it with domestic violence. When someone is fleeing domestic violence, they need a transitional place, somewhere where there are supports. When you look at domestic violence statistics, someone exits domestic violence an average of seven times before they actually leave the situation. A person experiences domestic violence an average of 35 times before they tell one person. I can only assume that the statistics are similar for those that are experiencing human trafficking. These individuals are so beat down. They're abused. They're traumatized. What supports are we going to have in place once they're removed from that situation?

Because a loved one sees that intervention needs to happen doesn't necessarily mean that that individual has internalized that, so we need immediate supports after to help deal with that trauma, to help them understand why the intervention occurred in the first place and what supports can be in place to make sure that they are no longer in that situation. These people are often known to them, and it might not necessarily be just one individual. It could be bigger than that. It could be a ring of people that they're connected with. It's important to be able to know what's going to happen before we put this legislation through.

I think that it's incredibly important that we're having these conversations and that we're bringing it out into the light because I don't believe that a lot of people understand that this is happening. I'm so grateful that we're here talking about this. Having the ability to bring it to committee and really have a robust conversation with many experts and close those loopholes, I think, would be ideal. We're not saying that we want this delayed. We're saying that we want it done right. From the bottom of my heart I know that we can get it right. We have an opportunity to be able to tell families, to be able to tell individuals: we see you, we believe you, and we're going to fight for you. We're going to make sure that this is the absolute best legislation to do that. If we can make it more clear and better explained and better understood and close those loopholes, I think that would be the best way to go forward with this.

I would encourage all members of this House to support this amendment. Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment.

I don't see anyone, so we're back on the referral. I see the hon. Deputy Government House Leader has risen.

Mr. McIver: Thank you, Mr. Speaker. I'll be a little bit brief here. Let me just say that I appreciate the debate tonight. I especially appreciate the emotional parts of it, the heartfelt parts of it. There are a lot of people in this room that care about other human beings and those that were, are, and will be sexually abused.

[The Deputy Speaker in the chair]

Let me say this. Our hon. Member for Fort McMurray-Wood Buffalo said that sometimes things get sent to committee to bury them, and that can be true. What also can be true is that things sometimes get sent to committee to improve them. Both those things in different circumstances can be true, I think we all can agree if we're honest with ourselves. The point is that I would say to the opposition that there's more than one way to improve a bill. I would say to them that if you look at the last sentence of the bill, it says, "Part 2 comes into force on December 31, 2020," which means that the other parts would come in force, presumably, on proclamation.

9:20

What I think we can all agree on is that there are people being hurt right now, and the sooner we can help those by putting some pieces of legislation in action that can help them – we should not let any more days go by. I think we can all agree that we've already let years or decades go by. You could say that a piece of legislation like this should have been done a long time ago. I guess the first-best day to do this would have been 50 years ago, and the second-best day to do this is today since all the days between 50 years ago and now have all passed by. I hope that it will land reasonably gently on the opposition's ears that this section 2 won't be proclaimed till December 31 because there are presumably a bunch of regulations to put in place.

I don't deny that there's expertise on all sides of the House. Certainly, there's expertise on this side from the hon. member that used to be an EMT – he still is an EMT; now he just works here instead – and the member that used to work as a police officer. I certainly heard some very credible experience from the other side of the House, from social workers and people with legal experience and other things like that.

I would suggest to them that if they have ways to improve this through the regulation that's coming up, they should probably submit that to government. I say that because we won't be supporting this amendment to delay it, but I would encourage members from all sides of the House to use the mechanisms that are still available to you to improve the legislation if you believe it needs improving. I'm just assuming that everybody who said that it needs improving meant it and that they have some good ideas, so I would encourage them to put those good ideas into action. For a reference point, I think there were some good speeches tonight, and you might even want to refer to your own words in *Hansard* and pull them out and submit them to the minister and the ministry. I think we heard some ideas on how people here think that some of the things they said here might improve the bill.

With that, Madam Speaker, at risk of disappointing the opposition, we won't be supporting the amendment, but they have our encouragement to try and improve the bill through the mechanisms that are still available to them short of referring it to committee.

The Deputy Speaker: Hon. members, Standing Order 29(2)(a) is available. Are there any members wishing to speak?

Seeing none, are there any members wishing to speak to the amendment? The hon. Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Speaker. I rise to speak to the amendment to Bill 8, the referral amendment. I want to thank members on both sides of this House for some of the comments that I've heard tonight. I think that I've heard some pleas for trying to make the bill better and to send it to committee, and in some cases I think that they've made some reasonable points. Unfortunately, I will not be supporting this referral amendment, basically because I see before me here a bill that could have helped some of the students that I taught.

I've had on occasion in my life to come down to the Mustard Seed church and to serve. In almost every case that I've been down there, I've had kids of mine that I've taught walk through, and when I sat down with them and said, "Why are you here? What's happened?," in almost every case I could go to this definition and see it in their lives: the threat of the use or the use of force or of other forms of coercion, abduction, fraud, or deception; repeated provision of a controlled substance; abuse of power or position of vulnerability. So when I see this, I don't necessarily see the language of this bill; I see the faces.

I look at this referral to send it to committee and compare it to the arguments that I've heard from some of my colleagues about this being a first step and about us needing a tool in our tool kit, and that resonates with me because it resonates with the faces of the kids that I taught that have walked through those lines. It resonates with the faces of the kids that have come back to me four, five, eight, 10 years later and have told me their stories about what happened to them after they left high school.

So, Madam Speaker, I wish I could have supported this referral amendment, but I believe this is a good bill that needs to be enacted and enacted as quickly as possible. Thank you very much.

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

Seeing none, any other speakers to the amendment?

Seeing none, I will call the question.

[Motion on amendment REF1 lost]

The Deputy Speaker: We are back on the main bill. Are there any speakers to the bill?

Seeing none, would a member like to close debate?

Mr. McIver: I know there was some heartfelt debate here tonight, and I want to thank members on all sides. At this point we will consider second reading closed.

[Motion carried; Bill 8 read a second time]

Government Bills and Orders Committee of the Whole

[Mrs. Pitt in the chair]

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

Bill 3 Mobile Home Sites Tenancies Amendment Act, 2020

The Chair: Are there any speakers to the bill? The hon. Member for Edmonton-South.

Mr. Dang: Thank you, Madam Chair. It's my pleasure to rise tonight and speak to Bill 3, the Mobile Home Sites Tenancies Amendment Act, 2020, here in Committee of the Whole. I would like to begin by saying that I think there has been quite a bit of thorough debate already on this bill. I think that a number of different issues have been raised. I know I spoke to this along with many of my colleagues in second reading, and I know many of my colleagues have been speaking to this in committee as well. Certainly, this is a bill – we've said it before, and I'll say it again – that we fundamentally support. I think it's something that certainly during the pandemic, during this situation, we do need to act on to ensure that we are able to protect every single resident across this province. Giving them access to dispute resolution services assists in that, right?

Now, Madam Chair, I'm a little bit disappointed. When I spoke in second reading, the minister had gone back and forth with me a little bit, and we had spoken about how the opposition had given, I believe, about six amendments to the government in advance, right? In the interest of nonpartisanship and bipartisanship, in the interest of being as open as possible and trying to make the bill better, the amendments had actually been given to the government in advance so that if there were any changes that were necessary, they could be done, and if there was any regulatory way to move some of these

forward, that could be done as well. That was, of course, the intention, to try and make this bill better so that it could help more people, right? The intention was always to try and make this bill better so that we were able to move forward more quickly, so that we were able to close some of the things that we think are loopholes that the government could and should close. I mean, certainly, it would allow people to have a more stable living through this situation, right?

We know that the RTDRS does a number of things. It hears cases under \$50,000, but for people in mobile-home sites that means that many significant issues cannot be heard through the RTDRS. It means that many significant issues, particularly relating to infrastructure around the sites and around those leases – typically it means that if, for example, a roadway needs significant maintenance or a water delivery system needs significant maintenance, in many cases that would exceed \$50,000, and this bill would do nothing to help those people, right? That's one of the reasons we had tried to propose amendments.

9:30

Another thing that I think is particularly concerning that the government – and, again, we gave all these amendments in advance, right? We thought that they should bring in waivers for fees. There are fees to apply to the RTDRS – I believe it's about \$75 – and the fees to apply to the RTDRS must be through a clerk in the courts. As we all know in this Chamber and as many people across this province know, the courts are currently closed. The RTDRS offices are also closed. They are only accepting applications via phone or online at this time, right? That means that in many cases, if people have to apply for a fee waiver, they actually can't do that because you can't go into a court to apply to a clerk or you can't go in and do the actual paperwork.

There are also quite onerous administrative requirements to apply for a waiver. You have to either get bank statements or pay slips. In many cases HR offices or banks are not open to the public at this time, so people can't go and get those types of paperwork, right? Those things were very concerning. When we brought that up with the minister, he had seemed like he was willing to speak about it, and that's why we gave him the amendment in advance, but it appears that the minister is not interested in closing that loophole. It appears the minister is not interested in making sure that we're able to grant those waivers at this time.

I think there's also quite a bit of concern around how cases that are currently in the courts could have been moved to the RTDRS if the parties agreed. We had tried to offer an amendment to that accord as well because, certainly, when we look at the court system – as we know, the courts, again, are closed right now and not processing any of these disputes. Some of these people may have been waiting, in many cases, months to be heard in a court, and the RTDRS could have given a resolution or arbitration – and a binding arbitration at that – that would have allowed that.

The government also wasn't interested at all in making sure that rent could not be increased when cases were being heard. That can be used as an intimidation tactic by some landlords. I mean, frankly, I think that these are all simple loopholes that should have been closed, right? I mean, if we're trying to make the system as fair as possible, you try to level the playing field. You want to make sure that nobody has an unfair advantage, and the nature of a landlord-tenant dispute is that the landlord often or almost always will have some sort of advantage because they own the land, right? They control the property. That is a significant concern as well. Certainly, those were some amendments that I think we should have moved forward with, and it's disappointing to see that the government did not.

I'm glad, again, though, that the government is introducing this bill. It is promising to see that they're taking something out of our platform to actually move forward. It wasn't in their platform, Madam Chair – and that's a little bit disappointing – but it was in ours, so it's good to see that they're taking some notes from us. I hope that they do that again and again and again, and perhaps they'll want to implement all the things in our platform. That would be wonderful. But, certainly, I think that this bill is a first step. It's a first step.

It's something that I think is – we were brought here because of its urgency. We were brought here because we'd already done emergency legislation regarding evictions for other forms of tenants that weren't in mobile homes, last week, I believe. Sorry. I think the joke on social media these days is that it's the same day. Every day feels the same when you're locked in your home. But I believe it was last week that we passed some legislation to ban evictions for other types of tenants. Now, this legislation does not address evictions; it only affects dispute resolution. I think that's a little bit disappointing as well.

But I think that one thing that – when we talk about urgency and we talk about that we had to come back to pass this because it is urgent and because it is during a pandemic, I think that we should look at when it comes into force, right? Indeed, in this case this bill will not come into force for some time. When we talk about urgency and we talk about recalling this Legislature to have that urgency to actually discuss those issues and move forward with this bill, which I think is a good bill – again, I think it's a bill that will help a lot of people and has the opportunity to help a lot of people, particularly right now, during a pandemic, during a situation where people may have lost their income, during a situation where people may not be able to go to work, during a situation where they may not even be able to interact with their landlord to comply with social distancing protocols or physical distancing protocols.

We do need some sort of dispute resolution for many types of issues, not just the large infrastructure that the government is not interested in dealing with but even the smaller things, like if someone misses their rent payment or if someone needs a minor renovation or a minor repair to their structures, right? These are the types of things that I think are important, and it is important that we are able to move forward with these things in an expeditious manner. I think one of my colleagues in a little bit here will be introducing an amendment to that effect. Because this House was recalled for Bill 3, the Mobile Home Sites Tenancies Amendment Act, 2020, because we were brought back because this is a matter of urgent importance, this should come into force immediately, right? If it's so urgent that we have to do it right now, then it shouldn't come into force at some point in the future; it should come into force now. That basically is the definition of urgency. That's how this whole system works.

I hope the government is able to see the logic there. I hope the government understands the terms that they're using when they say things like “urgent” and understands the impacts it will have on real Albertans, on everyday people, and on the – I want to say 48,000; it might be 78,000 – Albertans who live in mobile-home sites. There are tens of thousands of Albertans who live in mobile-home sites, and they need access to these types of services. They need access. They need access particularly now, when Albertans across the province have some of the least agency they've had in perhaps their whole lives – right? – because right now we are in an unprecedented time. We are in a time where the situation is evolving rapidly. Just in the last few weeks people have gone from, “Well, there's really nothing happening” to “Now we should stay in our homes if at all possible.” Things are changing really quickly.

What we can do to help people through that process is to give them an arbitration service. If we want to do that – it seems to be the government's intent to do that because they have recalled us to pass this urgent legislation, in their words; it seems to be the government's intent that they do want to make these types of changes and they do want to help these people – then I think that they should be amenable to making sure that these come into effect as soon as possible.

These types of disputes, particularly around things like rent, particularly around things like minor repairs or minor repairs that may be urgent repairs, disputes around things, let's say, if a water pipe bursts or if a power line is down, these types of disputes, that may or may not be under \$50,000, so they may or may not be covered by this – but for the ones that are covered, those types of disputes, particularly when Albertans have the least agency they may have had in their whole lives, particularly when Albertans may not be allowed to go to work or may have lost their jobs, particularly when Albertans may not have qualified for the so-called bridge funding that the government had brought in, particularly when Albertans just don't have access to so many things that they are used to, accustomed to, and normally should have access to – for example, the courts – then we need to bring in the RTDRS, and we need to bring it in for these Albertans, these tens of thousands of Albertans. We need to give them access to a system they can use to make their life better.

That's why we're here. We want to make sure that we have this ability to patch these holes as they come up. That's why I'm here tonight. That's why my colleagues are here tonight. We're talking about making sure that we can patch these holes. It's disappointing that the government didn't think that large infrastructure is something that needs to be addressed during a pandemic. It's disappointing that the government didn't think that things like fees were going to be a problem during a pandemic. I mean, some of these people that live in these sites have probably lost their jobs or are unable to go to work. It's disappointing that the government doesn't think those things are pressing.

But if the government does think this bill is pressing and that the ability for Albertans to access the RTDRS is pressing – and I recall the Minister of Service Alberta saying in second reading that he was asked why this hadn't been brought in sooner, and he said that he didn't know, because it was such a good idea. Okay. Great. So the minister thinks this is a great idea and that it should have been brought in right away. He wanted to move forward. It took him 11 months. Well, now he has the chance to actually make it go into effect right away. If he thinks that it should have been brought in sooner, then he certainly thinks that it should go into effect right away. These Albertans depend on these services, and they will need these services imminently, right?

Certainly, I think we'll be introducing some amendments that were presented to the government in advance. This isn't a partisan issue. This isn't about showboating, grandstanding, right? This is about actually trying to make sure that this bill we're trying to pass, that's of urgent importance, will work for Albertans, will work for mobile-home site tenants and owners, landlords and tenants. The intent is to actually provide a fair and binding arbitration service for people, particularly people who don't have the protections that we brought in last week around evictions. If they don't have those protections, then it would be important to expedite and ensure that they have the protections of at least dispute resolution. Those are the types of things that – we were brought in to ensure that nobody falls through the cracks during this pandemic, right? We want to ensure that nobody falls through the cracks during this pandemic.

9:40

Some of these tenants may own their mobile home, but if there is a dispute and, let's say, they get evicted because they're not covered under the eviction protections, it's very hard, particularly at this time, when many businesses are closed, to pick up not just the things in your home but your actual home as well and move that to a different location, right? I remember moving just a few years ago, Madam Chair, and that was difficult enough for myself. I didn't have to move my whole apartment. I just moved the things inside my apartment. To imagine having to actually try and calculate the logistics of moving an entire home across the city or the province right now would be unfathomable.

That's why we're talking about: there may not be eviction protections. This bill does not address eviction protections, but what it does provide is a binding arbitration service. A binding arbitration service would be valuable for people who are in a tough situation right now, particularly people who may be falling upon hard times because of the COVID pandemic. Unfortunately, the government's program probably let a lot of those people fall through those cracks – right? – because the bridge to the CERB did not account for things like people who had lost their jobs. It only worked for people who were self-isolating. In a lot of cases people who are tenants of mobile homes may have reduced income or lost their income entirely.

I think it's extremely prudent that we try to change this coming-into-force date, that we try to make sure that this bill comes into effect as quickly as possible because it will allow us to actually come and say to our constituents, particularly those that live in or own and operate mobile-home sites, that when we came into the House, we said that we were going to address an issue of urgent importance, and we actually did it, right? If we don't make sure that this comes into effect immediately, if we don't make sure that this comes into effect expeditiously, then when we're asked, "Why did you go back to the Legislature to pass Bill 3, and why did you go to the Legislature to pass the Mobile Home Sites Tenancies Amendment Act in the middle of a pandemic?" and we say, "Well, so that it could go into effect at some point, you know, maybe after the pandemic is over": well, that doesn't sound urgent to me. But this is an urgent issue. Giving people protections is an urgent issue. Giving people access to programs is an urgent issue. Giving people access to making sure that they feel safe in their homes is an urgent issue, particularly during a pandemic.

I'm optimistic that because these amendments – well, this amendment. I know the government has already shot down the other five of them. But because this amendment along with the others were all provided to the government in advance – this isn't partisanship – I'm optimistic that the government will perhaps be open to this. I'm optimistic that perhaps the government will be open to making sure that no Albertan falls through the cracks, that no Albertan is left behind, that every single person has dignity, that every single person has access to the systems that ensure our province continues to operate and ensure that as many Albertans as possible are able to remain in their homes throughout this pandemic, right?

Albertans are being told by the CMOH, the chief medical officer of health, to remain in their homes if possible. Albertans are being told to physically distance if possible. Albertans are being told to do many things that become much more difficult if, without a dispute resolution service, they're just put on the streets. That's the type of conversation that I'm trying to push forward tonight. I think it's important that we talk about how these are real effects. It's important that we talk about how, when we're brought in to address these issues, they actually will make an impact in a meaningful

amount of time. If we're being brought in and the coming-into-force date is not until some further time down the road, then it's not an urgent issue, right?

We want to make sure we're actually addressing the urgency. We want to make sure we're actually addressing how essential this is, because right now we know the courts are not hearing nonessential cases. As we know, the courts are basically shut down, right? You can't go in and see a clerk. You can't go in and have your hearing for your issues. It means that basically people in mobile homes that are in disputes have no recourse. They have no system of binding arbitration or ruling. They have no system to negotiate with their landlords or tenants in many cases. This would close some of those loopholes, giving mobile-home site tenants and landlords access to the RTDRS, the residential tenancy dispute resolution service. It would close some of those loopholes, but we need to make sure it actually works. We need to make sure it actually happens. I think that it's fundamentally why we are here; it's to make sure that we can implement those protections expeditiously for Albertans.

I look forward to hearing some of the other debate from around the room. I know my colleague will shortly be introducing this amendment. I know that the government has already received this amendment, so hopefully they've taken some time to review it. Hopefully, their lawyers and their policy analysts have taken some time to review it and understood why this is a serious issue for many people, the tens of thousands of people that live in mobile-home sites and indeed the people who own and operate mobile-home sites as well, because on both sides people need recourse and dispute resolution. People need access to arbitration. They need access to stability, right?

We're basically trying to implement a system that allows you to know, if you live in or operate a mobile-home site, what the next steps are, right? That's all we're trying to ask for here: what are the next steps? I know that the minister understands that. I know the minister has already brought up why this is so important. I know that the minister has already spoken to that. Of course, the opposition here: we support this bill. We just think it needs to come into force right away because it's going to affect so many people in this critical time.

I look forward to hearing from the rest of the House, but, yeah, we'll see where the night takes us. Thank you, Madam Chair.

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

Mr. Schmidt: Thank you, Madam Chair, and I want to thank my friend from Edmonton-South for his quite succinct summary of the status of the debate to this point. I also want to challenge, I guess, the Member for Calgary-Hays and some of the comments that he made with respect to the process that we get to engage in with respect to improving bills and legislation in this House.

He, you know, gave his opinion that Bill 8 should not be referred to a committee. He fully believes in the principle that Committee of the Whole is an opportunity for us to bring forward amendments to improve legislation. However, our experience with Bill 3 seems to, let's say, destroy our faith in the ability of us to bring forward amendments to genuinely improve bills. That's what we've tried to do five times here with this legislation, and five times we were defeated.

I appreciate the fact, Madam Chair, that the Minister of Service Alberta was quite heavily engaged in the debate to this point, but there are a number of issues with some of the reasons that he gave for defeating some of the amendments that just don't wash. This is one of the reasons that Committee of the Whole isn't the ideal place to bring forward amendments, because we don't have immediate

access to the civil service, lawyers who could provide us with reasonable opinions on what can and can't be done with the legislation.

With that in mind, I want to refer to a couple of the issues that my friend from Edmonton-South brought up. One was the amendment that would have given the Provincial Court the ability to refer matters from the Provincial Court to the dispute resolution service. If I recall correctly – and I did not read *Hansard*; I don't have a photographic memory of the transcript – the minister suggested that this amendment didn't need to pass because the Provincial Court already has the jurisdiction, the ability to refer these matters to the RTDRS.

Mr. McIver: Point of order, Madam Chair.

The Chair: The hon. Minister of Transportation.

Point of Order Items Previously Decided

Mr. McIver: Under 23(f) it says: "debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded." I know the member is probably frustrated. I'm sure he probably has some arguments he'd like to continue to make. I think the item is in the standing orders not so much that the member is right or wrong but, rather, that we could redebate everything we do here, and what would that look like? Under that item I just would ask you to ask the member to debate what's before him rather than reliving the joy we've already had.

9:50

The Chair: The hon. Member for Edmonton-City Centre.

Mr. Shepherd: Thank you, Madam Chair. I think we often in this House have the opportunity to discuss the business of the House. Sometimes it does come around, and we talk about some of the instances that have come before as they bear on this. I think the Member for Edmonton-Gold Bar was coming around to further debate on the bill. I don't believe there is a significant point of order here. I think we could just give that member the opportunity to continue with his debate.

The Chair: I, too, was waiting for the hon. member to use past debate for the point that he was getting to quite quickly, I would assume. I would not find a point of order, but I would ask that member to get to the relevancy of the point that he was trying to make using past debate.

Please continue.

Debate Continued

Mr. Schmidt: Well, thank you, Madam Chair. If I can, I guess, I am trying to set the stage for a discussion around the amendment that I am about to bring forward in referring to the fact that we haven't heard some satisfactory answers with respect to the amendments that we have brought forward in the past. I am urging members of Executive Council and the government caucus to improve the level of debate that they have engaged in so far on this matter because it's of critical importance. I was going through some examples of some of the less credible arguments that the Minister of Service Alberta made in rejecting the amendments that we have brought forward. My intent, of course, with outlining why those arguments were not valid is to just underline the importance of having good information here so that the members of this Chamber

can make an informed decision on whether or not they are supporting the amendments.

In that vein, Madam Chair, for example, one of the reasons that was given for rejecting the amendment with respect to referring matters to the RTDRS was that the Provincial Court already has the ability to do that. Now, I reviewed the Provincial Court Act. I've consulted with my friend the Member for Calgary-Mountain View, who served as the Minister of Justice and Solicitor General for a number of years, I acted as the Minister of Justice and Solicitor General for a number of weeks, and I cannot use my experience or the knowledge of my friend from Calgary-Mountain View to find anywhere in any legislation that outlines that the Provincial Court has that explicit jurisdiction. That's an example of an argument that is not credible. That's not a legitimate reason to reject the amendment.

The other piece, another example of an argument that wasn't credible, was around rejecting the cap . . .

The Chair: Hon. member, we're in that territory where we're debating matters that have already been decided on. I really look forward to the discussion and the debate which you are going to present around the amendment, that we are much and greatly anticipating.

Mr. Schmidt: I'm greatly anticipating it, too. But to maintain that sense of anticipation, Madam Chair, I do want to just provide as another example the Provincial Court issue and the limits around the values that can be heard before the RTDRS.

The minister suggested that this is a constitutional issue, and that's not the case at all. In fact, it relates back to a matter in this amendment that I'm going to bring forward, and that is with respect to the proclamation of bills. We all know full well that laws do not come into force until either they've met the conditions of coming into force that are outlined in the legislation or they have been proclaimed. One of the examples that I would like to give is that the Provincial Court Act actually has an amendment that allows it to hear matters valued up to \$100,000, but that section has not been proclaimed yet, Madam Chair, and it's not, therefore, in force. So it was entirely within the power of the government to fully reject our amendment and just proclaim that section of the legislation and achieve the objective that they said they wanted to achieve.

This issue of proclamation is of critical importance to the people in the mobile-home site in my constituency and to mobile-home site tenants all around the province because they have been waiting for so very long to have access to the dispute resolution service. The mobile-home site tenants that I met with are incredibly anxious about section 4 of this legislation, which says that this legislation will come into force upon proclamation. As we all know full well, there is no timeline or guarantee when a bill will be proclaimed. As I gave as an example earlier, Madam Chair, the Provincial Court Act has that section that's been on the books since 2015, and it hasn't been proclaimed. It's been five years. And in none of the comments that have been made by members of the Executive Council or the government caucus have they indicated what the timeline is for proclaiming this legislation.

Now, the Minister of Service Alberta has given reference to some vague timelines around having the RTDRS up and running by the time the fall rolls around, and he suggested that he's given additional money and resources to allow for the increased caseload. But that's not good enough, Madam Chair. As we know, we are in an unprecedented economic crisis, and thousands of mobile-home site tenants, if they're not already in conflict with their landlords, will come into conflict with their landlords and will not be able to go through the regular court process to be able to challenge their

landlords and are relying on the immediate passage and coming into force of this legislation. That's why we're bringing forward this amendment that I'd like to submit to the House for consideration.

The Chair: This will be known as amendment A6.

Hon. member, please proceed, and just a note that you are moving on behalf of another member.

Mr. Schmidt: Yes. On behalf of the Member for Edmonton-West Henday I'm moving that Bill 3, the Mobile Home Sites Tenancies Amendment Act, 2020, be amended by striking out section 4.

As I indicated in the lead-up to introducing this amendment, the purpose of this amendment is to give mobile-home site tenants, and landlords for that matter, assurance that they will have immediate access to the residential tenancy dispute resolution service. We all know and agree that we are here to discuss this issue because it's of urgent importance to thousands of Albertans who either reside in or own mobile-home sites. This is an issue that has needed to be dealt with for years and years, and as I said, we are in the midst of an unprecedented economic crisis, where landlords and tenants are going to have a number of conflicts. As we've said before many times throughout the debate and that all sides agree to, the dispute resolution service is a much faster and cost-effective way of dealing with these landlord and tenant dispute resolutions.

I really urge all members of this House to vote in favour of this amendment so that we can all go back to our constituents who live in or operate mobile-home sites and say: "We've done what we said we were going to do. We treated this as a matter of urgency, and you will now have immediate access to the RTDRS."

I understand that these are unprecedented times that we're living in when it comes to the administration of justice in the province. Courts are closed. Administrative tribunals are closed. You have to go through a number of hoops even to have any kind of matters heard before somebody who can make a decision. But just because we're in unprecedented circumstances with respect to how courts and quasi-judicial bodies like the dispute resolution service are operating, that doesn't mean that they shouldn't have immediate access to it.

10:00

You know, contrary to good negotiation practice, I will offer the government a backup position before we've even heard whether or not they're going to support this amendment. We appreciate the fact that courts and the RTDRS are swamped right now and that they might not be able to get things up and running immediately. We would certainly entertain a subamendment that would say when this legislation would actually come into force, because that's essentially what people want to know. When will they be able to apply to the RTDRS to have their matters heard?

As I said before, there is a great deal of anxiety for mobile-home site tenants and operators that they may never actually get to see this legislation come into force. They've waited so long, Madam Chair, to see this piece of legislation come to the Legislature that they are deeply skeptical that the government is going to do what they say they're going to do. I hope that the government shares my opinion that this matter is an urgent one and that mobile-home site tenants and landlords need to know when they can access this residential dispute resolution service and that they won't have to wait until cabinet decides to proclaim the legislation.

I look forward to hearing from any member of the government caucus as to what kind of timelines for the implementation of this legislation we can expect. Thank you, Madam Chair.

The Chair: I see the hon. Member for Edmonton-City Centre.

Mr. Shepherd: Well, thank you very much, Madam Chair. It's a pleasure to be here this evening and to be able to join in the debate on Bill 3. Now, Bill 3, of course, is an important one, as we have been told by the government, in that this is one of the reasons why we are here under these exceptional, extraordinary circumstances in that we recognize that there is an emergent need in the midst of this pandemic, in the midst of the COVID-19 crisis, to ensure that no tenants in the province, be they in a house, in an apartment or a condominium, or indeed in a mobile home, be left without support and recourse due to what we recognize are very pressing financial circumstances for everybody involved.

Indeed, the amendment that we have from the Member for Edmonton-Gold Bar goes to the heart of that question of why we are here. If this is emergent legislation that is of such import that we must overlook the recommendations of the chief medical officer of health, if ensuring that these amendments to the legislation governing mobile homes are so important that we must have more than 15 people in a room, that we must come from across the province and then return to our communities, potentially risking not only our own health but that of all the individuals that we go back to, indeed our very families, if it is that emergent that we be here and take those risks and take those steps to pass this legislation, then this legislation should do something now, not months hence, not this fall. If that is truly the proposal that's been put forward by the government and which we are accepting as the opposition in good faith, then the government should show that by supporting this amendment.

Now, indeed, I think we all agree that nobody should be punished for showing their due diligence as a citizen and obeying the orders and recommendations of the chief medical officer of health. Indeed, we've had multiple discussions in this House – we had some excellent questions that were brought forward by my colleague for Edmonton-Ellerslie – regarding the impact this is having on business. I had a chance to read a few articles today, and some folks were making some very good points that, you know, small and medium businesspeople should not be punished for doing their duty as citizens in closing their businesses during a time when we have a global pandemic. Indeed, we're asking people to stay in their homes and not to travel or, frankly, to do as we are currently doing in this House.

It is also true that an individual who is following the orders of the chief medical officer of health – that is, if they are exhibiting symptoms or are feeling ill – should stay home for a minimum of 10 days or until those symptoms subside, whichever is longer. Or, if they are coming in, having travelled or by some other circumstances, there is the 14-day isolation that is recommended by the chief medical officer of health, recognizing that that can put those individuals, then, in a situation where they are unable to pay their rent.

Indeed, we know that there have been some supports available, but as has been discussed quite thoroughly in this House and has been brought up by members on our side, there were a great number of people in the province of Alberta who were unable to access the emergency isolation support the government put forward. Unfortunately, the website was frequently in and out, and we were unable to keep capacity there. Many individuals found that they, in fact, did not qualify due to extremely narrow criteria, which put them in a position, then, where they might not be able to afford their rent and therefore would fall under the changes we're debating here today and the amendment that my colleague has brought forth.

Indeed, now those individuals are waiting to apply on the federal benefit, which may take some time to come through, and they may find themselves in a circumstance, then, where they are unable to

afford their rent. None of those individuals, having taken the recommendations of the chief medical officer of health, not for their own safety, to be clear, Madam Chair, but for the safety of others, or parents who now have their children at home because we have prudently closed the schools, again on the recommendations of the chief medical officer of health – that may impact that parent's ability to earn income and therefore to pay their rent, and therefore they would fall under the protections we're bringing forward should they be living in a mobile home.

We recognize that, of course, it's not just those individuals who are tenants, but this also affects a great many landlords. Indeed, I think, as we have been clear about in our debate on this topic and as we have discussed in the legislation which was brought forward previously about renters in general, we certainly support landlords as well as tenants. We recognize the unusual financial pressures that are placed on them in this situation as well, and no landlord should be punished because of individuals needing to follow the recommendations of the chief medical officer of health.

Indeed, this is something where we all need to work together. I'm not sure there's ever been a time when we required quite so much co-operation amongst ourselves as a society, as a community, as individuals to help determine how we're going to mitigate and how we're going to work as a society and a community and as a Legislature and a government in addressing these incredible impacts that we know fall on people and for which no one should be punished because this is no one's fault.

Now, we can have some arguments and I know we have some differences between our side of the aisle and the government's as to how much the government should intervene. To some extent, the government has shown that they don't want to get too far into anything. Certainly, I think that our side would favour a bit more intervention. What we're talking about here tonight is a particular piece on which the government has already intervened on the part of renters, whether for a home or a condominium or an apartment, but we are here to correct a small oversight in terms of folks who are renting in mobile homes.

Now, again, if that is indeed the case and that is why we are here, it makes no sense to bring forward a bill that will not go into place until the fall. That will do nothing for anyone who is caught in this situation now. We are here and we are debating in this House, in these extraordinary circumstances and under the risks that I've outlined, because this government has told us that this is an emergent need, immediate. Therefore, I support this amendment, that this bill would go into effect now and not several months hence, when it will not do any good for individuals who are currently going to find themselves in this situation.

Now, if we do not pass this amendment, one of two things is going to happen, Madam Chair. One, we will see an increased burden in the courts, because without a doubt we will have individuals who live in a mobile home, who are renting that property from the landowner, who are going to find themselves in dispute with that landlord and that landowner. We can choose to give them the option immediately to go to the RTDRS, a cheaper option, a less litigious option, a more accessible option for individuals who may be of lower income or may not be able to afford to hire a lawyer to represent them.

10:10

If we do not provide them with that option, this will be an additional burden on our courts, and as we have heard discussed and people have raised tonight, the courts are already in a difficult position in that, of course, again, under the recommendations of the chief medical officer of health – the courts are respecting her orders even though they, too, have urgent business – they are having to

change the way they operate, and they are being respectful of that. That means that those individuals, if we do not pass this amendment, are going to be thrust into the court system, which is equally ill-equipped to be able to help them. That means people are going to fall through the cracks. We have the opportunity to fix that here tonight, and that is what the government has said we are here to do, to plug this loophole so that these individuals have that protection on an emergent and urgent basis, not several months from now in the fall.

So one of two things would happen, as I said. One, there would be an increased burden on the courts. Or, frankly, the other option, then, is that tenants and landlords will simply be left without recourse. They're going to have no means to address this, and that is more likely, Madam Chair, to fall on the individual who is the tenant than the landlord, though indeed there may perhaps be a situation where that landlord does need to evict a tenant or they have good cause. They are also going to be left without an easily accessible option. They are going to be forced to go into the court system, which is now operating at a much-reduced capacity, at a much higher expense.

Frankly, Madam Chair, it makes sense to me that if we are here for the reasons the government says we are here in these extraordinary circumstances, taking the risks which we all acknowledge we are taking by being here, we ensure this legislation is able to go into effect immediately. Indeed, I recognize that it will take additional resources for the RTDRS to be able to do that. We recognize that they themselves are already, again, under observance of the orders of the chief medical officer of health, working under reduced capacity and circumstances, working in a virtual realm. But either this is going to be absorbed by the courts, or this is going to be absorbed by the RTDRS. We are going to pay for it either way. Frankly, I think there's probably more likely an easier force to build that capacity at the RTDRS and actually address these issues for those that need those issues addressed now, emergently, urgently, which is why, again, we are here in this House today and debating this under these circumstances and working to move this legislation in an expeditious manner.

It makes more sense, then, that this government allow this legislation to go into place immediately and take the steps that are necessary. How many times have I heard government members rise and say that this government will make available any resources needed to respond to this crisis? Indeed, part of the job of government, Madam Chair, is to protect people from circumstances that they did not cause for themselves but which government has the opportunity and the ability and the power and the resources to rectify. We indeed know that that is precisely why we are here and what this is, and I say that the government has this power. Indeed, the government has the power to do this without even coming to this Legislature, as we've discussed, under the public emergency act and indeed particularly under Bill 10, which was passed last week, which gave extraordinary powers to the minister to simply by the stroke of a pen make this addition to the law without ever having to come and consult with us in this House.

Now, I appreciate that we have the opportunity to have this debate, and I appreciate that that gives us the opportunity, therefore, to bring forward this amendment, which I think would address what the government says we are here to address, that being the urgent need that individuals have if they find themselves caught in a situation where they are in a dispute with their landlord about rent because they are unable to pay because of the financial constraints that many are experiencing as a result of the COVID-19 pandemic. If that is the case, they would have immediate recourse for support to resolve that situation. Indeed, I think it's incredibly important given the level of anxiety and stress that Albertans are already

living under just with living with the realities of the COVID-19 pandemic.

Admittedly, I had to self-isolate for about 10 days, Madam Chair, because I myself had some mild flulike symptoms. You know, after 10 days, one does get a little stir crazy. I'm thankful that I had the support of friends and some other things. Indeed, my roommate, Monty, who is a pretty cute little guy, helped out so I don't feel quite so alone, so I was able to handle that. Indeed, for many people – I mean, I was fortunate enough in that I was able to handle that because I still got a paycheque. I was able to keep working from home, to answer e-mails, to be able to teleconference, to do these things.

There are people for whom that is not true. Indeed, they are living under a great deal of anxiety and stress. This amendment is intended to help relieve some of that stress for some of those individuals, who may be already under the stress of having lost a job, who may be under additional pressures because, as some folks I've met and I talked about in previous debate on this bill, they were living with a disability and on a disability allowance of some form and indeed now find their expenses are going quite higher because all of a sudden they can't go out personally to get groceries – they have to have those delivered – or other things which are causing them a great deal of stress. Suddenly now maybe they can't take transit because it's not safe. They have to call an Uber. So people's costs are going up. They're living with that stress, that anxiety.

[Mr. Hanson in the chair]

They do not need the additional stress of being told: well, yes, you have a dispute with your landlord at your mobile-home park, and your only option is to go to court because the bill that had to be passed so urgently in the Legislature to address that will not take effect until this fall. Mr. Chair, for those landlords, those landowners, who themselves are sitting and going, "How am I going to work this out? How am I going to deal with this?" for them, too, they're living with all kinds of anxiety as the bank is perhaps knocking on their door for their mortgage or the money that they owe on that property or maybe the maintenance and the other things, and they need a way to be able to work this out perhaps sometimes with tenants who are not quite being reasonable. Again, to turn to them and say, "Well, yes, we met in the Legislature, and we made sure we passed this bill urgently because we knew the situation was coming, so just hang on for another six months," that does not strike me as in being in the spirit of what the government has called us here to do and indeed what they said was the reason for being here with this bill today under these circumstances, taking the risk we are taking.

I think in our due diligence we owe it to Albertans in this situation to seriously consider this amendment and to make every effort to provide that support, whatever resources are needed by the RTDRS in these extraordinary circumstances in which we all find ourselves as a society, where people are finding themselves in these dire straits simply because they are following the recommendations of the chief medical officer of health, as indeed, Mr. Chair, we all should. We just heard the Premier talk today about the incredible importance of us doing that, of us sheltering in place, of us flattening that curve. We saw the numbers. We saw those stark curves. We heard what the realities of our capacities are for hospital beds, for ventilators, the risks that every day our doctors, our nurses, our front-line medical staff are taking to protect Albertans.

In the midst of this the one small thing we can do as legislators, as we ourselves take this risk of being here, is use this time to actually address the problem that we are reportedly here to address and do that expediently and do that now. I don't see that there could

be any bureaucratic reason, any financial reason, any obstacle within the wheels of government that we cannot overcome to get this job done for Albertans. Indeed, we have an entire ministry for the elimination of red tape. Surely we have the expertise within that department to work with the Minister of Service Alberta to find a way that we can bring this legislation into effect now, not six months hence, not this fall, when, again, it will not do any good to the individuals who are currently living with the stress and the anxiety that are caused by the immediate need to follow the recommendations of the chief medical officer of health. This is an entirely reasonable amendment.

10:20

We can work together to find whatever solutions we need to put in place to make this happen. This is not a time to be pinching pennies, Mr. Chair, and say that we cannot afford to provide extra resources to the RTDRS to make sure that Albertans who are following the recommendations, indeed, the ministerial orders that have been put in place, are not punished, that they themselves do not experience further anxiety and stress: financial, emotional, mental. Let's be clear. If we leave those people in those situations, we will pay for it one way or the other. We will pay for the additional burdens in our health care system as those people seek support for their mental and physical health. We will pay for it if those individuals find themselves homeless and have to seek other supports and access other services.

If we can make a step now, tonight, proactively to protect those people, to help keep them in their homes, to not only provide that reassurance and that dignity for them for something that is completely outside of their control, to provide them with that support and to do that tonight or to do that when this bill is passed and when this bill comes immediately into effect, not this fall, not several months hence – it is our job as legislators, as people who represent the people of Alberta to protect them now, not to leave another gap for them to fall into because, again, Mr. Chair, we are here tonight because the government said we urgently need to move this legislation to ensure that nobody falls into that crack, to ensure we are providing that protection for Albertans.

If we do not amend this bill, if we do not ensure that this bill comes immediately into effect, we are failing to do that job. We are not only going against the word that the government has put forward in why they are bringing this legislation forward now and why they are invoking these extraordinary powers . . .

The Acting Chair: Thank you, Member.

Are there any other members wishing to speak to amendment A6? The Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Mr. Chair. Yes, I want to continue on the debate here in Committee of the Whole. Thank you very much for the opportunity to address Bill 3, the Mobile Home Sites Tenancy Amendment Act, 2020. You know, to echo my colleague from Edmonton-City Centre, I want to appreciate Edmonton-West Henday for bringing this forward. I think that the number of amendments that he has crafted and brought forward and that we've dealt with yesterday and we're going to also deal with tonight were well thought out and reasoned, and I'm disappointed, of course, that they haven't been accepted, but this one – this one – makes a great deal of sense.

As we know, there's a medical health emergency that's been called in this province, the likes of which none of us have ever seen before in our lives. There are local states of emergency throughout the province. During this health emergency we are here dealing with important legislation, and Bill 3 is on our agenda. We have

spent a couple of days talking about that, Bill 3, debating it, and we have been urged to hurry up, not only on this bill but other bills, and pass them. Just look around, Mr. Chair. It is a very unusual situation that we are in in this House, in this Legislature, and I can't remember this Legislature looking like this in the five years that I have been here. It is indisputably a very unusual situation, and we are asked to be here to pass important legislation.

Now, the "Hurry up and pass it" is identified. Then, Mr. Chair, as a result of the last page here, you can see where it says, "This Act comes into force on Proclamation." Now, there's no time specified on the proclamation. Whenever the Lieutenant Governor signs that legislation, that's when it comes into force. I don't know when that's going to be. You know, if she's following the medical officer of health's dictate, she wouldn't be here. Perhaps she'd be in the McDougall Centre down in Calgary, but she would be wise to shelter in place, and that means her home.

Potentially this legislation that we're being brought back here to deal with, being asked to hurry up and approve, will come into force perhaps in six months, perhaps longer. If we take the Minister of Service Alberta by his word, it's six months. Does that make any sense at all? Come back, work through this immediately in the pandemic, and then not see the results of it for those people it's intended to have a positive impact for, whether that be the landlords, the owners of mobile-home site properties, the parks, or mobile-home owners. It doesn't make a lot of sense to me, Mr. Chair.

The other thing I wanted to bring up was that I heard from the Minister of Service Alberta that he has staffed up three more dispute resolution officers for this work. He's built them into his budget. He told us. I heard him talk about that, and he said that he also hired a support worker staff person for the paperwork, I think, or for the administration that those three additional dispute resolution workers would need. We've heard from the minister that the staffing is in place because he believes there'll be a surge of work, people going to the RTDRS to address the issues that are important to them, whether that be the mobile-home park owner, landowner, or the mobile-home park owners of the units.

We know from the minister that the staffing is in place. We know from the fact that this is on our agenda today that there's urgency behind the whole thing, so I would argue that the amendment is totally in keeping with what needs to happen. We know that the people who own mobile homes have very few options aside from, at this point, the court system. I don't know how many people here have gone through the courts, but I would suspect that it's only a very limited number of our population. If you look at the tens of thousands of people who live in mobile homes, it would probably be a limited number of people who will take that avenue because it's somewhat intimidating. You have to potentially get a lawyer, it's costly, and for small disputes with your landowner, why would you do that? Why would you do that? I would argue you'd more likely use the dispute resolution service, but that's not going to be available for six months at least. Mr. Chair, there are limited options, no options at this point in time, that mobile-home owners have.

We're simply endeavouring to put truth to the reason we're brought back here and put truth to the importance that the government has brought a bill forward and said that they want to achieve this, that they believe there's a gap in the system. We all know there's a gap in the system. We can plug that with our actions here today by the acceptance of this amendment. As my colleague from Edmonton-Gold Bar said, you know, he'd be willing to come up with a date specifically. If striking out section 4 is not suitable to members of the government, perhaps we can all agree on a date that puts, I guess, the truth behind our reason for being here. That

date should be in the very, very, very near future so that our reason for being here is understood to be urgent, and we are actually doing urgent, important business for members of the mobile-home park community.

10:30

Now, I also want to mention that the fact that there are no mobile-home parks in Calgary-Buffalo is irrelevant. We all know from previous representations that I had representation out in the east end of Calgary and the southeast of Calgary, and there were many parks dotted throughout the communities. In particular, there were some bad-actor parks. People in those parks were regularly losing their mobile homes because it was a rent-to-own situation, and I never saw a mobile home in that park get owned by somebody. They were all perpetually rented. Obviously, the people had many disputes with the owner, but the owner found ways, in that case, to get around the situations and evict people on a regular basis.

Now, some of the amendments that we brought forward that weren't successful would have stopped that, you know, tragedy from going on for the individuals who were in those situations. Regrettably, it didn't happen, but what can happen – and I see great opportunity for it to possibly happen – is to come up with a specific date that puts the truth to our being here and then shows people that we were brought back, we did work, and we walked away from this three-day, four-day, or whatever-day session that we're involved in here this week with some actual results, with some actual achievements that will protect the rights not only of the landowners and the owners of units but give them an opportunity and access to an important way to address the problems.

I'll look to sit down in a second, but I do want to say that I appreciate that the Member for Edmonton-West Henday has brought this amendment forward. I think he has done a good job of representing the constituents in his riding. This one would give both the Member for Edmonton-West Henday and the government something to say, that they've achieved an improvement of the ways that people can address problems together as opposed to a conflictual situation with the courts, which, I would argue, is almost something that would be inaccessible to mobile-home owners and is to the benefit of the people with greater money. In most cases it would be the mobile-park owner as opposed to a typical renter or a typical homeowner in their park.

I'm going to sit down, Mr. Chair, now and listen to the rest of the debate.

The Acting Chair: Thank you, Member.

Any other members wishing to speak to amendment A6? The Member for Edmonton-Ellerslie.

Member Loyola: Thank you very much, Mr. Chair. I appreciate the opportunity to rise and speak to this issue.

First, before I actually go on the amendment, I want to speak about the Member for Edmonton-West Henday because this has been something that he has been dedicated to since he was elected. Soon after being elected, the Member for Edmonton-West Henday – of course, well, during that first election of 2015 in which he was elected, he was adamantly out in the community, on the doorsteps, knocking on doors, talking to people in his riding, and this was an issue that was brought up while he was out there door-knocking to actually gain his seat inside of this Legislature. I remember him on several occasions talking to me specifically about this issue.

Of course, the Member for Edmonton-West Henday, you know, has got a huge heart. He's very dedicated when it comes to representing not only just the individuals of his constituency, but he also goes above and beyond the golden rule of simply just treating

others the way you want to be treated. He takes it to heart. He has a very altruistic nature. He's that kind of a person who, if he sees somebody in need, would even go so far as to deny himself in order to provide that other person with whatever it is that they need. He's got such a huge heart, and I just want to thank the Member for Edmonton-West Henday for the amount of dedication and time and – there's no other way of putting it – the love that he's put into actually advocating on behalf of his constituents. I think that we can all use him as an example in terms of our dedication to representing our constituents inside of this House. So I want to thank him for that.

That being said, the Member for Edmonton-West Henday advocated for a number of years on that, and he kept fighting until he actually made sure that in our last election it was actually in the NDP platform. It said, "We will provide mobile home owners with additional rights to resolve disputes with mobile home park owners without having to go to court." We can thank the Member for Edmonton-West Henday. Of course, there were other members of our caucus that this was also very important for. I don't want to jump over the fact that there were others inside of our caucus that were also very adamantly supporting the work that was done by the Member for Edmonton-West Henday, and therefore it actually made it into our platform because we saw it as such an important issue that needed to be resolved.

Of course, this comes back to a very important principle and value. I'm sure that all members of this House share that very important value and principle, and that is the fact that housing itself is a human right. We can't just see it as: ah, well, it would be nice if everybody had a home. No. We live in a day and age where we understand perfectly. Study after study after study after study demonstrates that in order to help people, the most marginalized in our society, from the issues that they're facing, no matter what they are – you know, I know the stereotype is often pointed to members of our society that are addicted to substances or addicted to alcohol or things like that. But we all have to understand that underlying that addiction or that reality that they're facing is a trauma. A trauma.

When we understand that that is the root of the problem, rather than – and people will know this well – treating the symptom that we're seeing, which is the addiction itself, we actually go to the root of the problem in dealing with that trauma. That's the way that we're going to be able to truly help that marginalized individual within our society, to actually make sure that they can turn their life around. Such an important step in making sure that we can help that individual turn their life around is housing, and that's why it's so important that we understand that housing in itself is a human right.

10:40

Now, I've shared with many of you several times that not only is it a political understanding that I share with you, but I'm also a religious person like many people in the House that have a religious background. It's also my faith that calls me to this understanding. My faith calls me to an understanding that housing and that the most marginalized in society – it's not, "Oh, it's nice to do it for them" or that kind of paternalistic thinking that we have to help out the individual. No. It is their right, and from a religious perspective it's their God-given right. Even with the members from the other side, some who I know are deeply religious, I know that they share this perspective with me, this principle, this value. It's not just a political one; it's a religious one as well that feeds why we're inside of this House trying to make sure that everybody is treated – and when I say everybody I say the ones that we are responsible for making laws for within this House, so Albertans – with dignity.

I honestly believe that the Member for Edmonton-West Henday as well as the other colleagues of my caucus that worked so adamantly on this issue, that was the underlying principle and value from which they were working in order to make sure that this particular issue was addressed within this House.

Now, speaking specifically to the amendment itself, the hon. Member for Calgary-Buffalo stated it really well. The government has called us back during this difficult time, during this pandemic, stating that this was an emergency, that we needed to be back inside of the House so that we could make decisions, that we're going to be helping Albertans, making sure that we could deal with issues arising around the pandemic. And I applaud that. I think it's noble. I think it's absolutely necessary, but at the same time we need to take our own precautions to make sure that we are safe and that we are healthy. I understand the politics of that is trying to balance those two things. I understand the immediate urgency that we need to come back into this House in order to make these very important decisions, and I'm with the government on that. I want to make sure that we're in here and we're dealing with the issues that are necessary in regard to the pandemic specifically.

Then, it's puzzling to me that the hon. Minister of Service Alberta would come in and present this bill but then say: well, it won't come into effect until six months later. That's exactly what the Member for Calgary-Buffalo was highlighting. It's perplexing. This is an opportunity now for us to work together, the government and the opposition, to make sure that we're standing up for the people of Alberta, making sure that they're treated with dignity, understanding that they have that human right to housing, that they have an opportunity now to be able to find solutions together with different stakeholders regarding the matter. But then it won't come into force until six months later.

With all due respect I think the Member for Edmonton-Gold Bar brings forward an incredibly important amendment, and one that I don't really see an issue with. I mean, I'd love to hear from the other members, especially cabinet but then also the private members of the governing party here, on whether they agree with this amendment or not. It seems like a no-brainer to me, members, that if we are truly here because we're trying to help people in a time that is so difficult for them, that we're here trying to deal with the emergent issues, which I agree this is one of, then why are we delaying the implementation of this piece of legislation until six months down the road? Changing the coming-into-force date would make sure that the people who live in mobile homes get that access to this opportunity now. I mean, this is what we're all after. We can all agree on that. I'm hoping that the members from the other side, Mr. Chair, are in agreement with us in wanting to pass this amendment, but I'm not too sure. I haven't heard any of the members get up and speak about that yet, so I want to encourage the members on the other side to please get up and say something about this.

I think that my colleagues have addressed so many different issues with this bill. I think that this particular amendment is a very simple one. It would address the issue and make sure that we can help people now. With that being said, I'll take my seat, and hopefully we'll hear from members from the government or perhaps private members of the governing party.

Thank you, Mr. Chair.

The Acting Chair: Thank you.

Any other members wishing to speak to amendment A6? The Minister of Transportation.

Mr. McIver: Thank you, Mr. Chair. I appreciate the opportunity to rise on the amendment to Bill 3, A6, the amendment to change the

coming-into-force date of Bill 3. I find it interesting that the NDP members that are standing up with all the bravado that they can muster today are taking the attitude that they have. When they had a chance to do this for four straight years in government, they did nothing. Four years. They did nothing. It's a little disappointing for them to be as aggressive as they are this evening.

The fact is, Mr. Chair, that this is an important piece of legislation, and the Minister of Service Alberta and his staff have done a lot of work on this and put together a piece of legislation that I think the opposition has said is a good piece of legislation. I guess the fact that they're in such a rush to get it active is an indication of that. Well, to be clear, the government wants to get this in place as soon as possible as well because it is important, and people's lives could change for the better as a result of this legislation, which is why we brought it forward.

Mr. Chair, the fact is that if we bring the legislation into force at the passing of the legislation and the phone started ringing the next morning from owners of mobile homes or renters in mobile-home lots, there wouldn't yet be anybody there to answer the phone. There are a couple of pieces that have to be in place first. First of all – and several of the members on the other side would know this. They did spend four years on the government side of the House, so they know that regulations have to be put in place. You know, in fairness, if they would say, “Well, then, you know, hurry up and put them into place,” I would say: “Yes. I agree. Our government needs to hurry up and put them into place.” Who could argue with that?

The other thing is that people who would answer the phone need to be trained on what the new regulations are. That's already in the budget for those people, so that shouldn't be a problem per se, but it can't happen at the snap of a finger.

Mr. Chair, the government's job, in my view, should this legislation pass – and one can never assume what's going to happen in the Legislative Assembly. I'm not trying to be cute, but since we've got the majority, I think there's a reasonably good estimate we can all make that this legislation will pass. I'm not trying to be smart. That's just the reality of where we work. The fact is that it's going to be our job to get it in place as soon as possible.

10:50

But I will remind members on the other side of the House, outside of the fact that they did nothing on this for four years, that we also will have put in place during this time a piece of legislation or the rules that will protect renters that can't pay their rent right now. That's a piece that the opposition was in favour of, and I think that is a good piece.

So we won't be supporting the amendment, Mr. Chair, for those reasons.

Here's another reminder, a little walk down memory lane for the Official Opposition. I would refer them to a letter that their former member Robyn Luff had published in the *National Post* on November 6, 2018. Let me read you an excerpt from that letter.

There are issues that are important to folks in my riding that I have been advocating for, that I have been told are not priorities at this time. But that I have also not been allowed to speak about publicly. One of these . . . is a critical review of the Mobile Home Sites Tenancies Act.

Mr. Chair, these folks across the aisle that are talking about, “Why haven't you got this done?” wouldn't even let their member talk about this when they were in government. They drove a member out of their caucus because they wouldn't let that member talk about this issue. Tonight you would think that they were the all-time champions – the all-time champions – yet the record that they leave in their wake says something else.

Be that what it may, we've actually come to an interesting point in history where we agree with the members of the Official Opposition that we need to do this as quick as we can. We actually agree with the members of the opposition that we need to do this. We have to put those steps in place, so we won't be supporting this particular amendment. But, Mr. Chair, all the brave talk about the members on the other side being the champions of this issue: well, their own member Ms Luff, in her letter to a national newspaper, tells us all the truth we need to know about that.

The Acting Chair: Thank you, Minister.

Any other members wishing to speak to amendment A6? The Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you, Mr. Chair. I want to offer some responses to the Member for Calgary-Hays when he gives so-called reasons for rejecting this amendment. One of the reasons that he said that they couldn't accept this amendment was because they need to have the regulations in place. Well, that is thinly sliced baloney. The member opposite knows full well that the RTDRS regulations are in place today.

The Acting Chair: Member, through the chair, and please avoid gesturing to the other side if you could.

Mr. Schmidt: Thank you, Mr. Chair, for your direction.

The member knows that this is thinly sliced baloney, that those regulations are in place right now. The fact that there are regulation-making powers in the regulation is just to align the regulation-making powers under the Mobile Home Sites Tenancies Act for the residential tenancy dispute resolution service with those in the landlord and tenant act. There are no regulations that need to be put in place. They're there. So for the member opposite to get up and say, "Oh, well, you know, we've got a lot of things to do before we can give people access to this service that they've been demanding for years and years and years" is absolutely unbelievable. I would like the Member for Calgary-Hays to explain to us exactly what he's talking about when he says that regulations need to be in place.

Maybe I'm wrong. Maybe they're considering some amendments to the RTDRS. I would welcome the opportunity to hear, to the extent that the Member for Calgary-Hays can disclose confidential matters before cabinet, at least at a high level what kinds of considerations they're giving to potential changes for regulatory powers. If he can't talk to us tonight about what regulatory changes they're considering, there is not a single person who would believe a word that the member says when he's talking about the need to put regulations in place when he knows full well that they're in place.

Now, secondly, Mr. Chair, I want to address the issue of Robyn Luff and the fact that we didn't get this done while we were in government. Fine. We all admit that this was not something that we got done when we were in government, and he wants to beat us up for being champions for providing access to the RTDRS. He can beat us up all he wants. I don't care. My primary goal is to make sure that my constituents have immediate access to the RTDRS, and the fact that we didn't get it done is not an excuse for the members opposite to drag their heels and say, "Well, we did marginally better than the NDP" and dust their hands off and walk away from the Legislature, job well done, leaving my constituents waiting to know when this bill will be proclaimed.

I see the Member for Rimbey-Rocky Mountain House-Sundre waving his arms, mocking me. I know that these proceedings are a giant joke to him, but they're not a joke to the 50,000 mobile-home site tenants in this province. [interjections]

The Acting Chair: Gentlemen, the Member for Edmonton-Gold Bar has the floor. We'll listen to him, please. Thank you.

Go ahead, sir.

Mr. Schmidt: Thank you, Mr. Chair. As I said in my previous comments with respect to this amendment, we've heard a number of unsatisfactory arguments of why they can't accept these amendments. Again, we have the Member for Calgary-Hays giving us a number of unsatisfactory arguments for rejecting this amendment. I hope the Member for Calgary-Hays – you know, he can take as many victory laps as he wants about getting this done. It's not actually done until the bill is proclaimed, and my constituents know that. For him to suggest that they've done something that the NDP didn't get done, well, they've got a piece of legislation on paper that means absolutely nothing because it's not in force. People cannot access this.

As I said in my comments when I brought forward the amendment, we understand full well, as the Member for Calgary-Hays said, that there are a number of things that need to be set up before the dispute resolution service can take on the caseload with respect to mobile-home sites. Give us a timeline, then. Propose a subamendment here to the amendment that can at least bring in a coming-into-force date so that everybody knows when they can expect to access this service. If you go to mobile-home site tenants and say, "Hey, we've done this wonderful thing that you can't actually use" that's like taking a kid to a store at Christmastime and saying: "Wouldn't you like all these toys? But you can't have them." The Member for Brooks-Medicine Hat says that that's called discipline. I'm glad that she's not parenting my children.

Mr. Jason Nixon: So is she.

Mr. Schmidt: Fair enough. Fair enough.

The Acting Chair: Carry on, Member.

Mr. McIver: Sometimes things just land where they should.

Mr. Schmidt: I know the Member for Calgary-Hays is trying desperately to get me off track because the points that I am making are so sound that the only tactic that he has is to try to distract me from my point, but I will not be dissuaded. I sincerely hope that the Member for Calgary-Hays reconsiders his comments and, if he cannot accept this amendment, then at least provide a reason that my constituents can believe instead of the comments that he made prior to my standing up. I look forward to the response from the Member for Calgary-Hays or any other government member who chooses to respond on his behalf.

11:00

The Acting Chair: Any other members wishing to speak to amendment A6? The Member for Calgary-Hays.

Mr. McIver: Yes. Thank you. I think what I just heard from the hon. member is him agreeing with me. He actually said that he realizes that some amendments have to take place. He rightly pointed out they don't have to be extracomplicated, but he basically acknowledged when he was speaking that those amendments have to be put in place. The other thing we have to do is just train people on the differences before they can answer the phone. The fact is that it can't be done tonight. It will have to be done on proclamation, as it says in the legislation. I'm not even arguing with the hon. member. It needs to be done as soon as we can get it done.

I also agree with him that we haven't done anything yet that the NDP didn't do except actually bring something to the House. There is that. As the letter from Member Luff points out, she wasn't even

allowed to talk about it in the NDP caucus. So we look forward to going to having done zero more to a hundred per cent more than the NDP. We will get there, and when we get there – I even agree with them. They're in a hurry for us to have a hundred per cent done more than them, and I agree with them. We're in a hurry to have that done, too, and we will. We will not be supporting this amendment.

Now I move to . . .

Mr. Jason Nixon: Adjourn debate on Bill 13. No, on Bill 3. I apologize.

Mr. McIver: . . . adjourn debate on Bill 3. It's Bill 3 we're on, hon. House leader. I'm sure that the hon. Government House Leader and some House leader from the other side has a good reason for that, so I'm moving it.

[Motion to adjourn debate carried]

Bill 13 Emergency Management Amendment Act, 2020 (No. 2)

The Acting Chair: Are there any members wishing to speak to Bill 13? The Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Mr. Speaker. To the folks who are anxiously awaiting the RTDRS, I'm sure that moving off this important, timely amendment is not warm comfort to them at this moment. The fact that the government is so eager to continue to delay is frustrating to many when we had a very reasonable amendment to consider.

But now we're on to Bill 13, the Emergency Management Amendment Act, 2020 (No. 2), and I will certainly proudly participate in the debate of this bill at the current stage in Committee of the Whole. I have to say that I think that some of the bravado that some of the members opposite speak with is very interesting, of course, because we have what was – I recall from Remembrance Day the longest serving member of the now government caucus saying that, you know, everything should have been accomplished in four years when he also was in government before this and his party was in government for many years before this as well. But we're here today, and it's time to get on with the matters at hand.

Certainly, I want to say that with regard to the emergency amendment act, Bill 13, I appreciate that it is tied back to the crisis, the pandemic, global pandemic, that we are all dealing with in our own ways. Some of us obsessively wash our hands. Some of us obsessively measure two metres between the people around us. I hope that everyone is doing that. I hope we're also practising the advice of the chief medical officer around: if you have a runny nose, please stay at home – don't be going to work and trying to be a hero – or if you have a cough, please stay at home as well. It goes further than advice. It's actually mandated direction from the chief medical officer of health. I would argue – well, we did last week. We passed bills in this place to bring in severe fines for folks who aren't abiding by that, so I hope that everyone takes that into consideration as we continue with this debate tonight.

I want to say that, again, I continue to have sorrow in my heart for everyone who has been impacted already by COVID-19 here in our province and globally. It was one of my colleagues who said to me that his mom has started talking about, you know, if this is the last year she's alive. Of course, she is looking at the trends that are happening globally and the significant fatality rates. We're seeing many deaths here even in our own province, most in the riding of the Member for Calgary-Hays at one long-term care facility. It is

devastating and heartbreaking. Many of us are starting to feel the connections and the loss more closely than we did just a few days or weeks ago as the numbers and the impacts of COVID-19 continue to grow.

This is one of the reasons why I think it's so important that we consider the ways that we can convene the important work of this Assembly in a safe, physical-distancing, expeditious fashion, in a way that respects the laws and the due process of democratic decision-making, the role of government in terms of cabinet, the role of government private members, and the role of the Official Opposition. Again, I appreciate looking at other Commonwealth countries and other jurisdictions within our Confederation and the ways that – a number of provinces and the federal government are looking at ways we can adapt our decision-making to be more nimble and also respect democracy.

I really, sincerely hope that this is one of the conversations happening among the government caucus. When we see our House of Commons, when we see the Assembly in New Zealand taking these precautions – and I appreciate that we've been called here to exercise our democratic duties, and I do so with the utmost respect for the institution. But I also think – we've amended the standing orders, I think, four different times already, maybe five – that maybe this is something we should be looking at, how we can continue to carry on the important work of this Assembly in a way that respects the advice and the direction of the chief medical officer of health. I regularly glance around this place and see a number of examples of it not being acted upon, and that makes me nervous for folks in this place as well as folks who are outside this place that will come into contact with many folks who are here.

One of the main points that's been considered in discussion of this is: why the specific change in timeline, and why expand it so dramatically? I believe that it is at seven days currently. Many municipal districts and counties as well as towns and cities have found ways to conduct their business through teleconference or video conference and, of course, are there to serve their constituents, the same constituents we are here to serve.

One of the things that typically happens when laws are being considered is that a law gets proposed – we've probably all talked to grade 6 classes about the different stages of consideration and how important that due process is, how important the public oversight and engagement is. I really feel that by continuing to convene this Legislature, if that's the point, that we're going to continue to consider bills in their traditional fashion, we do owe it to constituents that we do so in a thoughtful and focused way.

When we look at the extension, the increase from one week to roughly 12 weeks, that is a significant increase in the amount of time. I know that our partners in local government: many are meeting even more frequently now than they were before because they are, of course, in a state of local emergency, and they know it's important that they stay abreast of the changes that are happening and the actions that they must take in their local municipalities, regional and municipal districts, and counties. I have to say that I think that is a very significant increase in the timeline, and I would like to hear and certainly participated in the debate this afternoon, where the Member for Peace River talked very eloquently about the times that the state of emergency had to be renewed in the Peace Country when there were wildfires last year. I appreciate that that happens often, that local states of emergency will need to be renewed, and I understand that the desire is to not have to do that.

11:10

But under a state of emergency the powers are so sweeping that there's a reason why these short timelines were put in when this act came into place in the first place. If there is rationale for expanding

it – and I'm completely open to that. Obviously, laws that were passed at one point in time don't stand the test of time in perpetuity, but they need to stand the test of time today. For us to change the law today, we need to know what the new rationale is for the new, very lengthy increase in time. Increasing any condition by more than 1,000 per cent, I think, would be seen as, you know, a severe departure from the current status, so I would say that that is a substantial amendment.

I would like a substantial argument presented in a way that passes the nod test. If we were to go from one week to two weeks or three weeks, that would still be a substantial increase, but I don't know any municipality that's going to go longer than three weeks without convening a meeting right now to make sure that they're doing what they need to do, if they're in a local state of emergency, to continue to meet the needs of their local municipality. Why such a significant departure from the existing legislation? Again, an amendment usually is a tweak or, you know, somewhat butts up against an issue and then pivots off against it to another topic, but this is a substantial increase in time, a 1,200 per cent increase, and I think that that's huge.

Secondly, it is the duty, I would say, of all members of this Assembly to engage with all stakeholders when it comes to enacting laws. When I speak about the role of MLAs, I often talk about being the voice for local constituents and stakeholders when it comes to setting laws that will apply to all of us as Albertans. Of course, with the very quick turnaround expected for this bill, that makes it more challenging, number one, because a lot of folks are working from home right now and they're dealing with other pressing issues that relate to COVID-19, so being able to get that full and thoughtful feedback from all of our partners, I think, is something that each of us, the 87 members of this Assembly, whether they're here currently in this Assembly or not, owes to the folks who sent us here to do our job, to engage and to make sure that we're acting in the public interest, the public that we are here to represent.

Not being certain of who exactly was consulted or in what ways, I think, makes this amendment act feel especially – I would like that clarity. I would like those answers as a member of this Assembly. I think it's my responsibility and all of our responsibility to ask those questions to the folks representing bills and to make sure that we feel confident because at the end of the day all of our names are tied to every piece of legislation that comes through this place. That is a tremendous honour, but it is also a tremendous responsibility, so I would like us to be able to exercise that responsibility in a way that I think is fitting of the role of a member of the Assembly.

Then also I want to mention that last week with Bill 10 the government gave themselves the power to not just suspend any law at their will and not only modify a law at their will but also the power to write and bring into force new laws without legislative oversight, of course, subject to the minister's approval. With that, it's interesting that we are being asked to come here and essentially rubber-stamp something that essentially feels like the government already gave themselves the power to do just three bills ago, just last week.

In summary, I have to say that I really wish that the government would answer the questions that have been raised throughout the day in a substantive way to give everyone the sense of confidence that what we are being asked to do here under such a tight timeline – how this is actually going to benefit the citizens that we're all here to represent and how such a substantial increase, from seven days to 90 days, is warranted when, again, it's been demonstrated that there are often times where local states of emergency will have to be renewed. That hasn't, in my understanding, been seen as overly cumbersome. If it is, why did we move to 90 days, though? A 90-day state of emergency is a very different situation. If it is about this

one bill and it is about this one point in time, certainly through the work that was done in Bill 10 and certainly through the work that's been done under a public health emergency, there's the ability to apply special parameters for special circumstances.

But what we're asked to do here today, through this bill, is to think about this one special circumstance and apply it to all future states of emergency in our province or in any municipality. I think that that is a substantial departure from what this bill, what this act that we're here amending was written with the intention of. This is about far more sweeping powers for longer periods of time than what the authors of this original legislation had in mind. If they had in mind three months, they would have said three months. Why is it that we're amending it for three months at this point in time? I would argue that it appears to be because – of course, we don't know if this pandemic is seasonal still. We don't know what the growth rate is going to look like.

I would say that I would love it if we took this opportunity to consider how we can empower our democracy here in this province, like many other provinces are already considering and other jurisdictions in the Commonwealth. We're not alone in this. We don't need to try to persevere as though we are unique. We are looking at what's happening in other jurisdictions, and we can take the strengths that they are bringing through their amendments to standing orders in their jurisdictions and find ways that we can make our House serve the people of our province in the midst of this pandemic and any other state of emergency in the time to come rather than continuing with practices that, as I understand, no other Legislature in the Commonwealth is choosing to proceed with in the same way.

[Mrs. Pitt in the chair]

My main question is: why move from seven days to 90 days? That seems incredibly sweeping. Why are we not here as members of this Assembly talking about how we can empower ourselves and one another to do our work in a way that follows the advice of the chief medical officer of health and promotes the safety and well-being of all Albertans? Of course, we are here representing and also interacting with all Albertans in different ways when we return to our ridings, whatever that might look like. Obviously, some have longer commutes than others.

I, lastly, want to say that we are very keen to bring forward changes that will bring about greater ability to respond and address the pandemic. I am yet to be convinced that what we are being asked to push through here tonight, with a last-minute change in what's being debated – I don't think that respects that intention that we all come to this House hoping to deliver on: wanting to be here, putting our best foot forward, doing the most important work for the people that we all serve.

Those are the main points that I wanted to make, Madam Chair, with regard to this consideration at this time. Thank you.

The Chair: Are there any other speakers to Bill 13? The hon. Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Madam Chair. I'd like to say, you know, that Bill 13, the emergency amendment act, that modifies or amends the Emergency Management Act of 2000, has got some parts to it that certainly make sense to me. Clarifying the language about being noncompliant with orders under the local and provincial states of emergency: that makes sense. To harmonize that so that there is a congruency and not any concerns back and forth between the province and local councils around the province that create their local states of emergency: I'm really supportive of things like that.

It is something where peace officers, if they're working for the province and they happen to be asked to work in local states of emergency, know what their roles are, and there's a harmony, a consistency, and a co-operation. That's one thing that the minister talked about, that this was a co-operative endeavour, that he had consulted with hundreds of representatives of local councils when he was on a conference call with the Premier last week or 10 days ago or something like that.

11:20

The question that I never got to ask that I'll pose now is: were the amendments that are in this Emergency Management Amendment Act, 2020, talked about, shared with city and town and county councillors when they had the opportunity to talk with them to update them on the pandemic, the health emergency that's in our province? We don't know if those items were shared. Certainly, we're told that there was consultation with two associations that represent the local orders of government in this province and that three of the seven large cities had input into discussions around these bills.

It's interesting that the minister characterized it as, you know: I'm giving them what they want. It's kind of the first time I've heard the minister say that. What I've heard from a lot of local councils, my own and other cities', is that they've asked repeatedly for things like no reductions to MSI. They've asked repeatedly for a return to the province paying its taxes for provincial buildings, so grants in place of taxes or grants in lieu of taxes. They've asked for those monies to not be downloaded by the provincial government. But a deaf ear has been turned to them around all of that. Instead, we're seeing that the minister is talking about addressing their needs with this amendment and giving them what they want. Well, I would suspect that municipalities around the province would far rather have the monies that this province has taken away from them as opposed to this amendment.

Be that as it may, I think what's important is that this Emergency Management Amendment Act talks about, in section 6, "at the end of 7 days." This is a substitute for the previous seven days for the local states of emergency, that had to be renewed every seven days. This is what it now will read: "At the end of 7 days, or at the end of 90 days if the declaration is in respect of a pandemic." We know that previous work that has come before us included the opportunity for councils to have powers to meet electronically. I would argue that if they can already meet electronically, it's not all that onerous to convene a teleconference call with members, whether it's a local council, say, in a rural area of the province, where there are seven people, including the reeve, who are members of that council, or in the case of larger cities it's 15 elected members and 13 for Edmonton. It's not all that difficult to round up those members of council to get a majority of councillors and to renew the local state of emergency.

To leave it up to 90 days, Madam Chair, in the case of a pandemic is a fairly significant amount of time. I think you would agree with me. We've only been in this health state of emergency probably for about between 20 and 30 days at this point in time, and it's been a long time. It seems like a long time. Kind of staying in place, staying at home in place has been a lot for all of us.

Madam Chair, I of course want to argue that the Emergency Management Act doesn't need to be changed to the extent that it's being talked about here in terms of the 90 days. I think we can see a far shorter period of time being just as effective now that there's the ability for councils to meet electronically. They don't have to be in person, and they can be expeditiously dealing with renewing their local states of emergency in the case of a pandemic or any

other thing that goes on that we don't know about at this point in time but that would be covered by the Emergency Management Act.

Madam Chair, I've got an amendment here that I'd like to bring forward, and I'll wait till you get it.

The Chair: Hon. members, this will be known as amendment A1. Please proceed.

Member Ceci: Amendment A1? Thank you. I'll read it out now, Madam Chair. I move that Bill 13, the Emergency Management Amendment Act, 2020 (No. 2), be amended in section 6 by striking out "90 days" and substituting "30 days."

You know, this amendment would obviously limit the time that local states of emergency could be in effect. The original legislation had it for seven subject to renewal, and the proposed amendment by the government of Alberta, the minister, is to amend it to 90 days subject to renewal. I'm proposing 30 days subject to renewal because it's been offered from others around the province who are in local government that a 90-day state of local emergency is broad, perhaps too broad a time, and it might be a better idea that local elected leaders have to renew that power, which can be quickly done because they do have the power to meet as a council electronically. It can be quickly done and without subjecting them to any potential personal difficulties or harm, and they can renew that power within a very short period of time electronically and keep going with their local state of emergency.

You know, this previous bill that we dealt with – that's not before us, of course, now – the Public Health (Emergency Powers) Amendment Act, 2020, is seen by many as too broad, too much power being put in the hands of ministers of the Crown. So as a potential check on having broad powers for a long period of time, the amendment is brought forward in that spirit. We, of course, believe that it's important for local governments to have power to do these things so that they can best protect their local citizenry. I haven't been clearly shown where it's problematic for a council to meet quickly electronically, and we're talking about increasing the local emergency length of time powers from seven days to 30, which is four times, four-plus times, the amount of time that they previously had. So it does narrow the scope down of how long a council can declare an emergency for, but in our view and with some consultation it's an appropriate way to narrow down that scope, recognizing that they have the ability to renew regularly.

11:30

That would be the frame of the amendment that I'd like to put forward. Once again, you know, there are outside individuals who believe that it's not a bad thing to look at narrowing the scope of time for a state of local emergency. We believe that municipal leaders wouldn't be negatively impacted by having to do that on a 30-day basis as opposed to a 90-day basis, especially when there's an opportunity to meet electronically. Hopefully the government will see their way to support this amendment, which is something that would keep the powers in place, of course, but look at a renewal basis going forward.

I want to potentially hear what my colleagues think of this, so I'll sit down with the opportunity to listen and perhaps get up again in the future. Thanks.

The Chair: Are any members wishing to speak to amendment A1? The hon. Member for Edmonton-City Centre.

Mr. Shepherd: Well, thank you, Madam Chair. It's a pleasure to rise. We've still got plenty of energy in the tank, so we'll continue to debate Bill 13, the Emergency Management Amendment Act, 2020 (No. 2). I appreciate the amendment that was brought forward

by my hon. colleague from Calgary-Buffalo. Indeed, it's a fair question. As he noted, this is a significant change in the bill. To go from seven days to 90 days is a very extensive step. Now, this is something, of course, that the hon. Member for Calgary-Hays was talking about before, things that previous governments did or did not do. Indeed, during the time that he served in government, there were a great many things that his government did not do, which is part of the reason why our government had so many things to do and, indeed, did not get to the Mobile Home Sites Tenancies Act, but that's a previous bill.

I'm just noting that at no time in the history of the government has anyone felt the need to come forward with an amendment to this legislation to increase from seven days. If it was going from seven days to, oh, say, 30 days, maybe two weeks or something, that would seem to me to be a reasonable shift. To say that we need to go from seven days to 90 days: it's 12 times the length, Madam Chair. For something of that great an extension, providing that much additional power, during which our government does not need to reconvene or come back to the public or provide any explanation for why they are going to continue to take extraordinary powers unto themselves, I think there's a good reason to question that and ask why. So far I haven't heard an explanation from the government as to why they need to multiply this period by 12 times, three months, during which they believe that it's necessary to allow a municipality to have their state of local emergency.

Now, to be clear, Madam Chair, we certainly recognize the importance of having the power to bring in place a local emergency. Certainly, we respect that municipalities need to have that ability when situations present themselves where they need to take some of those extraordinary powers or take stronger than usual measures or give them the opportunity to address emerging situations. Certainly, the situation we are dealing with currently around COVID-19 is one such circumstance. We recognize that this is not just something that needs to be dealt with by the provincial government, but indeed all orders of government have significant work to do to address this situation we find ourselves in.

Indeed, as a representative for Edmonton downtown I've been in conversation with the Downtown Business Association and many others and indeed a lot of local businesses who have been talking with the city of Edmonton about what powers they have to help relieve some of the obvious financial pressures and stresses and anxieties that individuals are having as a result of implementing the recommendations of the chief medical officer of health. Indeed, we do appreciate that so many citizens and businesses and others are taking that very seriously, and of course we all take it incredibly seriously here and would not be in this Legislature debating this legislation if we did not feel it was absolutely essential and emergent.

The question is, then: what is essential and emergent about this particular bill that required our presence here in the Legislature, indeed, that could not have simply been done by ministerial order or under the sweeping powers which this government granted to itself and all future governments under Bill 10 last week and in particular, then, the question again of why we are jumping from seven days to 90 days? Indeed, when we talked about Bill 10 last week, that was one of the things that I brought forward and was discussing, you know, the idea that when we are empowering governments, we want to give careful thought to how much additional power we provide to a government. Indeed, I think all Albertans expect that there be reasonable checks and balances on power that is undertaken by a government.

Indeed, during the time of a pandemic, during the time of a state of public emergency or of a health emergency in the province of Alberta and a local emergency here in the city of Edmonton and in

other municipalities across the province, I think that, especially when we are making use of the Legislature in an extraordinary way with the expectation that legislation be passed very quickly with only a portion of all members present, only a portion of that democratic representation of all Albertans in fact able to attend and participate, when we are considering this kind of an amendment and this kind of a bill to change from seven days to 90 days, indeed, we would consider carefully the weight that that carries and the additional powers that are being granted to a government. Indeed, I think all Albertans expect that when that is being done, there is good justification provided for that.

Again, so far I have not heard a clear explanation as to why it is necessary to move from seven days to multiply that by 12 times, Madam Chair, to a full three months. Indeed, in our discussions as we've reached out and had the opportunity to speak with representatives from several municipalities across the province, they don't seem to be quite clear on that either, from what I understand. Indeed, when we had the opportunity to speak with the minister about this bill and the change that he is proposing to move from seven days to 90 days, which we are proposing to amend with this amendment from the Member for Calgary-Buffalo, when we had the opportunity for the technical briefing with the minister to discuss that seven to 90 days, he told us that he had no authority to modify this law without the Legislature's consent. Now, again, I think, as we discussed, he can certainly make this change from seven days to 90 days with a ministerial order. You know, that's been something that's quite clear. I mean, our caucus, legal scholars, even Mr. John Carpay and the Justice Centre for Constitutional Freedoms have said that with the passage of Bill 10 he could certainly do that and change that from seven days to 90 days. That's why we're bringing forward this amendment to adjust that back to 30 days.

We do have to question, you know, why the minister has not really been able to provide any explanation other than that he says that these are the things that municipalities asked for, but indeed there are things in this bill that we have not found any municipalities yet that have been able to say that they asked for them.

I think this is a reasonable amendment. This is still recognizing that, okay, perhaps seven days is not quite enough, and indeed we recognize in this particular situation that we are going to be sheltering in place for some time. The Premier spoke at length about this today and covered quite a bit of ground that would normally have been covered by the chief medical officer of health, but the Premier spoke about it today and identified that we are going to be in this situation for some time yet. Indeed, the projections show that we might be looking at a peak towards the end of May, ideally towards the end of May. That would be the ideal situation because that's going to help us flatten that curve, so that is indeed why, then, perhaps you'd need to move from seven days to a larger period. We're proposing 30; the minister is proposing 90. Indeed, it makes sense, then, that we would need to consider expanding from a week because we recognize that a situation like this is a global pandemic, which has us meeting under these extraordinary circumstances and does require more time and certainly will require cities and municipalities to take measures that will have to be in place for certainly longer than a week.

11:40

Now, that said, I don't think it's an onerous thing to say that after 30 days you need to check in and then re-up your local emergency if that's the case. I think that most Albertans would say that they appreciate that kind of balance. I can tell you that I received a number of e-mails about Bill 10 with a number of Albertans very concerned about a lack of checks and balances on the provincial

level in terms of the power the government has granted itself and all future governments. So I can only imagine that Albertans would have that concern about the incredible power that this government has gifted itself to not only change and modify but indeed write whole new laws that could supersede any other existing law in the province of Alberta with the stroke of the minister's pen. If Albertans are concerned about that, and rightfully so, they would also be concerned about how much power is being granted to local municipalities.

Now, indeed, I can understand, I guess, that if government did not want to consider those checks and balances on itself, it may not want to consider those checks and balances on municipalities although certainly this is a government that has been decidedly heavy-handed with municipalities in general. It certainly has been dictating quite a bit to them. It has been quite-heavy handed – one might say condescending and patriarchal – toward local governments. Certainly, there has been a good deal of friction between this government and local municipalities on a number of issues. They've been certainly costing them a lot of money in terms of forcing them to raise education property taxes, taking a larger share of their revenue from traffic tickets and some other pieces, forcing them to give tax credits to business, generally cutting the amounts of grants that are going to cities.

But on this one issue the minister says that he is indeed simply co-operating with those municipalities with whom he has had some difficulties getting along at times. On this he says that municipalities have asked for this, yet they still have not gotten a clear explanation of why this minister feels that it needs to go from seven days to three months. Again, Madam Chair, I think it would be reasonable to have an intermediary step, which is why we brought in this amendment to change that 90 days to 30 days.

Indeed, this was brought forward by my colleague from Calgary-Buffalo, who himself has served as a city councillor and was re-elected many times in that position and served quite admirably and was well-respected despite the opinion of some other members of this House, who may not have served quite so admirably in previous positions that they might have held. That aside, the Member for Calgary-Buffalo served as a city councillor and, indeed, from what I have seen, has excellent relationships with the folks in the municipalities across Alberta and has had the chance to reach out and discuss this bill with them even in the limited time that we've been afforded under the government's belief that this is indeed an emergent and urgent piece of legislation which must be passed quickly and was therefore only shown to us as the opposition a few days ago, so we've had a very brief time to actually consult. But I know that the Member for Calgary-Buffalo indeed endeavoured and worked hard in that short period afforded to us by the government to reach out and speak with the municipalities on this. It's not my understanding that those municipalities spoke up and said: no; absolutely, we need 90 days.

Now, of course, to the Member for Calgary-Buffalo, if I'm incorrect, I would welcome his correction on that.

Member Ceci: A few of them said that they wanted it.

Mr. Shepherd: Oh, pardon me. I apologize. Thank you, Member for Calgary-Buffalo, for clarifying that there were some municipalities which said indeed that they wish to have the 90 days. Fair enough. Of course, then there are municipalities who disagree with that. The Member for Calgary-Buffalo, in his consultation on this, which I'm sure the minister undertook as well – and I'm quite sure that municipalities aren't telling the minister one thing and the Member for Calgary-Buffalo another. So we have a split opinion

amongst municipalities as to whether we should be going with a period of 90 days.

That being the case, it seems reasonable to me, Madam Chair, that we find a balance between the two. Seven days is recognized as perhaps not being enough. Some municipalities feel that 90 days is too much. I imagine there's a number of Albertans, like I said, probably those same Albertans that have written to me about Bill 10 and their extreme concern with the power this government has afforded to themselves and all future governments in the province of Alberta, that would also feel that it's reasonable and prudent to strike a balance here.

So we bring forward this amendment suggesting, then, that we go with a period of 30 days as opposed to 90, again, to say that if we reduce it to 30 days, Madam Chair, it's just simply a question then of if it needs to be re-upped, if it needs to be refreshed and lengthened, then the cities or municipalities certainly have the ability to do that. And as is good and appropriate, then, that's done publicly and in the eyes of Albertans and is done with some level of justification, unlike the power which was granted to the government by itself through Bill 10 last week, which does not require the government in any way to actually publish what it's doing or provide a justification. But, of course, we are talking here about Bill 13, which has some connection. It is not that bill in particular but does deal with talking about the powers that are being afforded to a government by the provincial government: Bill 10 was the provincial government to itself; Bill 13 was the provincial government to municipalities.

Again, having heard from many Albertans their concerns about governments taking excessive power, I think it's reasonable to bring forward an amendment that would take what's, you know, multiplying the period by 12 times and simply saying, "Let's multiply that instead by four; let's give municipalities a month," during which they can take care of what needs to be taken care of and during which they can extend those extraordinary powers, which, I think all Albertans agree, need to come with checks and balances, that those be allowed for 30 days. Then there's the opportunity to come back and have that discussion again and, indeed, extend it if necessary.

I think most Albertans would agree that that is a reasonable measure, and indeed, as the Member for Calgary-Buffalo corrected me, there are some municipalities that also agree with that, that believe it should be a shorter period, not the 90 days that are set forward in this legislation. Although there are some that do believe in the 90 days or a longer period, again, I think it's reasonable that we could find a balance between the two. We have this amendment here, then, to move forward with a 30-day period during which municipalities could take that action.

Indeed, I certainly appreciate the steps that municipalities across the province have taken, that in this case they were able to take without the somewhat authoritarian reach of the government that we've seen with municipalities so often so far during their short term to date. I appreciate that in this instance they are affording municipalities the opportunity to make some of these choices for themselves and are reportedly, according to the Minister of Municipal Affairs, indeed collaborating with municipalities on this. That would be a refreshing change indeed, Madam Chair. In bringing this forward, he is telling us that he feels that a significant enough, I guess, number of them were requesting 90 days. Of course, again, the Member for Calgary-Buffalo says that there were several that said no, that they don't believe in the 90-day period.

It would be interesting perhaps to hear from the Minister of Municipal Affairs on how many of the municipalities he spoke with were indeed in favour of and advocating for the 90 days, what the reasons and the justifications were that they felt they had for that,

and how many of the municipal governments or municipal representatives that he spoke with were not in favour of the 90 days and the reasons that they put forward for requesting that it be a shorter period.

Again, we recognize the incredible importance and the due diligence we owe to all of the people that we represent, and we ensure that when we are taking significant powers unto ourselves, we are doing that accountably and that we continue to come back and provide our reasons for doing so. Again, as in this current sitting, where we are and where we find ourselves against the recommendations of the chief medical officer of health, when we are taking those extraordinary steps, we need to provide a clear justification, that we are true to our word and, of course, would not take advantage of such a situation simply to advance a particular agenda or our own particular will. I'm not suggesting that any member of this House right now would be doing so, but I am just recognizing, again, those reasonable checks and balances. It's reasonable that we would ask a government, when it is taking such extraordinary steps, to provide an explanation for itself and to be fully transparent with Albertans. As has been noted by members across the aisle, of course, we do not want to play political games. We certainly would not want to see that done by any other level of government.

So I think it's reasonable that we have this amendment and that instead of multiplying that by 12 times, from seven days to 90 days, we look at that, then, as 30 days, a more modest number, which can be easily reinstated if necessary. It could easily be extended by a municipality if need be, in collaboration, of course, with the Minister of Municipal Affairs in that new spirit of goodwill and collaboration that we have now between the provincial government and our municipalities as we move forward in finding appropriate and adequate responses to the COVID-19 pandemic but indeed recognizing that these changes that are being proposed here today would not apply only to this pandemic.

11:50

Indeed, the powers that the government is looking to provide to municipalities, like the powers that last week it granted to itself, also are being granted to all future governments. It's appropriate indeed that we give that due diligence and discussion here in the Legislature, that we be very clear about the reasons that we are bringing these things forward, why we are choosing to make these changes such as this change from seven days to 90 days.

I would look forward to hopefully having the opportunity to hear from members of the government or the Minister of Municipal Affairs as to who the municipalities are that requested the 90-day period, what their reasons were for requesting that 90-day period, how many of those there were compared to municipalities that did not support the 90-day period and the reasons they may not have supported the 90-day period, and, I guess, the weighing of those two and how he came to the conclusion, then, that it was best to go with a full 90-day period as opposed to a shorter period, which we are proposing to amend here to 30 days.

Indeed, if 30 days is too short, I would welcome the opportunity to hear from the Minister of Municipal Affairs as to why he feels that 30 days is inadequate or why that would impose too significant a burden for a municipality to come back to the people of Alberta and be able to reflect why they need to extend as they would have the opportunity to do.

With that, I will give other members the opportunity to speak to Bill 13.

The Chair: Are there any other members that would like to speak to amendment A1? The hon. Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you, Madam Chair. First of all, I want to thank my friend from Calgary-Buffalo for introducing this amendment and outlining the reasons that we should be supporting it, and I also want to thank my friend from Edmonton-City Centre for also providing some excellent comments as to why the government should give serious consideration to accepting this amendment.

In my comments on this bill at second reading one of the issues that I raised with respect to timelines in general is that Albertans really want to know how much longer we're going to be under a state of emergency. I appreciate the fact that the Premier appeared on television last night and again today to present the AHS models that suggest how many cases of COVID we'll be dealing with and how many hospitalizations and intensive care patients we'll be dealing with. Certainly, the numbers are sobering, and the fact that there is so much uncertainty around it is incredibly unsettling to everyone. I certainly appreciate the fact that the Premier reinforced that a lot of the outcomes are under our own control, that by adhering to the public health orders that are in place and maintaining social distancing, we will be able to limit the number of deaths and hospitalizations that we'll expect from this pandemic. But, in any event, we will be seeing too many casualties as a result of this.

But it's that uncertainty in the models, Madam Chair, that is creating a lot of anxiety. I appreciate that the Premier has indicated that there is a possibility that if everything goes the way that we're predicting it to go, we won't have to adhere to the current public health orders by, hopefully, mid-May, the end of May, but what he hasn't said is what public health orders, if any, we will have to adhere to after that time. This directly correlates to this timeline for letting a state of local emergency be in place, because if we are bringing forward a change to the length of time that a municipality can leave a state of local emergency in place right now, I assume it's to deal with the pandemic that we are dealing with.

The minister has suggested in his legislation that we need to change it to 90 days to give municipalities the flexibility to deal with the pandemic, but the Premier seems to suggest that maybe we won't be in a state of emergency in the next six weeks. Then why do we need the 90-day provision? Is there something, is there some information that the Premier is not sharing with Albertans? I'm not saying that there is, but I know that I'm hearing from a lot of constituents. They are uncertain that the Premier is being forthcoming with all the information that he has. When we're talking about changing these kinds of timelines for leaving a local state of emergency in effect, that reinforces the uncertainty that Albertans are feeling around how long we're going to be dealing with this pandemic.

So if there is some piece of information that Alberta Health Services or anyone else modelling the spread of this disease through Alberta is providing to Executive Council, I would urge the members of Executive Council to be completely forthcoming with that, and if it's the case that we expect the state of emergency to be in place for 90 days, then I think we'd have a good reason to reconsider our amendment. But if not, if this is just an arbitrary date that the minister has chosen, then I think he needs to be honest about that, too.

You know, it's interesting that the minister has suggested that he's actually taking power out of his own hands and giving municipalities the flexibility to administer these things themselves and points to this section of the legislation as evidence that he's doing that. Yet later on in the legislation he, of course, gives himself the power to actually go in and meddle with the individual orders that are issued under the state of emergency. So in one section of

the legislation the minister says that he wants to devolve power to the municipalities by doing this, yet he wants to take more power into his own hands by doing the other thing. Both of those things can't be true.

It begs the question, then: why do we need the 90-day limit, and why wouldn't a 30-day limit be satisfactory? Certainly, as I said, the minister seems intent on meddling with local authorities' states of emergency by giving himself the powers to amend individual orders or bylaws or other actions that are taken by local municipalities under a local state of emergency. I don't understand, if he's interested in meddling in the details of potentially 340 local states of emergency at the same time, why he would be so concerned about not having to deal with continuation of declarations of states of emergency.

It's in that concern for my constituents, who continue to come to me and ask how long we're going to be in this, that I challenge the members opposite. If there's something that they're withholding from us and from the public, now is the opportunity to do that. Or if this is an arbitrary number that they've chosen, then just be forthcoming and say that it's an arbitrary number, because even if it's an arbitrary number, I think it would at least provide some comfort to our constituents that by the end of May we could be out of this thing and that we won't be living under the public health orders that are currently in place. But by stretching this out to 90 days, I think that increases the anxiety.

Certainly, there hasn't been a lot of consistency in the timeline of application of emergency orders that the government has issued. You know, the Minister of Service Alberta has put in an eviction ban just for the month of April, yet the minister of the environment has suspended all environmental monitoring requirements until the end of August. Now we have an Emergency Management Act amendment here that gives local authorities the power to keep a local state of emergency in place for 90 days. That's the end of June, you know, if this bill were to pass today.

12:00

Why the inconsistency? Why do we have timelines that are all over the place? Service Alberta is telling us that some emergency measure has to be in place for a month. Environment is telling us that we need these emergency measures in place for six months. Agriculture and Forestry is deferring timber payments for forestry companies for six months. Do we anticipate that the state of emergency will last that long? All of these mismatched timelines and deadlines are creating a great deal of anxiety. I think that it's important for all Albertans that the government be forthcoming so that we know how long we're in this for. I don't think it matters the length of time, but if people can be mentally prepared for how long they have to live under these conditions, they'll be better off than not knowing how long they're going to have to hunker down at home, how long they're going to be laid off, how long their kids are going to have to be schooled at home.

I hope that in this debate we hear members of Executive Council tell us something with respect to why these timelines for implementation of different emergency measures that the government is implementing are all over the place and at least address this issue of why we need a 90-day application for the declaration of local states of emergency and why 30 days won't be long enough. I look forward to members of Executive Council or the government caucus – I can just sense their excitement to respond to the issues that we've raised here. I'm, yes, absolutely excited to hear what their responses are to the questions that we've raised so far with respect to this amendment.

Thank you.

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

Mr. Neudorf: Thank you, Madam Chair. I am actually very excited to speak to this amendment, looking forward to just addressing the number going from seven days to 90 days. I think the answer is actually very, very simple despite the amount of conversation we've had about it. Municipalities asked the minister if they could have 90 days, and he granted that request. It's actually fairly simple.

If that's not a good enough answer, maybe we should talk about 13. Thirteen is my favourite number. Maybe we could use that number as a time frame. Or 28, which is, actually, technically exactly four times seven; 30 is not, but maybe that's splitting hairs. Eighty-seven is a great number. There are 87 seats in this House. We could use that number. Sixty-three: that's the number of government members in this House. That's somewhere between seven and 90. Or how about the number 24? That's the number of the Official Opposition.

Mr. Jason Nixon: Oh, man, they lost a lot of seats.

Mr. Neudorf: That's true.

We could pick any number if we wanted to be arbitrary, but I do believe that there was actually intention to align with some other provincial legislation, which is that the public state of emergency for the province sets that time frame at 90 days. That's why, I believe, the minister also chose that number, to align with the local state of emergency, so that those would align. Why does the province have more time and more governance than local governments have? They don't, so he aligned those two together.

Actually, just before my last point, why is this number so important? Can anybody here predict how long it would take to deal with a flood? The Minister of Transportation: I'm sure he's lived in Calgary for a long time. I believe a few years ago they went through a flood. Can you pick the number of days it would take to do that if they had to face that again? How long does it take to deal with a forest fire? How long does it take to deal with a pandemic? Or, heaven forbid that we ever have to face a terrorist attack, how long does it take to deal with that? Any and every future eventuality: we can't pick a number of days for every single one of those. So it seems reasonable to me that the minister would align a local state of emergency with the provincial state of emergency and thereby use the same number that's in that, which is 90 days.

Now, my understanding is that that number does not preclude the authority of local municipalities from shortening that. If they have a local state of emergency that is declared and after 27 days they feel that that has been resolved, I'm sure that they can use the authority that they have been granted to end that local state of emergency at that time. We are having quite a bit of debate and quite a lot of conversation about a number that, really, in common-sense terms, we don't really need to have. I think that it is wise of the Minister of Municipal Affairs to align a local state of emergency and the time frame that they need to deal with that in the same manner that they do it provincially.

I've just been very excited to share that, Madam Chair. Thank you for the time to speak.

The Chair: Are there other members wishing to speak? The hon. Member for Edmonton-Ellerslie.

Member Loyola: Thank you very much, Madam Chair, and thank you for the interjection from the member. I appreciate you getting up and expressing your opinion and acknowledging that that's what it is – it's an opinion – and that there are others who are entitled to their opinions as well and that those opinions have room to be

expressed inside of this House as well, respecting the process of democracy, because that's indeed what it is we're here to do.

An Hon. Member: Hear, hear.

Member Loyola: I'm glad that you agree, Member.

It is with that that the Member for Calgary-Buffalo brought forward the amendment, because, of course, as was expressed by my good colleague the Member for Edmonton-City Centre, he did reach out to municipalities or individuals that he knows have experience sitting, have governed at the municipal level. He himself governed at the municipal level, and he heard that not everybody was in agreement with 90 days as stated within the bill. This is the reason why indeed he brings forward this particular amendment.

Now, the Member for Calgary-Buffalo, you know, is suggesting that we substitute 30 days. Why is that? Well, I mean, it's individuals who are also expressing their interest and their opinions, democratic experts, that are concerned that the time period is too long. I think that this is something that we need to take into consideration. It's a reasonable opinion that they should express that, and it warrants debate.

I appreciate the member getting up and, you know, being jovial about all these different numbers, and he was throwing out all these different numbers. I understand that he was just being jovial about it, making a joke about it, but I think that it warrants necessary discussion and debate on: why 90 days? Why not 30 days? It would be interesting to hear from members across the way their opinions on that. Are they concerned about the fact that democratic experts are bringing to our attention that this would be a concern, that it's just too long? Is it too long a period?

The question that I have for the minister himself would be: did he take the opportunity to consult with municipal representatives? How many municipal representatives did he indeed consult with on the matter? Did he check with the mayors from Calgary, Edmonton, Lethbridge, Grande Prairie, Red Deer? Did the minister consult with a number of different councils? I'm not debating whether he did or not. I'm just wanting to know if he did. What were the outcomes of those consultations? Did he specifically hear from – how many did he hear from that 90 days is what they wanted? Did he hear other opinions? This is simply what members from this side of the House are wanting to know and, of course, the issue being expressed by democratic experts.

12:10

I mean, in an ideal world we know that if a state of emergency were to be 90 days – and I understand that the local municipality may decide to shorten it – the question becomes then: what will happen during those 90 days? Of course, the rights of citizens are what we need to be concerned with.

You know, the Member for Edmonton-Gold Bar brings up a good point, the fact that when we start talking about 90 days, it creates a certain level of anxiety. I'm sure that we can all attest that we know people – I'm sure that members from across the way are respecting the recommendations of the chief medical officer. You know, they're staying in isolation when they need to. Of course, that's not what's happening right now, but I'm sure that when they're not on duty here in the House and in the Legislature, they're respecting the recommendations of the chief medical officer. But they're still reaching out by whatever means – by telephone, social media – to members from the community, and they're speaking to people, and they're hearing about that anxiety that so many people are feeling at this moment.

There are a number of issues that I'm sure people are concerned about. Like, I've already heard from some members of my

community as well that, yeah, when you start talking about 90 days of a state of emergency, people start wondering: "Okay. Well, I just want to make sure that my democratic rights are being respected, that my rights as a citizen are being respected." I'm not saying that they won't be – that's not what I'm suggesting – but it is every citizen's right to be concerned about that when you start talking about, you know, local authority being able to have such an extended period of time.

Now, I understand that, you know, they want to be able to deal with a flood or whatever the case may be, in this case the pandemic. They want to be able to have that leeway to be able to address these issues in the community, making sure that at the end of the day individuals are kept safe. We understand that that's the issue, but at the same time I don't put it past citizens asking the questions: will my rights be respected within a state of emergency, what will be expected of me, and what sacrifices will I have to make for the common good?

I know that we all know of situations in reality and in the history of Alberta even, never mind jurisdictions from across this land and in other countries as well, where the rights of individuals are trampled on in the name of a state of emergency. Right? I mean, we can look at even Canada's history, where in a state of emergency rights of citizens were trampled upon, right here in this country. So for citizens to get up, not only citizens but people who address civil liberties, and bring it to our attention and say, "Hey, please debate this; please consider these issues when you're talking about implementing a state of emergency," I think it is not too much to ask of their political representatives.

Then the questions become: did the minister himself consult with constitutional scholars about the appropriateness of this time frame? This is something I'm eager to know, right? I mean, if citizens are concerned about it, then why shouldn't we be concerned about it? And constitutional scholars: I think it would be good to have that insight in terms of what they have to say about the appropriateness of this time frame.

[Mr. Hanson in the chair]

The other one would be: did the minister consult with anyone from the judiciary for any guidance on the issue? I'm not saying that the minister didn't. I'm just saying that I'd like to know the answer to that particular question or if there's another member from cabinet, perhaps, that would know the answer to the specific question: did the minister or someone else from cabinet consult with anyone from the judiciary for any guidance on the appropriateness of the time frame?

But I think that the most important one – and I think that we can all agree in this House – is whether specific stakeholders from civil society were consulted on this. Like I said, again, I'm not saying that the minister didn't; I'm just saying that I want to know if it did occur and what were some of the insights that were shared by members of civil society regarding this particular issue. I think that it behooves us all to understand what that insight is and then, based on that insight, to follow through when we are moving forward legislation within this House. That is the foundation upon which the Member for Calgary-Buffalo brought forward this particular amendment so that we could draw a little bit more light on the actual issue where a local state of emergency comes together with the civil liberties of our citizens, which we need to be concerned about.

Additional powers: I understand that they're necessary during an emergency, but as was pointed out by the Member for Edmonton-City Centre, it's also important that there be checks and balances when those particular additional powers are being granted because

of a state of emergency. I think that it's important for us to continue debating this. I'd love to hear more from other members from the other side of the House, particularly members of cabinet, if they could shed a little bit more light on all the questions that I've brought forward in terms of constitutional scholars, the judiciary, stakeholders from civil society.

If we could have some of the answers to that, I think that it would help us understand the recommendation in the legislation of 90 days. I understand that one of the reasons was because they wanted to mirror the 90 days that is in provincial legislation in terms of a state of emergency, but then there are also other matters that we need to be concerned with as well.

With that being said, I want to thank you, Chair, for the opportunity to be able to get up and speak. I'll now sit down and offer others the opportunity, perhaps some from the other side.

The Acting Chair: Thank you, Member.

Are there any other members wishing to speak to amendment A1? The member for – sorry, Edmonton-South, go ahead.

Mr. Dang: Thank you, Mr. Chair. I knew you'd figure it out eventually. It's my pleasure to rise today and speak to this amendment from my colleague for – oh, I forget his riding. It's Calgary-Buffalo, I believe. But it's a pleasure to rise and speak. I think it's important that when we come in and we speak and we debate these issues and we look at the types of things we're proposing, we actually look at what the powers that are changing are going to be, right? I think my colleague from Edmonton-Ellerslie spoke at some length to what types of consultations had already happened, and he had some questions around what types of consultations were happening.

12:20

I think it's interesting to note the government's approach to this. It's interesting to note that the government caucus had their Member for Lethbridge-East rise in this place and speak at length and perhaps somewhat jokingly or dismissively rant out the number of days in a rather arbitrary fashion, in a rather dismissive way, saying: well, we could have chosen any number of days, but this unifies it, harmonizes it with the provincial dates. And that's all well and fine. Perhaps the government thinks it isn't really a big deal that they're going to be significantly expanding emergency powers, that basically allows municipalities to limit the types of democracy that we normally see in this place and across Alberta. That's okay. I mean, we actually accept that in some cases emergency powers are required, particularly like right now, during a global pandemic and otherwise.

I think one of the bigger questions, though, is: who did the government actually talk to? The government obviously could think up many random numbers. They could have chosen 42. They could have chosen 16, whatever that hon. member was saying. He obviously has a strong grasp of every number between one and 90. I think that's pretty clear. I think that what's not clear is why that member didn't go on and speak to why, for example, the RMA, the Rural Municipalities association, which I think is actually represented in a majority of cases in this House by members of the government caucus, actually asked for a 30-day limit on this. This is actually an amendment that's done in consultation with them, right? I think that's something that is less clear.

I think it's less clear what the government has actually done in terms of legwork to bring forward this bill. It's less clear in terms of what the government has actually done in terms of understanding the appropriateness of these measures and understanding, in terms of these measures, what would go too far

because we know that municipalities, if they are engaged in emergency measures – and the member for Lethbridge listed some of those. He said: perhaps there's a terrorist act; perhaps there's a pandemic; perhaps there's a flood or a wildfire. Well, yeah, it's true: all of those things can happen, and all of those things would warrant emergency measures.

Now, we could argue whether those would, in most cases, extend beyond 30 days, but even if they were to extend beyond 30 days, they would be subject to renewal, right? And they could be subject to renewal under the Emergency Management Act largely by a teleconference call, right? They could all get on the phone and extend their emergency measures. That's what we see in jurisdictions across the entire world, basically, when people use emergency powers, because emergency powers are just that: they're designed for emergencies. They should have limitations on them. They should automatically expire within reasonable time frames.

It seems that the government hasn't actually done any work in terms of understanding what the municipalities have asked for and what the municipalities actually need in terms of their tools. It's one thing to say: well, they can always come in and cancel it. But when we talk about suspending rights and suspending actual actions, the checks and balances that municipalities actually typically have to go through, when we talk about suspending the normal processes, that isn't something that we should take as the new normal, right? Like, it's not normal to suspend these processes. It's not presumed that suspending rights is how we should operate day to day.

That's why you put reasonable limitations. That's why, for example, the RMA has asked for a 30-day limitation, because when you talk about these things, you have to proactively and you have to actively go out and actually say: we believe there continues to be an event; we believe there continues to be an emergent issue, an emergency, that we have to use these powers for. The organizations and the municipalities absolutely have that power. They have the power to understand and to recognize that they continue to have emergent events that they have to deal with that are beyond the scope of normal municipal powers, that are beyond the scope of the normal council's authority or processes, and they can do that. They can use an electronic measure to renew that state of emergency.

But the point and the point that the municipalities have actually asked for – it's not just us in the opposition here saying this; it's coming from the actual municipalities – is that these measures, when you talk about suspending normal practices, should be proactively asked for. We should be saying again and again, we should be checking again and again as we move through the process, as we move through that emergent issue, as we move through the emergency that it was initially called for: do we continue to be in this emergency? Do we continue to have the necessity for these powers? Do we continue to have the necessity to suspend our typical processes? That's a big question, right?

Like, that actually fundamentally speaks to: what is the point of these powers? The point of the checks and balances is to make sure we don't make bad decisions. That's why we have democratic processes. That's why we have Legislatures. That's why we have councils. That's why we have bureaucracies. The point is that the checks and balances exist to ensure that the best possible decisions are made at any given stage of the process, right?

Sometimes those balances are not reactive enough, will not be reactive enough. Certainly, when we look at things like the global pandemic happening right now, it would likely be insufficient, in terms of the responsiveness of public health needs, to issue public health orders, and that's why public health emergencies exist. When we look at things like forest fires and wildfires, for example, it

would likely be insufficient in terms of the authority that municipalities would need in order to, let's say, reallocate resources or move people around, and that's why they have that authority in these types of emergency measures in the emergencies act. That's why it is reasonable to have these measures.

But we also recognize that when you suspend those rights of the citizens and you suspend those rights of the process and you suspend those bureaucracies, that is extraordinary, right? That is not normal. That is not something that we should be doing every day. We shouldn't be allowed every single day indefinitely or, in this case, for 90 days to just go and tell citizens: well, you must remain in your home, or you must move to a different home, or you must do these types of things. Those are the types of powers that are given by emergency measures, and those are the types of powers that we must proactively say to ourselves and check again and again and again: is suspending the rights of our citizens, our residents, the people that have put us here, because of an emergent issue – does that continue to be necessary? And the answer may very well be yes. The answer may also be no.

But we don't know that until we actually go and ask. Once you have been given the power – in this case I believe it to be an exceptionally long time, 90 days; the government wants to declare these emergencies for 90 days – you are much more reticent to remove yourself from that power, right? That is why we continue to ask ourselves: do we need this power? Do we need to continue to have these extraordinary measures? I think that's a very reasonable question to have. I think, actually, the concerns we have here with Bill 13 are very similar to the concerns that we actually had with Bill 10, that these powers can continue for indefinite or extended periods of time and are not reasonable without proper checks to say: should we continue to have these powers? Is the renewal of these powers appropriate? I think that's fundamentally the question we have for the government or I have for the government, at least, and the government members and perhaps the Member for Lethbridge-East.

I think he actually failed to answer the question at all: is the appropriateness of these powers being balanced? It turns out that we think "No," and in our consultations with the RMA, the Rural Municipalities association, they also think "No." The appropriateness of these powers should be checked more frequently than at 90 days, right? It becomes pretty clear that the government doesn't think that that's actually valuable. I think they have indicated, through the government member for Lethbridge here, that it seems that they don't support this, that they don't think you need to do those types of checks and balances, and I think that's unfortunate.

It's going to be a very strange day for me here, Mr. Chair, because I'm actually going to quote John Carpay here and the Justice Centre for Constitutional Freedoms. John Carpay actually wrote at length about how Bill 10, for example, was an inappropriate use of power. Those checks and balances needed to remain in place, and they were removed through Bill 10. We're seeing the same type of logic being applied here to Bill 13. We're seeing the government apply the same type of logic, saying that they don't want to do these checks and balances, that they don't think it's necessary for extended periods of time. They don't think that that's necessary because we can always go back and take away powers from ourselves, right? The government is saying that these municipalities will always go back and take away powers from themselves. But that's not how the suspension of rights is supposed to work.

I think that my colleague from Edmonton-Ellerslie asked: was there any consultation with the judiciary? I think that my colleague from Calgary-Mountain View asked whether there was any consideration of what the municipalities were asking for. It's

become very evident that the government has been unable to provide any example of where they actually went and spoke to either Albertans or municipalities or the judiciary or anybody or even got a legal opinion on what the appropriateness of the suspension of rights would be, what the appropriateness of using emergency measures and emergency powers would be.

12:30

It's that question. It's the question of: do we think that we need to continue to do this, that we need to continue to suspend rights, that we need to continue to be able to use extraordinary means to accomplish our goals, that we need to be able to use extraordinary means that municipalities may not normally have the ability to do and the province may not normally have the ability to do? Is that required to complete the goals, right? Is that required to complete the goals?

In the case of the public health emergency, in the case of the pandemic it may be: is it required for us to be able to issue \$100,000 fines against citizens? Is it required for us to tell citizens to remain in their homes? Is that required? The question would be: should we continue to do that? Is it appropriate that we continue to do that? Of course, for some period of time the answer is yes. For some period of time we have to deal with these emergencies.

But the question is: how often should we ask ourselves that question again? How often should we re-evaluate whether that emergency continues? How often should we proactively re-evaluate that we continue to have these means and measures that significantly limit the rights of individuals? That's a question that I think the RMA along with the opposition believe should be shorter than what the government is proposing, believe that the government has not actually given deep consideration to what the appropriateness would be. They haven't actually given consideration to what that means. They haven't actually thought about why we asked municipalities – and we asked the government, indeed; they removed the bad ask in Bill 10, but they haven't actually thought out about why we ask for proactive confirmation that these emergencies continue, right?

I think it's very important that we talk about how we ask for proactive confirmation that these emergencies continue because that is fundamental to democratic rights. It's core to making sure we actually have rights in this province and indeed in the Westminster parliamentary system and the municipalities across this province. And when we suspend rights, we have to go back and say: do we continue to suspend these rights?

Indeed, we think a 30-day limit is much more reasonable; RMA thinks a 30-day limit is much more reasonable, and it seems that the best answer the government backbenchers can come up with is: well, it says that somewhere else, so we just copied it, right? I mean, that's really the best answer that seems to be able to be brought forward. But indeed that is not a sufficient answer when we ask for the burden of being able to explain why we are suspending the rights of citizens. We have to explain to Albertans, we have to explain to the people that live in our constituencies, we have to explain to the people that live in our communities why their rights are being suspended.

If you're telling them that only every 90 days, do you have to tell them that their rights are suspended – that's three months, right? So every three months I can say: well, I think maybe we should still lock you in your home. That's basically the justification the government has given here, and I don't think that's sufficient. I don't think Albertans think that's fair. Certainly, the RMA, the Rural Municipalities Association, doesn't think that's fair. Certainly, I think that that means that we should have it in more reasonable time, then. We should bring it down to 30 days or

approximately one month, right? That would mean that approximately every month at least you're looking at the situation and whether it has evolved, whether things have changed.

As we know, in one month things can change quite a bit. A month ago here – it's April 9 today – I don't even know if there was a single case yet of COVID-19 here in Alberta, right? So in a month things change very, very quickly. The types of measures and rights that have to be suspended, the types of acts that have to be done in a month can escalate very rapidly. Because of that, we have to continuously ask ourselves: is it fair to the people that we govern that we continue to use these measures? Is it fair to the people that we govern that we continue to suspend those rights? Is it fair and is it appropriate that we are taking those special powers into consideration, right?

That's the type of conversation I want to make sure the government understands because it's become very clear through our debates in the last little while here and through the types of bills that they've been passing such as Bill 10 that they don't understand the appropriateness of what the emergency measures are supposed to be used for, right? It's become very clear that when you look at emergency powers like this and how they acted with Bill 10 that they think: well, emergency powers are something that you should just have, and then you suspend them when you don't want them anymore.

I don't think and it seems that the RMA and the opposition don't think that that's actually what emergency powers should be for. It turns out that we should be affirming and reaffirming the use of those powers throughout emergencies, right? You have to proactively keep asking yourself, "Does that emergency continue?" because if the emergency is not subject to time limits or subject to renewal or subject to critical analysis, to really critically look at whether we need to continue with this, really critically look at whether those emergency powers, which are, honestly, quite broad and quite encompassing in a way that other powers are not – other legislation typically does not grant powers to this extent. It typically does not grant measures that the government can implement (a) at such a pace or (b) such an extent in terms of intrusiveness into lives.

I think it's pretty clear that we do need to reaffirm those actions. We do need to reaffirm those. That's why this amendment does, in consultation with the actual municipalities, the people that actually have to go out and use these emergency measures, that actually have to go out and use these emergency powers – that's why, in consultation, I think it's much more reasonable to have that proactive affirmation, to have that proactive reaffirmation at approximately 30 days. I mean, the amendment, obviously, says exactly 30 days, but certainly municipalities and the province and anybody who is using emergency powers should be endeavouring to make sure they're using a critical lens to analyze their own actions because you can continue to use emergency powers indefinitely if you'd like – certainly, the province now has that ability – but it suspends the rights, and it limits what we have here as a free and democratic society. That's why making sure that we reaffirm the need for that, the necessity, is so important.

I think I've spoken at quite a bit of length here as to why I think that it's inappropriate that the government thinks – the logic the government is applying is inappropriate. The logic and the process the government is applying, the lens that the government is applying to this process is inappropriate. I hope, perhaps, that some of them are listening and perhaps can think critically to say: well, what does maintaining the state of emergency and using emergency measures mean, and what does having those types of emergency measures actually mean for the people that they represent? That's what we're here to do, right? We're here to talk about the effects

that this will have on our constituents, the effects that this will have on Albertans.

In effect, this will have significant ramifications for the people that have sent us here. It will have significant ramifications for the people that live in our communities, live across this province, and indeed the people that represent those constituents or us. I mean, obviously there are a few different levels of government here, but obviously the municipalities, the people that represent them at the municipal level, would actually be enacting some of these measures, enacting these emergency powers – those people don't think that this is absolutely reasonable, that 90 days is actually reasonable.

When we talk about that, when we talk about applying a critical lens and a critical-thinking process, I hope the government actually stops and looks at and thinks about what it means to suspend certain rights, what it means to suspend certain liberties, what it means to actually go in and take freedoms away from the people that we represent because that is a very heavy thing, right? That is very heavy-handed. It's a significant change.

The Acting Chair: Are there any other members wishing to speak? The hon. Government House Leader.

Mr. Jason Nixon: Thank you, Mr. Chair. I move that we adjourn debate.

[Motion to adjourn debate carried]

Bill 8

Protecting Survivors of Human Trafficking Act

The Acting Chair: Any members wishing to speak to Bill 8? The hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Mr. Chair. It's my pleasure to rise today to speak to Bill 8. We spoke to it this afternoon in second reading and now in Committee of the Whole. I think it's a piece of legislation that we know is needed. We talk about protecting survivors of human trafficking. I think it's something that every member in this House can agree is something that needs to happen.

12:40

When I speak to this, despite having some concerns about some of the language and some of the clarity that's needed, I want it on the record that I absolutely support moving forward with legislation around protecting survivors of human trafficking. In my career in social work I had many opportunities to work with many different individuals, families that had been impacted by sexual exploitation, many different ages, different genders, so this is something that I'm, unfortunately, very familiar with happening in our society, and I think being able to introduce legislation that will protect all the different forms of human trafficking is something that's really, really crucial.

When I look at this legislation, members have asked some questions that we would like some clarity around, and one of those is specific to what I did prior to being elected, working with children that were exposed to sexual exploitation, specifically under the legislation called the Protection of Sexually Exploited Children Act, known as PSECA. That is legislation that currently exists under Children's Services, and it's legislation that allows the director or police to apprehend a child when they are believed to be at risk of sexual exploitation.

This bill speaks a little bit to how children are different in the act, but I believe that there needs to be some more work and language around the two pieces of legislation coming together so that they

are supporting each other, so that there aren't loopholes, if you will. One of the loopholes or differences, perhaps, is that under PSECA it's not defined what that means, so having that explained would be a benefit when we're looking at two different pieces of legislation and how they interact. We can't have one that contradicts the other, so I think that that needs to be cleaned up, for sure.

The other thing in the current Bill 8 that's missing, I believe, is having who can do the order, who can apply for it. Under PSECA it allows the director of Children's Services and police to do the apprehension order. In this piece of legislation it doesn't allow that. That could be something that should be clarified that would allow both pieces of legislation to work together that I think would be a great enhancement to this. Under Bill 8 it says that an adult victim or a custodian of a child can seek a human trafficking order, so making sure that they're using the right piece of legislation when they're making this application. Does it make sense to make it under Bill 8? Does it make sense to make it under PSECA? Having some direction into how the public should be applying and what meets the best needs of that child is certainly something that needs clarifying and some direction.

Looking at other pieces of this that I had mentioned when we were debating Bill 8 under second reading and talking about some of the concerns that are in this piece of legislation around the wording and looking at the ability for confidentiality, there's a section in the act under section 11 that speaks to confidentiality. However, there isn't really anything outlining when it comes to a child. Under CYFEA, under PSECA, under the young offenders act: they are all specific legislation that speaks to publicly naming a victim because they're a minor. This legislation doesn't actually indicate that. It talks about people being able to apply for the information to be kept confidential, but in those other pieces of legislation it's already a given. It's something that's already put in place, so the application doesn't need to be made because it's regarding a minor.

The other pieces also around media and being able to report in the media when this happens – I think that media should be consulted with this legislation and what their thoughts and opinions are when we're moving forward talking about this because there are some cases that I can attest to that will make the media. It will hit the news when we talk about some of these horrific situations that are happening in the province. When it comes to human trafficking, especially when it comes to children, there's a sense of wanting to know and wanting to share with the public, but then it has to be weighed out with protecting the right of privacy for that victim and what that looks like and then what the expectation is from media to be able to have that conversation fully.

One of the pieces that I think is glaringly missing out of this that I would like to see included is the supports once there has been an order in place for someone who's been exposed to human trafficking and what that looks like. We've learned over the years of the incredible support that's needed to help those fleeing domestic violence. Just because the individual has left that situation doesn't mean it's over for them. They've experienced extreme trauma, and there are supports in place, like shelters, that help transition someone who's fled domestic violence and how to deal with that support and then transition into a life without that. I don't see the supports in here. It talks about getting orders. It talks about property, expiration of an order, extension of an order, but it doesn't talk about the next step and what could be required. I think that this is something that we really should be exploring because when it comes to protecting survivors, we need to look at the next phase of what that means. It's not just the order. It's not just the removal of the situation. There's so much more that has to happen to ensure that this person is protected and able to stay out of that situation.

We know that, unfortunately, the people that are exploiting people in human trafficking are often known to the individuals that they are exploiting. It's someone that they have grown to potentially trust, love, care for, so that dynamic makes it really difficult when we talk about removing them from their life. We know from an outside perspective that this person is being exploited. We know that they have been harmed. We know that they've been exposed to trauma. But there's a process that has to come into place to support that individual to also see that, because sometimes there's this desire to protect the bad guy, and that's not addressed in this, when we have someone who's been removed from this situation, helping them stay out of that situation when there's an affection for the person that put them in that situation in the first place. We know that some of these people are incredibly skilled at what they do. They spend years sometimes in grooming not just the individual but an entire family, perhaps, in allowing them into their life, and they build trust and relationship, so when we remove that person, there are a whole bunch of feelings that come along with that.

It's that trauma and that response that people need to be able to process, and it's something that I don't feel is in here. It's that next step: what does support look like? Knowing that there's a need for it, I would like to see that in this piece of legislation. It talks about fees, offences, and penalties, and it's wonderful to know that there are going to be all of these things that are happening that can really be taken into account when we're looking at pursuing charges on the bad guy, the fines, those types of things. But it's missing the support for the victim. When we talk about protecting survivors, it's not just that court process, which in itself can be quite overwhelming and scary for individuals.

There are pieces in here that talk about the victim making a next application. If the perpetrator decides that they want to appeal it, it's up to the victim to make representations in court as to why the protection order shouldn't be amended as per the bad guy's request. Who supports them in that process? How are they educated in what their rights are in that? Do they have someone that comes with them from court services to help with that process? I know that in Children's Services we had a special team through Zebra that worked with them – and that was a detective, that was counsellors, that was special counsel – that was working specifically under that legislation, that could help kids through that process.

12:50

Court is very overwhelming. It's very intimidating, so having that team set up to have a multidisciplinary approach to support the children in that process is so necessary. I think that's something that's missing in this piece of legislation, to have that team approach to work with people that are being impacted by sexual exploitation. I would like to see that in there.

I know that government has talked about the task force and having them come together. Really, I would have liked to have seen the task force come together prior to the legislation so that they can identify, with their expertise, what the gaps are in this legislation and what the potential loopholes are. Quite frankly, reading through it, I do see loopholes. I think that we have this wonderful opportunity right now to fix that and close those gaps and close those loopholes to make sure that when we're working on a piece of legislation that is so important for so many people and is intersected in so many different ministries – we have labour, we have Justice, we have Children's Services. It's a big piece of legislation, with many different ministries impacted.

Having a task force come together to talk about some of these loopholes that maybe have been missed, not intentionally, I think it's really important to be able to have that conversation and to make sure that when we're putting legislation forward as important as

protecting survivors of human trafficking, it's all looked at and it's the best piece of legislation that we can put forward so we're not coming back to fix it because there's a loophole that the bad guy is now able to get away with something, or we're hearing from individuals that have experienced human trafficking saying: I wish the legislation would have protected me in this way. I think that as legislators it's essential that when we're doing this, we do it right, and having that ability to do it right is before us right now.

I think that when we were in debate under second reading and we proposed having this moved to Families and Communities, the intention was to allow us to be able to have it looked at further and have those expert opinions included in this legislation rather than bringing it here in this moment to have it rushed through. We talked about the lives that are at risk. There's definitely a need for this legislation, and it needs to be effective, and it needs to be the best piece that we have.

It talks about section 8(2)(a). We have questions about whether or not this is something that's typical. It states that the victim bears the onus to prove that the human trafficking order should not be varied if a respondent seeks a variation. I had mentioned that that just – it seems bizarre that it's up to the victim to then advocate for themselves why it shouldn't be varied, when we know that in these types of relationships there's a power imbalance, that the bad guy has the power and the victim doesn't. So what supports and resources are being put to them to support them through this process? Court, for many people, can be something that's very triggering, and knowing what supports are in place to support them – or is it simply something that can be varied in this legislation to prevent that from happening in the first place rather than trying to support them through it? Can it be something that's changed in this act? Those are questions that we haven't heard the answers to.

We know that there have been conversations. We've heard from government that they've spoken to stakeholders, and we've heard from stakeholders that, absolutely, there were conversations that had happened. But they weren't aware that this legislation was being introduced when it was. They had heard from some of our members for the first time that this was being introduced, and that's concerning. If they're finding out that it's being introduced, it tells me that they haven't seen this, which tells me that there might be some concerns, and there might be some areas that could be improved. I just think that having those experts around the table, having conversations, providing insight into the legislation that's before us today is absolutely essential.

I would hope that this is something that can be looked at because just from my Children's Services perspective looking through it, I can identify some of the areas that need to be closed in terms of loopholes, some of the language that needs to be fixed, and that's just coming at it with one lens. I would imagine that the people that work in this field every day would have a lot to say about the legislation, and I would think that their main goal is to get the best legislation possible, which is what all of us are saying, that we absolutely agree that this needs to happen. We just want to make sure that it's the right legislation, that it's worded properly, and that we're closing all loopholes because we want to make sure that the protections that we're providing are clear, they're full, they're robust, and they're understandable so that when we're dealing with people that are going through trauma, it's easy to identify what the steps are, it's easy to identify that this is what they need to do, this is what their resources are, this is what their supports are, this is what each step along the way is going to look like.

Yeah. I would just hope that all members of this House are really not trying to push this through, that they want to take the opportunity to make sure that it's correct, that it is doing what it's intended to do, that there aren't loopholes that cause undue harm to

those that are trying to support people that are impacted by human trafficking but the people themselves that are experiencing this. I think as legislators it's our absolute responsibility to ensure that we're putting the best piece of legislation forward, that we know is going to protect them, that we know doesn't have loopholes, that we know defence counsel can't easily rip it apart and get the bad guy off on his charges or her charges.

With that, Mr. Chair, I would like to thank you for the opportunity to speak, and I look forward to more debate on this. Thank you.

The Acting Chair: Thank you, Member.

Are there any other members wishing to speak to Bill 8? The Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Mr. Chair. I'm pleased to rise to speak once again on Bill 8, Protecting Survivors of Human Trafficking Act, 2020. I'm particularly pleased to rise because I think, as has been stated by many, in fact, all of the members on this side of the House and on the government side of the House, we believe that this is a fundamentally important piece of legislation. We believe that it is intended to and should address those gaps in both our current criminal and civil systems, which have allowed abusers and those individuals who are taking advantage of children, of perhaps temporary foreign workers, of adults through sexual exploitation, through labour exploitation, and through organ tissue exploitation, and they've managed to somehow continue on conducting these nefarious practices, which have such horrific impacts on the people who are the victims of those acts. So to have an opportunity to address those gaps and to really make it clear that we have no tolerance in this province for that kind of activity is incredibly important.

I'm proud to speak on this bill because I think it is so important, and I think it is worthy of significant debate. I believe that it is incredibly important, and I know the Minister of Culture, Multiculturalism and Status of Women spoke to this earlier, about work with stakeholders. I can say for myself that I very much depend on their expertise and their knowledge to be able to guide us forward with where the problems are and how to address them. I do know that many stakeholders have been engaged throughout the process thus far but perhaps not on this final draft of the legislation as put forward. As the Member for Edmonton-Castle Downs indicated, it is our understanding that many of those stakeholders who had been engaged and had provided their input had not actually seen the legislation prior to it being tabled, for sure, and some of them were not even aware that it had been tabled in the House yesterday. What's very important is that we make sure that this legislation both reflects their input as their expertise and experience are critical to making sure that this legislation is effective and that they have an opportunity to see where there are opportunities to improve and to hear that feedback.

1:00

You know, it has been a bit of an interesting experience in the last couple of days in the Legislature. I've actually gotten to speak a couple of times, more than a couple of times, on legislation that, actually, in spirit both sides of the House agree with. This is another example. I spoke on Bill 3 a number of times in the last couple of days. That was the changes to the Mobile Home Sites Tenancies Act. We offered up a lot of opportunities to improve that act because we agreed. We agreed with the objective. That wasn't an issue, and neither is this bill an issue where we have any difference in opinion with respect to the goals and the objectives. We actually are very much aligned in that respect.

We also know that this process is going to determine the outcome of that legislation, which will be in place for a significant amount of time. We know that it is not easy to amend legislation. It has to be a careful process. When we develop laws – and that is our role in this House, to debate those and to engage with them in a meaningful way. It's because what happens after we vote on these bills is that those bills become laws that affect individuals directly, and it is the way they will be expected to conduct themselves. It will make clear the consequences for failure to comply. It will grant rights and obligations and privileges and powers to individuals. So we have to make sure that this legislation gets it right. I'm not saying by any means that it doesn't, but we've identified a lot of complicating factors.

One of the reasons why human trafficking has been able to exist in the shadows is because of the intricacies of the issues it deals with. It deals with the criminal system. It deals with children who are vulnerable and adults who are vulnerable. It deals with labour laws. It deals with immigration laws. It deals in the shadows, and it's complicated; therefore, we have to be clear that we have considered or turned our minds to all of those complications before we pass this legislation, which will then become law.

There is a distinction between legislation and regulations. I do not think it is a sufficient answer to say that whatever we maybe don't get 100 per cent right in the legislation could then be dealt with by regulation. In my previous work I lived and breathed by the important difference between legislation and regulations and statutes and regulations. Regulations are not meant to replace statutes. They're not meant to just be another form of a statute. While they have the effect of law, the process by which they come into force is very different for significant reasons. The statute is the one that sets out the clear rights and responsibilities. It sets out the objectives, the policy perspectives which are being advanced. The regulations are merely meant to operationalize what has been set out in statute.

So I don't think it's a sufficient answer for us to say: it's okay if there's not clarity here because we'll just deal with it in regulation. The regulation-making authorities are clear within the act, and they tend to be in whatever act, and it's actually not an opportunity to just rewrite the legislation and to rewrite the statute. Regulations have a very different purpose, and they do not come before this House. They do not pass the same level of transparency that is required of a statute, and that is for good reason because regulations are designed to be consistent with and to operationalize what's already been passed into statute. While I appreciate that the government wants to move forward on this – and I'm happy that they want to move forward on this – I do think we need to take the time to make sure that it is carefully thought out.

I spoke at length previously in second reading about some of my concerns about how this act interacts with, in particular, PSECA, which is the Protection of Sexually Exploited Children Act. I want to come back to those comments, but before I do, I actually want to speak to one set of provisions in Bill 8 that I was actually really happy to see. Those were the provisions that speak to – I realize that this might seem minor in the context of things, but I'm very happy to see that the government in drafting this legislation turned their minds to pets. I know that seems somewhat small in the grand scheme of things, but I think that it is important that this legislation recognizes that.

I've spent a significant amount of time in my volunteer capacity working around animal rescue and working with passionate people who are very committed to bettering the lives of animals but also recognizing the complexity of people's lives and how that interacts with the ability to take care of animals, bring animals into homes. I was privileged to work with an animal rescue foundation for some

time, and one of my covounteers, I guess – she sat on the board of directors with me as well – actually went on and worked with the Alberta SPCA on a project called the pet safekeeping program, which was launched in 2012. That program is under the Alberta SPCA, but what's important about it is that it actually targeted the very significant issue of domestic violence and pets. They actually addressed the problem of how many times people might remain in an abusive setting, in an abusive situation because of threats or actual violence towards pets.

I don't think it's far-fetched to say that I'm sure many members in this House have pets at home, and we care for them and love them quite a bit. We can imagine that the threat or actual violence against a pet is incredibly harmful and abusive. We know that that's actually a tool that's used quite often by abusers. It is a matter of control. It's an element of control. As a result of this study that was done by the Alberta SPCA, we know that that can be a real deterrent for somebody seeking to leave a violent situation. They're worried not only that they won't be able to protect their pet, but they're worried about being able to leave and take their pet with them. We know that there are significant restrictions in terms of housing around having pets and keeping them in care, so sometimes people will stay and they will remain because of that.

I actually have to say that I was very happy when I read Bill 8 and saw that, for example, under section 3 of the proposed Bill 8 it talks about what factors a court may consider when issuing a human trafficking protection order. One of the factors was whether or not there was “the use of threats or other forms of intimidation by the respondent against the victim or a person or a pet known to the victim” as well as the actual use of force against a pet. That could be another factor. I appreciated that, in terms of what the human trafficking order could contain, it may contain an actual “provision requiring the respondent to return to the victim a pet in the care of the victim.” I honestly have to say that I was very happy to see this.

But what I know from my colleagues and my former codirector in my animal rescue work, who works with the Alberta SPCA, is that there are challenges to that. While it's great – I'm thrilled, absolutely thrilled, honestly, to see that this is recognized in this bill – I know that one of the challenges is providing supports to make sure that when a victim is removed and maybe their pet is returned to them, the capacity to keep that pet is a factor that weighs in. This goes to more generally the questions around ensuring that there are proper resources in place after the fact, right? This legislation is very key for actually setting out the provisions in which a human trafficking order may be sought and may be granted, but there's still the requirement that we need to make sure that people know that the resources are there to actually support them once they are removed from that situation.

Again, I do want to give kudos on that. I think it's an important part of that bill, and I very much appreciate it. I would love if the government had engaged – I don't think it seems like an obvious stakeholder for this bill, but the Alberta SPCA has done great work about how to facilitate pets in domestic violence situations. I think that it would be great to hear their thoughts and recommendations with respect to how to support people moving out of violent situations, which would be covered by the provisions of Bill 8, and how to ensure that that transition can be made smoothly. I just put that out there as something for the government to consider because I do think they would have some very good research and learnings on that part.

1:10

I do want to come back to a couple of the questions that I raised under second reading with respect to some of the provisions. Again,

we want to make sure that this bill is implemented smoothly and effectively. My colleague from Edmonton-Castle Downs did a great job of talking about some of the challenges with the language that's used in PSECA, the Protection of Sexually Exploited Children Act, and making sure that there is continuity and there's not overlap where any specific act is going to necessarily take precedence or create a conflict because that's the other challenge that we have, making sure that it's not just this act. This act clearly affects other pieces of legislation, and I don't see embedded in this act any sort of consequential amendments to other pieces of legislation. That surprises me given the fact that we've talked about how this legislation impacts so many other ministries, and I wonder if that complete review of all potentially affected legislation has been done.

In my experience, for example, I worked previously many years ago on the Education Act, and I remember part of that exercise of drafting the Education Act was actually going through and making sure that consequential amendments were made where necessary in related pieces of legislation. That was actually a very lengthy but important exercise because what you certainly don't want to have is any lack of clarity as to which legislation applies. That is something we certainly do not want with an act like this, which is so critical and so important that we want to do it properly.

Just because of my critic portfolio with respect to Children's Services I focused on PSECA. I noted, for example, in second reading my concern that there is currently – I don't know if it's a conflict, but I think there is some overlap for sure with apprehension orders under PSECA, which can only be initiated by a delegated director of Children's Services or by a police officer. I wonder how that interacts with a human trafficking order, which could certainly apply to a child who is being sexually exploited. I believe that that's part of the intention of the bill, to apply to children who have been sexually exploited, to be able to remove them from a site, from a location where that child is at risk or is already experiencing abuse.

We need to make sure: how does a human trafficking order line up with an apprehension order? What do we do when it's a child under the human trafficking order? The legal guardian may seek that human trafficking order on behalf of the child, but under PSECA it's only a police officer or a director under Children's Services. What happens, I guess, honestly, in terms of logistics? Who initiates the order? How do we make sure that it is not by act of a guardian who may not be a police officer – likely it will not be – who is seeking a human trafficking order? Are they then subject to potentially an apprehension order as well by police? I don't know the answer to those questions, but it's a very important interaction that we need to consider. I'd welcome some responses from the Minister of Justice or the Minister of Children's Services to talk about it. Perhaps those questions have already been specifically thought of and considered and addressed.

The other issue under PSECA is, of course, that there's currently no definition under that act of sexual exploitation. We now have a definition proposed under Bill 8, and I believe that may be a very appropriate definition. Should it now consequentially apply to PSECA? It may not be a hundred per cent appropriate, but certainly in the absence of a definition under PSECA a court looking at that might look to other legislation and say: "Well, it's not defined here, but I may look to guidance under the human trafficking act. It might be defined there, and I might apply it." Honestly, that's what courts do, right? If they don't have that specifically, they're looking for interpretive tools to help understand how to apply it. I think that if it's meant to apply to PSECA, that should be the case and it should be clear, but if it's not, that should also be clear.

I want to highlight as well one piece that I raised a question about, and I know my colleague from Edmonton-Castle Downs raised it as well. I was, I guess, a little concerned by section 8(2) of the proposed Bill 8, and that's the section that talks about setting aside or varying a human trafficking order. What's interesting about that – of course, we know that a victim may seek a human trafficking order *ex parte*, which means without giving notice to the respondent, because giving notice would sometimes put that person in significant jeopardy. So it is appropriate that they can do that without having to give notice. But under section 8(2) the respondent or – let's be clear – an abuser, a potential human trafficker, may seek to vary that human trafficking order, and if they do that, under this section it's actually the responsibility of and the onus falls on the victim to set out why it should not be varied. I find that a little bit concerning because, of course, the very essence of a relationship between a victim and an abuser is that of abuse. It is a huge power differential. We're talking about, especially in the context that we're speaking of here – sexual exploitation, labour exploitation, organ and tissue exploitation – victims who are significantly disadvantaged.

My colleague from Edmonton-Castle Downs did such a heartfelt time of explaining what we know to be the rationale and the thinking of somebody who's in such a horrific, abusive situation where they may not be able to even assert that they are in an abusive situation. They may be so mired by trauma, by emotional abuse that they don't even know that they are necessarily the subject of the abuse. So first of all, to ask them to initiate a human trafficking order is a huge onus and responsibility on them, and we need to ensure that if we're doing that – I'd like to know what supports are being provided, what information is being provided to victims who are living in the shadows, quite honestly. How do they know that they're even able to seek this order? But then the abuser, who is the respondent under the act, can now seek to vary that order, and the onus falls on the victim to have to defend the very order that they sought. So it's a reverse onus.

I appreciate that from a legal perspective it's because it's a variation of an *ex parte* order, but we have to be very aware that the entire premise of this legislation, the entire premise of why this needs to be addressed, is because of that huge power differential. I think that may be an incredibly unreasonable expectation to have of a victim, who may now be safe in theory and out of that specific situation, but to say that they may have either the resources, the capacity, the ability to be able to then go to a court and argue why the human trafficking order, which was put in place to protect their safety, should not be varied by somebody... [Ms Pancholi's speaking time expired]

Thank you.

The Acting Chair: Thank you very much, Member.

Are there any other members wishing to speak to Bill 8? I recognize the Leader of the Official Opposition.

Ms Notley: Well, thank you very much, Mr. Chair. It's a pleasure for me to be able to rise to speak to Bill 8 in Committee of the Whole, my first opportunity, actually, to address this bill. One might think: "Where have you been? How is it that you are only now getting a chance to address this bill, all the way into committee?" Well, it is strange, but it's partially, of course, because it was only introduced today, and we are now debating it in Committee of the Whole at 20 after 1 in the morning, a decision entirely at the direction of the government.

Now, they claim that this is a very important bill to them, Mr. Chair. They claim that this was something that was in their platform and that, therefore, we must do it. I'm sure that that must be true,

and it must be true to some degree. Certainly, it's something that they feel very strongly about. But it's not really clear to me why, if it's something that they feel very strongly about, we need to be debating it at 20 after 1 in the morning, because that is a strange time to do the business of this House.

Now, I understand there will be times – and we all know the history and the tradition of this House – where we might filibuster if there's actually a matter over which we have tremendous disagreement, and that's happened. That's happened here before. This is not actually a matter over which we have tremendous disagreement. In principle we actually agree with the government on this bill, and we're pleased that they've introduced this bill. However, in principle, we also agree with the notion of democracy and the parliamentary system and the role of the opposition to evaluate pieces of legislation, to reach out to stakeholders and canvass them on what they think about the bill in order to make sure that the bill is as good as it can possibly be. That's what the system of democracy requires us and the government to do. It also requires us to do things like research, find out how it works in other jurisdictions, find out if it has achieved the objectives that it has intended to or its stated intention, to find out if there are any inadvertent unintended consequences. These are things that good legislators do. That's why the job that we do is important.

1:20

But you know what? It's really hard to do that at 20 after 1 in the morning the same day that the bill has been introduced, I have to say. The thing of it is that I know that there are people who have spent years of their lives standing up for and advocating for the victims who this bill is intended to help. Those people, having done that work, would really like to be part of the process through which we deliberate on this bill and be part of the conversation. Indeed, I can think of people in my own constituency, one or two people in particular, that have worked for years on this. They lobbied the federal MP, Linda Duncan, extensively on this. They did tremendous amounts of research on this. They very much care about the issues that are touched on by this bill. Unfortunately, I haven't had the chance to reach out to those people to find out what they think about this bill. Even if I were in the last – well, let's see. We're at 20 after 1 in the morning, and I believe it was introduced – I don't know – about 10 o'clock this morning, 9:30 this morning. So, you know, I guess, we're about – whatever that is – 14 hours after it was introduced.

I suppose if I were to drop everything and rush around and try and track this person down and leave a whole bunch of phone messages and, you know, upend my schedule to get her into my schedule so we could sit down, the first thing, of course, I'd have to do is take the time to read it and analyze it myself so that I could then brief her on what's in the bill for her and her colleagues who have been volunteering with passion and commitment and vigour and selflessness and care for the people that this bill is allegedly designed to support so that she could then evaluate whether all the right issues have been addressed. Unfortunately, because it was introduced at 9 o'clock this morning, I have not yet had the chance to do that. Here we are at 20 after 1 in the morning because some folks over there think it's somehow horrifically unreasonable that we would actually want to address Committee of the Whole on a separate day from the day that this was introduced, maybe even discuss it in second reading more than one day. How outrageous is that of the opposition?

Now, certainly, the role of opposition might be changed or be different if we were dealing with an emergency, but of course this was actually one of the matters in the platform of the UCP. We all know that they were elected almost a year ago. The fact is that if it

was an emergency, presumably it would have been introduced last June or perhaps last fall. While I think it is fair to say that the government does care about the victims that they are intending to support in this bill, the reality is that it's not emergent and that what we need to do if we are going to do our best by these folks is make sure that we get it right.

[Mrs. Pitt in the chair]

You know, Madam Chair, getting it right is an important thing. When I walked in here at about midnight, I found my colleagues debating the Emergency Management Amendment Act, the second set of amendments to the Emergency Management Act that we have dealt with in the last two weeks. Why? Because we passed a bill – what was the bill about the Emergency Management Act? Was that Bill 7, Bill 6, Bill 5, Bill 9? I can't remember. Anyway, a mere two weeks ago we passed a bill to amend the Emergency Management Act. It was a terrible emergency. We absolutely had to do it. It was so important we had to jam that puppy through in two days because, oh my God, the sky would fall. And then guess what happened? We got it wrong, and we missed things, and we were back here again with a whole other bill, Bill 13, on it again to fix the mistakes that we missed in the first bill. Why? Well, I would argue perhaps, in part, because we didn't take the time to do it and because we characterized it as an emergency when it wasn't.

But in either event the point is that when you jam things through pretending they're an emergency when they're not, insisting that people debate at 25 after 1 the day that the bill is introduced, you know what happens? Well, (a) you make lots of mistakes, and (b) you look kind of foolish because it certainly does not in any way suggest that we are actually conducting ourselves with the level of respect that this Assembly requires on behalf of the people of Alberta.

Anyway, that being said, Committee of the Whole is an opportunity for us to go through the bill on a clause-by-clause basis. Now, many of my colleagues have identified a number of the concerns generally that we want to test with respect to this bill because – again, let me reinforce that we think it's a good issue to address, and I expect we will probably vote in favour of it, but, as we said, there are some concerns. As I've said, there are a number of concerns just in terms of our inability to reach out to stakeholders and see what they think about it. As I believe a couple of our members have already said, we were shocked to discover that the key stakeholders on this bill didn't even know it was being introduced, and certainly none of them had seen it. They couldn't provide us with any kind of feedback because they hadn't seen it.

It's a tremendously disrespectful and antidemocratic approach to the work that those folks do. I just think about, you know, the women's shelter organizations, the social planning councils, the antipoverty groups, the groups that deal with victims of crime, all those kinds of groups, you know, that consist so often of really community-minded and caring people who devote their time to these kinds of issues, and here we are already in Committee of the Whole and they've not even seen this bill and many of them didn't even know it was being introduced. I'm just not entirely sure, Madam Chair, what message we are delivering to those folks.

Anyway, that's an overarching concern, but since we are at Committee of the Whole, I will sort of just start to talk a little bit on a clause-by-clause basis about some of the questions I have. I certainly hope we'll have an opportunity before we finish Committee of the Whole to enjoy the privilege of having the sponsor of the bill, which would be the Minister of Justice and Solicitor General, take the time in Committee of the Whole to

answer a number of the questions that we have given that that's the way this particular part of the process in our legislative system is designed to work.

My first question to the Minister of Justice and Solicitor General relates to some subsections in section 2, which talk about the people who are eligible to apply for an order related to human trafficking. We see in 2(1)(a) that, of course, a victim can make an application, and we see that a person who has custody of the victim if the victim is a child can make an application. As the Member for Edmonton-Whitemud has talked about several times already, a director who's designated under the Child, Youth and Family Enhancement Act can make an application, and a police officer can make an application. Then it says "a person or a member of a category of persons designated by the regulations" can make an application if they do so "with the consent of a person referred to in clause (a)"; i.e., the victim.

Right there I have a bit of a question because – I mean, I'm not an expert in this area, Madam Chair. Absolutely. But it seems to me that you could actually have victims who are not children who have been unable to get the attention of the police, who themselves cannot make the application, who perhaps, as the Member for Edmonton-Whitemud already described, are not even sure that they want to make the application, perhaps especially if the trafficking relationship is driven by an addiction, for instance, or the provision of certain substances ultimately that involves an addiction or through some other form of coercion, where they feel that not only do they not have the agency to make the application themselves, but they're not even at the point where they would necessarily choose to make the application.

1:30

I could imagine a sibling or a dear friend, just as an example, or in fact a parent, actually, if the person is no longer a child, wanting to make the application for the protection order, and it's not clear to me whether they can do that. It's not clear to me in this legislation, under clause (e), whether they actually have the ability to make the application. It would seem to me that in many human trafficking situations that's exactly what you need to have happen for the reasons that I just described: the person is above 18, and they don't have the agency for a variety of reasons to do it themselves. Yeah, I am a bit concerned about that.

Now, perhaps I'm missing the point, or perhaps it's provided for somewhere else, but this is really an important question that I think we need to hear from the Minister of Justice and Solicitor General on because this is sort of the entrance point to the whole set of rights which are laid out in this piece of legislation. If you cannot walk through this door, the rest of the bill is of no assistance to the people who are themselves the victims. This is the key to their rights, so we need to know who holds the key, and that's truly not clear in the way the legislation is constructed now. I think that all Albertans who care about this legislation and all Albertans who care about victims of human trafficking need to hear from the Justice minister on an answer for that, certainly before we move past this particular area or element of the debate on this matter. Truly, to go forward without getting that kind of answer would be very problematic.

Now, I think that one thing we had a bit of a conversation about, certainly in our caucus – and I'm sorry that I'm not doing this as thoroughly as I could. I'm sure I'm going to be missing clauses. But if you move on to subsection 3(2), we get into the number of matters that the judge has to consider before determining whether or not to make an order. There are lots of very important issues there, but one thing that is referenced is the victim's immigration status. It's not really clear what exactly the immigration status will do to the consideration by the judge.

Now, we know that, in effect, what happens is that the ability of the victim to maintain their presence in Canada is the means of coercion. Sometimes the trafficker's holding of the passport is a means of coercion. Sometimes the trafficker's ability to assist with the victim's plan to stay or make applications to enhance their rights in Canada, either as a landed immigrant or to extend their work visa or to become a citizen, are all driven by the decisions of the trafficker. But it's really not clear in that subsection that that's really what's going on there. I think that that needs to be clarified, because I think that if I were a judge and I were considering this, I wouldn't know what that actually meant in terms of my deliberation. I would really want to see that addressed more clearly, and once again I would really think it would be important to hear from the Minister of Justice and Solicitor General on that important question.

Generally speaking, I'm assuming that because this is a protection order, what we're doing is a balance of probabilities test with respect to what needs to be proven by the applicant, but I'm not clear on that. That does raise another question for me, though. You know, it's a balance of probabilities, probably, because it's a civil order, but obviously this overlaps quite consistently with criminal activity and criminal decisions, where, of course, it's a very different standard.

This raises in my mind the question: how do these regimes where we have these – and I believe that it only exists in Canada in Ontario – interact with the enforcement of the criminal elements of the act of human trafficking? In particular, does it become an opportunity for the police to pass it off as a different kind of remedy and behaviour to be challenged so that the work that is required to secure a criminal consequence is dismissed because this is easier? Basically, someone goes to the police and says, "My daughter is the victim of human trafficking," and the police say, "Okay; well, get yourself a lawyer, and go get an order." That's my concern. That's the bottom line: does this become a tool to sort of push away the work of protecting these victims to people who do not have the same resources or ability to keep themselves as safe, I suppose, as the police would?

I'd really be very interested in hearing about what the experience has been, the interaction, and what impact this kind of regime has on the level of investigation and the level of prosecution, all those kinds of things, when this kind of regime exists on the civil side and where it's possible to push the onus back to the victims' families. That is a thing that did strike me.

With that, then, comes the additional question: what do the police have to say about this?

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

Member Ceci: Thank you very much. This is my second time speaking to this bill, and it's my pleasure to get to know the bill more intimately as a result of listening to my colleagues from Edmonton-Whitemud and Edmonton-Strathcona and others who have spoken to the bill. I think that, particularly for victims, this is an important piece of legislation, and for those traffickers it is an important piece of legislation, obviously, to render them without the ability to continue their activities if they're, in fact, charged under this act.

I want to also say that it's not just sexual exploitation but labour and organ-tissue exploitation. It boggles the mind that some of those things are going on in our society, but of course they are, and anything we can do as a group to ensure that victims are better protected and have the full weight of the law behind them is something that is useful.

It does strike me that this bill does not relate to the health emergency that we're in. We came back to this place to deal with important legislation related to the health emergency, and this bill is a result of a platform commitment that is over a year old, much more than a year old, so it's only being talked about as urgent in the opportunity, I guess, to deal with it in an expeditious way, that's before us as a result of this health emergency. I think that raises many questions for me, Madam Chair.

I do want to recognize my colleagues from Edmonton-Castle Downs, Edmonton-Rutherford, and Edmonton-Riverview, who have all spoken at different times to this bill at different stages.

1:40

Ms Notley: You missed one.

Member Ceci: And Edmonton-Strathcona. They've all spoken excellently to this bill at different times.

The point I was going to make is that Edmonton-Castle Downs, Edmonton-Rutherford, and Edmonton-Riverview have spent time working directly with children, and in different ways they are some content experts that have been fascinating to listen to and hear from. To pick up the moving debate that Edmonton-Castle Downs gave a couple of times tonight, where she obviously has lived experience from working with exploited children and their families in the child welfare sphere as well as the courts – she took a great deal of time to actually walk us through and tell us where the problems were with the bill that's before us. I think that listening to content experts like that would give us all a lot of direction around the things that we need to do.

One thing that my colleague from Edmonton-Whitemud talked about was the consequential amendments that seem to be missing from being identified in this bill. I can remember many times sitting around the cabinet table dealing with different bills. You would get a legislative bill review, and it would talk about all the different bills that were going to be changing, that as a result of bringing one action forward, other things would change. We're not seeing that – or I'm not seeing that, anyway – in Bill 8. We're not seeing, understanding: what are the consequential amendments that'll be taking place as a result of bringing forward and passing, ultimately, Bill 8?

The recommendations that we had earlier on talked about going to a committee and having the opportunity to sit down with Solicitor General and Justice lawyers as well as Children's Services lawyers and stakeholders who had that expertise and asking them, you know: do all aspects of this bill line up, and are they bulletproof in terms of what defence counsel might be able to come up with in terms of defending a trafficker in court? Are they bulletproof in that way? We didn't get that opportunity as a result of the amendment not being passed, and I think that's unfortunate because it would have provided another level of security for all of us in this House to say that the work we're doing is certainly useful and will stand the test of time.

The stakeholder review that the Member for Edmonton-Strathcona was talking about prior to third reading would be extremely helpful because all of us in this place aren't content experts in this regard. We look to the work of lawyers and people who have worked a long time in the field to really understand if what we have before us meets the target of what's needed to best protect victims of human trafficking. That is something, obviously, that I think would have been an addition to this bill process in developing it.

I do want to take a minute to go back to some of the things that some of my colleagues said, particularly my colleague from Edmonton-Castle Downs. That person talked a lot about her

experiences, and she said that this could be a really good bill. She's supporting it; I'm supporting it but with some trepidation because of the process we're engaged in, and the process we're engaged in is less than optimal. It's in the time period around a health pandemic emergency, and one wonders if, you know, that's the clearest way to be making decisions that obviously will be critical to people's lives who are being protected as survivors. Do we find ourselves in the near future having to look at the unintended consequences of passing this act that's before us in the way it's written today, or will some traffickers be able to get out of the difficulty they're in as a result of not finding all the issues that are before us today as a result of not being able to talk to stakeholders and others?

I do think the substantive part of this bill is part 2, human trafficking protection orders, and it goes through a number of important areas, obviously, with the application for the order, the human trafficking protection order, and contents of the order. I read it all with interest, and I'm very glad to see it's all here, but again I'm not the content expert, and we wished we could have had those people here to do that work with us in different committees.

I think I'll take an opportunity to sit down, go get a glass of water, and see one of my other colleagues address this for the short time period. Thank you.

The Chair: I see the hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Madam Chair and to my colleague for the introductory remarks and the opportunity to engage you all here this lovely – should I call it evening or morning? – late evening, early morning.

I want to say that I did have an opportunity in second reading to speak to Bill 8. Here we are a few hours later in Committee of the Whole, so I will reiterate some of my questions, and I'll hope that some of the folks who are present at this time will be able to answer them because I think that these are fair and reasonable questions, questions that any opposition would likely ask – I hope any opposition – and questions that I frankly expect some of the government members may be asking of their cabinet colleagues, because I think that this and all legislation we consider here in this House is a privilege and a tremendous responsibility. With that comes the requirement that each of us be here to contribute in making what we receive a little bit better, and I think that we have that opportunity here this evening in a number of ways.

First, I want to correct something that was said by one of our colleagues, the Member for Fort McMurray-Wood Buffalo, who talked about how the plan was that this was going to be Bill 1, but of course the horrific situation of COVID-19 struck, and that changed plans. Maybe it was, but the Bill 1 that was introduced to this House was introduced prior to the provincial state of emergency, that's for sure. It was the Critical Infrastructure Defence Act, so that seemed to be the priority at that point in time for the government caucus, for a trip down memory lane.

I do think that this is important legislation. I said that in second, and I say it again. I think that this is an important topic, and I think it deserves incredible public awareness because we know that this is a growing issue of concern. I would say that from the stakeholders I have been able to connect with briefly today – again, only one day, so there hasn't been extensive time for back and forth. The stakeholders I have been able to meet with talked about: in Alberta about half of the known human trafficking cases are related to labour trafficking, labour challenges that often arose from folks coming to do work that put them in a precarious situation through the temporary foreign worker program, where you're tied to one employer and you're tied to one industry. Sometimes there are

times where folks end up in a situation where they are the victims or survivors or, as some folks have told me they would rather be referred to, individuals who have experienced human trafficking.

1:50

Again I acknowledge that this bill – I want to start with the title. I think the title is an improvement over what we heard messaged from the Premier and government previously. Many folks found the title offensive. I think this title is certainly an improvement over that. Protecting Survivors of Human Trafficking Act: I think that's something that we should all be able to get behind.

I think it is something that – when I think back on a few decades ago, not even generations ago, when people heard of sexual assault or sexual abuse, there wasn't a great sense of public understanding, what that meant. A lot of people experienced it, and I think a lot of people who were survivors of that knew what it meant for them, but in terms of the public discourse I don't think there was a significant understanding. I think the same is the case with regard to human trafficking.

Some of the things I appreciate about this bill. I appreciate that there is a definition of human trafficking. It's in Interpretation, section 1(1)(d), where the definition of human trafficking is outlined. It talks about means of recruitment, transportation, transfer, holding, concealing, harbouring, or receipt of a person by means of

- (i) the threat or use of force or other forms of coercion, abduction, fraud or deception,
- (ii) repeated provision of a controlled substance,
- (iii) the abuse of power or [provision] of vulnerability, or
- (iv) the giving or receiving of payments or benefits to achieve the consent of a person having control over another person ...

And then it goes on to say:

... for the purpose of taking advantage of or exploiting that person ...

And this is the part I want to focus on at this point in debate.

... including any form of sexual exploitation, forced labour or services, including slavery or practices similar to slavery, or the removal of a human organ or tissue.

With regard to that, by my preliminary, one-day read of this and of international discussion and the few very brief conversations I was able to have with folks who work on the ground with regard to human trafficking, I think that definition probably passes the nod test, the vast majority in Alberta, at this time anyway, being around labour and sexual exploitation both.

Then you go on further into the bill, and even though it defines what human trafficking is – and one of the definitions included is sexual exploitation – it goes on to further define what sexual exploitation is. It says: “means [of] actual or attempted abuse of the vulnerable position of a person, or of [different] power or trust, to obtain sexual favours, including, but not limited to, by offering money or other social, economic or political advantages.” The bill in the earlier part of the definition defines human trafficking, and it explains what human trafficking is. Then it chooses to subdefine one of the three areas that it's already defined. At a minimum, I think this is confusing, and I think it is not helpful to the greater understanding.

One of the questions that was asked of me is: why has the government chosen to define sexual exploitation but not define labour exploitation? We have yet to hear an answer from the government with regard to that question. I asked it in second, and I'm asking it again now. Perhaps we'll receive an answer tonight because I think this is a fair and reasonable question. There are three sections that are being referred to here under exploitation, and one is further defined, so that begs the question: why aren't we defining

what labour exploitation is? As reports here in the province of Alberta have shown, about half of the acts of human trafficking are with regard to labour exploitation. Somebody said: well, it's important to explicitly note that sexual exploitation can happen to adults or children. True, it can. So can labour exploitation happen to adults or children. This is something that we know happens in many parts of the world and certainly does indeed happen in North America as well, so why is it that we are defining one of the three areas of exploitation but not all three? I think that's a fair and reasonable question and something the government should be prepared to answer.

Another question that's been asked is: why today, and why in this fashion? The Member for Fort McMurray-Wood Buffalo said: because it's such an important issue, we want to see this dealt with immediately. I agree. I think anyone would want to ensure that we aren't exploiting workers, that we aren't creating human trafficking circumstances, and that it should be dealt with immediately, but the bill doesn't. The bill actually, on the last page, page 14 of the hard copy, section 22, says, “Part 2 comes into force on December 31, 2020.” December 31, the last day of this calendar year: to that, I say that if we are here considering this as urgent business of this Assembly, then the bill should certainly express that same level of urgency.

The last bill we tried to amend to have it come into force immediately was around residential tenancies dispute resolutions. I don't recall if that got voted down or not, but that was certainly being debated. Let's hope it didn't get voted down. Let's hope it is something that is coming back later tonight although my recollection of that could be wrong. It could have been voted down by the government members already. They certainly spoke in opposition to it.

Tonight, with regard to this bill, on behalf of the Member for Calgary-Mountain View, our critic for Justice, of course, this being a Justice bill, I would like to move an amendment that I think will help address section 22. I'd be happy to provide it to the LASS, and I will save one copy for myself but not the original and be happy to discuss this in further detail at your direction, Madam Chair.

The Chair: Okay. Thank you.

Ms Hoffman: And a hush falls over the Assembly. It's good. Awesome.

Mr. Ellis: Sorry, Madam Chair. Just a point of clarification. I apologize. Are we not on a notice of an amendment right now for Bill 8?

The Chair: This is the first amendment to Bill 8 in Committee of the Whole.

Mr. Ellis: So we're not doing the referral?

The Chair: No. The referral was dealt with just after dinner, I believe, or just before.

Mr. Ellis: Oh, okay. Thank you very much for the clarification.

The Chair: This will be known as amendment A1.
Hon. member, please proceed.

Ms Hoffman: Thank you very much, Madam Chair. I appreciate that not all members might be following along, but, yes, the referral was in second reading, the referral to a committee, and that was defeated by the government caucus. Then we returned to Committee of the Whole, and now I'm happy to distribute the amendment. I will read it out loud for all members' benefit, and if

you want to follow along with the section that it refers to – I would be really happy if people were focused on the debate at hand. That would be great.

The Chair: Hon. member, just please note that you're moving on behalf of another member.

Ms Hoffman: Yes. The Member for Calgary-Mountain View.

The Chair: Yeah. Please go ahead.

Ms Hoffman: Yeah. It's with regard to section 22, which is on page 14 of the hard copy of the bill, and it reads: that Bill 8, Protecting Survivors of Human Trafficking Act, be amended in section 22 by striking out "December 31, 2020" and substituting "July 1, 2020."

2:00

The rationale for that again goes back to points raised by colleagues on both sides of this House around the importance during this time of pandemic that we be focused on matters of pressing urgency. Some of the government members have made an argument that this is of pressing urgency, and I would say that dealing with human trafficking certainly is. To have the government propose here in the wee hours of the morning and to desire that this be passed through all three – or rather four because, of course, there's a desire to pass it through committee as well – in such an expeditious fashion and then to ask Albertans to wait until the last day of this calendar year before it actually comes into force I think is speaking out of both sides of one's mouth.

While we proposed an amendment to a previous piece of legislation to come into force immediately, we're trying a slightly different tactic here. It's only April, and rather than waiting until December 31 for this to come into force, we're proposing July 1. Still a number of arguments remain to prior legislation that, certainly, we couldn't rush through quickly enough because regulations would need to be developed. They wouldn't, actually. The regulations around the residential tenancy dispute resolutions are already in place, so that didn't pass muster. Is that the phrase? Yeah.

Let's try a different tactic here tonight. On behalf of my colleague from Calgary-Mountain View let's propose that it come into force July 1. Obviously, I would like to see it come into force far more expeditiously than that. I think that if this is something that the government is indeed committed to working with us and with partners in the community to address, that is certainly more than enough head time, especially given that there's such a strong desire by the government for this to pass so quickly before the community has an opportunity to fully engage. July 1, 2020, is our proposed amendment, and that's, again, an amendment to section 22.

There were a couple of other pieces raised with me in regard to this. They were specifically around the civil versus the criminal justice systems and the difference in there. Oh, yeah. The biggest one though was that – certainly, I hope the government is bringing this forward because they want to see people able to enact the rights that are being proposed here. For that to be possible, full stop, we need to have adequate supports in our community for folks who work with people who are part of human trafficking. We need to ensure that the nonprofit organizations that work hand in hand with victims or survivors, as the legislation refers to them, are given all of the supports they need through language and legal supports as well to be able to exercise their rights, to be able to act on the warrants and the restraining orders.

For example, filing a restraining order is not a simple process at the best of times. Imagine if you were an individual who had experienced human trafficking and had felt like you had no rights

over such a long period of time. To be able to finally apply for a restraining order is something that I think you would deserve to have somebody support you in that work.

At the same time we see this government move forward with a number of cuts to the very ministries that are impacted by this legislation, ministries in regard to the status of women, Children's Services, Labour and Immigration. These are the ministries that are impacted by this legislation in addition to Justice, of course, the sponsor of the bill, all experiencing cuts. We rightfully are asking them to do more to protect people who have been exploited. We need to make sure that we have resources in place for that to happen. Those are sort of the main points I wanted to raise with regard to this.

For everyone's awareness, too, we actually measured the desks, and the desks are one metre wide, so if you follow the public health guidelines that have been set, the law, essentially, that has been set, we should probably have two desks between each of us at a minimum in this place to ensure social distancing or the length of one Member for Calgary-Klein, I suspect, probably about two metres. Am I close on that?

The Chair: Hon. member, I would ask that you carry on with the debate on this amendment, please.

Ms Hoffman: That's great. Yeah. Really appreciate that. I just noticed that there were a number of side conversations in close proximity, and certainly heeding the direction of the chief medical officer of health, that makes me anxious. Any of your staff who've been walking in close proximity in the hallway have heard me remind them that it's two metres. The reason why I do that, Madam Chair, is because I want to ensure that we all can feel safe in doing our jobs.

My job is to make sure that we are fully briefed on what the purpose of this amendment is, and the purpose of this amendment is to move the implementation time rather than waiting several months, eight months, to see this bill that is, I think, so important to so many of us come into force. We think that it's fair and reasonable to say July 1. We need to be ready to enact the rights that we are here debating tonight.

The other piece, of course, is that with those rights comes, in my opinion, the responsibility for us to ensure that the nonprofit organizations and the legal aid system have adequate funding and supports to be able to support those who've experienced human trafficking to ensure that they can all live with dignity and security in our province. What a tremendous honour and privilege we have here tonight to act in a way that moves up this timeline and creates more safety and security for all.

I also want to say that I know what it's like to be on the government side and to see an amendment come forward and think: it's not a bad idea, you know, but it's not our amendment, so should we really pass it? I want to say: yes, you should. I accepted a number of opposition amendments when I was presenting bills. You know what? I think it speaks to the role and responsibility of all of us. Certainly, if there are amendments coming from government caucus members who aren't in cabinet and didn't have an opportunity to contribute to this through the legislative process that cabinet has, I think this would be a fair and appropriate time for members of the governing caucus to have their points heard with regard to this amendment as well.

Is July 1 the best date? I think so. Actually, today would have been the best day, but I think the second-best day is probably July 1. There are other proposals for other dates certainly worth considering in this place, but I fully believe that December 31 is far too long. Why pass a bill of such urgency, as expressed by members

of the government, if we're going to sit back for eight months before we actually ensure that these rights can be recognized by members of the community?

Those are the key points I wanted to raise with regard to the bill in the first part as it refers to Committee of the Whole and then specifically this amendment, as I've outlined over the last 20 minutes or so.

Thank you very much, Madam Chair.

The Chair: Are there any speakers to amendment A1?

Seeing none – sorry. I don't know if you're in your chair or not. The hon. Member for Brooks-Medicine Hat.

Ms Glasgo: Thank you, Madam Chair. I really appreciate the opportunity to get up and speak to the amendment proposed by the hon. Member for Calgary-Mountain View and spoken to by the Member for Edmonton-Glenora. I just wanted to touch on a few things that she has said.

First of all, there were some assertions that private members of our caucus don't care about this bill or that we are somehow neglecting to speak to this bill. I just wanted to say, you know, that as a caucus we ran on this. This is part of our platform commitment, to protect survivors of human trafficking. I know that this is an issue that is very close to many of our hearts as well as being an extremely important issue in our province.

Actually, in the break between sittings today – I was here this afternoon; we were talking about this and tonight – I was watching a documentary from CBC. They were talking about, you know, just the ways that pimps and johns profit off vulnerable women and girls, and it really stressed upon me just how urgently we need to pass this kind of legislation. I understand that the Member for Edmonton-Glenora and her caucus, I would assume, believe that this needs to come into effect quicker. I mean, in that situation the solution would be to pass this piece of legislation, but instead what did we hear about – I don't know – two hours ago? That we needed to refer this to a committee. So it could take even longer to pass. Like, that would just delay this process to begin with. What do you want? Pick a lane. Do you want survivors to be helped, or do you want to delay this even further?

2:10

Madam Chair, it is very clear to me that what the opposition wants to do is maybe score a cheap political point off of this, and it's really sad to me. I mean, we have vulnerable children and girls and women hanging in the balance of this, and instead of co-operating, instead of finding a way to see common ground on this – and I acknowledge that many members on that side have spoken to this and said, you know, that this is an important piece of legislation. So why don't you just pass it, then? There's an opportunity to do this today. There's an opportunity to work together and show Albertans that we urgently care about these things and that we can do it together.

You know, something else I've heard tonight – and I think I actually heard it from the Leader of the Opposition – is that it's disrespectful to convene the Legislature right now to be talking about matters such as this, matters that she doesn't deem to be urgent. What a position of privilege that you are in to say that this is not an urgent matter. I would contest that the women and children who are being trafficked right now would contest that this is an urgent issue. Whether COVID-19 was happening, whether bombs were dropping on the Mother of Parliaments, this is an important issue, and this Legislature and this democracy will stand no matter what is going on.

You know, I stress upon the members of the opposition to think about this in context. Like, we sit in this Legislature. We're all very privileged to sit here. We're all very lucky to sit here. We all worked very hard to get here, and what blows my mind, quite frankly, Madam Chair, is that somehow we get this dome disease where we think that the real world still isn't happening outside of these walls. In that real world women and children and vulnerable Albertans and Canadians are being trafficked as we speak. The Member for Edmonton-Glenora and that side of the House would rather wait, on one hand, and then all of a sudden come in here and say that it needs to happen faster.

The Member for Edmonton-Glenora was in cabinet in the last government – I do remember that – and she knows that when this bill is passed, the torts will come into effect once it receives royal assent, so there will be protection. Also, this bill is part of our nine-point plan to take action on human trafficking. This is just the first step of that.

I've also heard a lot of talk about consultation on this piece and how we need to speak to more stakeholders. We agree. We should speak to stakeholders. We should hear the lived experiences from these vulnerable people, which is exactly why we need to pass this piece of legislation so that the committee can meet, so that this task force can meet and do their important work. Instead of that, we're going to sit here at – what is it? – 2:12 a.m. to speak about whether or not we're going to let this noble, important, and, from what I understand, noncontroversial piece of legislation get through the Legislature. Madam Chair, at best that's just bad politics, and at worst that's playing games with people's lives and people's safety, and I'm not going to be a part of that.

I would urge all members of this House to vote down this amendment. You know, if there were even a consistent argument offered from that side of the House, I'd be willing to listen to it, but at this point all I've heard is that, on one hand, they don't want to be here. They're worried about being here. I mean, there's a pandemic happening. It's scary. It's unsettling. I've heard from many constituents about that. On the other hand, you were duly elected to be in this place and do your job. This is part of your job. Passing legislation is part of your job, and I don't think that it is asking too much of elected officials to come to work every day and represent the people that they were elected to represent.

I will stand in this House every single day that I am asked to. I will speak to the legislation that is important. I will work on behalf of the constituents of Brooks-Medicine Hat and the people of this province, and I will say that, you know, we will defend a campaign promise to protect survivors of human trafficking. I will not waver on that, and I know that this caucus won't either.

Just one more note on the situation that we're in this province. I mean, we are in a state of uncertainty. This is a very frightening time for many people in our province, and with that comes a lot of uncertainty as well as economic uncertainty, which is usually when the rates of gender-based violence and crime increase. If anything, there's even more of a reason to enact this legislation now. We know that a lot of this bill – and I think even the Member for Edmonton-Whitemud acknowledged this as well, rightly, that there's a lot that needs to be dealt with in the regulations of this bill, which is why giving the good people and public servants time to develop those regulations, having time to do that, is so important. We need to get this right.

That doesn't mean that just because this bill isn't, you know, fully enacted on – what is it they're asking for? – July 1 that that's not the case. The torts will take place upon Royal Assent, so whenever we pass this thing, that's when it will happen. I know that if I had it my way, I would see this passed immediately so that we can make sure that we can get to work on behalf of vulnerable Albertans.

You know, Madam Chair, I really don't think it's my place to just waste air in this Chamber. I mean, there are many people in this Chamber with many ideas and really good things to say. I'll just end on this. I do support this piece of legislation. I support the work of our government, of our Premier as well as the Minister of Justice in taking action on this. It was a campaign commitment. I will do everything that I can, and I hope that the members opposite will join us in the spirit of collaboration and co-operation to see that this legislation is passed as soon as possible and that victims and survivors of human trafficking are protected and that they can know that Alberta is a safe place for them and that we will continue to advocate for them.

Thank you, Madam Chair.

The Chair: Are there any other speakers to the amendment? The hon. Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you, Madam Chair, and I want to thank my hon. friend from Edmonton-Glenora for introducing this amendment on behalf of the Member for Calgary-Mountain View. I think that she did an excellent job of stating the reasons that this Chamber should adopt this amendment. Unfortunately, I think the Member for Brooks-Medicine Hat has mischaracterized the arguments that my friend from Edmonton-Glenora has made. Certainly, she suggested that it's everyone's job here to pass legislation, and I would take issue with that. It's not everyone's job to pass legislation. It's our job, here in the Official Opposition at least, to provide some critical analysis of the legislation that the government is bringing forward, and, in fact, it's the private members' responsibility, the private members of the government caucus, as well. It's also their responsibility to provide critical analysis of the bills that Executive Council are bringing forward, to decide whether or not they are in the public interest.

You know, I appreciate the fact that the Member for Brooks-Medicine Hat doesn't have any issues with the bill, and she got up and stated that she believes that it's in the public interest. Well, that's great. I'm glad that her constituents have had their voices expressed through her on this matter, but that doesn't mean that she speaks for everyone in this House.

It's our job, of course, as I said, to provide a critical analysis of the bills that are here, and, as the Member for Edmonton-Strathcona laid out, we can do that job better if we are given a reasonable amount of time to conduct that critical analysis. It's unreasonable to expect us to be able to have a bill introduced at 9 o'clock in the morning and then by 15 hours later, 16 hours later decide that, yeah, it's good to go or to come up with amendments that would improve the bill. [interjection] No. That's right. As my hon. colleague from Edmonton-Decore has pointed out, not all of the time in the last 16 hours that has elapsed has been spent in consideration of this bill. We've had other business before the Legislature that we've considered as well, so we haven't had a whole lot of time to deal with this. I certainly wish that the Member for Brooks-Medicine Hat would recognize that, you know, democracy does take a little bit of time, more than the eight hours or however long we've been able to deliberate on this bill.

She also suggested that we needed to "pick a lane" – I believe that is the phrase she used – because earlier today we had brought an amendment that would refer this bill to committee so that it could be adequately consulted upon by members of this Legislature, and then she suggested that now we were in a rush to get it passed by bringing forward this amendment and suggested that that was a contradiction. In fact, I would suggest that it's nothing of the sort.

There's nothing that sets out a minimum time limit that a committee has to spend examining a bill. It's perfectly within the power of the committee of the Legislature to engage in as much consultation in as much time as it thinks it needs to conduct that work. We think it could very reasonably have been done by a committee of the Legislature if they had applied dedicated effort and completed this task in time for passing the bill and having it come into force by July 1. We're all very hard-working members here in the Legislature, on both sides of the House, and I have no doubt that if this bill had been referred to committee, the committee would have been able to conduct its consultations and complete the work that it needed to do to make sure that the bill was in the public interest and bring it back to the Legislature to have it come into force for July 1.

2:20

Now, that being said, I do rise in support of the amendment, of course, and I believe that July 1 is an excellent date for it to come into force. We've heard time and time again that we are here to deal with urgent legislation, and then when we challenge the government to actually put their money where their mouth is, so to speak, and prove to the people of Alberta that they're serious about passing this urgently by bringing forward expedited coming-into-force dates, well, they back off. The excuses that they give just don't hold water with the people of Alberta. Certainly, we heard the Member for Calgary-Hays earlier today reject an earlier amendment because of regulations that need to be made. In that case, the regulations are already on the books. There is no extra work that needs to be done for that piece of legislation.

Now, in this case, Madam Chair, I will admit that this is a new piece of legislation and that new regulations are required. However, as the Member for Chestermere-Strathmore indicated earlier in debate today, she derided us for having so many questions and being unable to consult with stakeholders because we should have known that this was coming. It was there in black and white in the platform, the 109-page document that they ran on in the last provincial election, so it should have been up to us to have consulted with stakeholders, I guess, upon election of the UCP to commit to following through on their platform.

Ms Hoffman: Like protecting health and education.

Mr. Schmidt: Yeah, yeah. That's right. Now, let's not get into all the elements in their platform that they haven't followed through on. How would we possibly know which elements of their platform they were going to implement and which ones not? I guess we were supposed to be mind readers, Madam Chair.

In any event, it doesn't work both ways. You can't deride the members of the opposition for not having done their job in the 11 months since the UCP has been elected and then say: well, we still have work to do to make sure that this legislation can come into force. If they've known, Madam Chair, since election day that they were going to move on this, why aren't the regulations ready now? They've had 11 months. Now, I know that the members opposite have been busy taking taxpayers' dollars and stuffing it into corporate pockets all over the province and, in fact, stuffing it into corporate pockets outside of the province: Wisconsin, Newfoundland, all over the place. I expect, although I've never done it myself, that taking hard-earned taxpayer dollars and stuffing it into corporate pockets takes a lot of time and effort. Maybe it fell down on the priority list, and they haven't yet got around to getting the regulations in place. So then why bring it forward? Or, if it's so important, get the work done already.

We think it's reasonable to have expected that the government, knowing that they were going to implement this piece of legislation and having had the last 11 months to not only prepare the legislation but also prepare the regulations, be prepared to make this legislation come into force in an expedited fashion.

Ms Hoffman: Yeah.

Mr. Schmidt: I want to thank the Member for Edmonton-Glenora for affirming the statement that I just made, and I certainly hope that members opposite agree with me, too.

Finally, I want to make a comment, if I can, on the date. It's not just any day. I mean, it's three months from now, but it's also Canada Day, Madam Chair. We know that many people come to this country seeking a better life, hoping for freedom and prosperity, and certainly people who have been trafficked come to Canada with that expectation and then have that expectation cruelly dashed once the reality of their situations hit home.

We think that, you know, at least as a symbolic gesture, this bill coming into force on Canada Day proves to the victims of human trafficking that Canada lives up to its promise of freedom and prosperity for people. I think it's only fair for people who have undergone such horrible circumstances, such horrible abuse at the hands of their traffickers and have tarnished the reputation of our country in the process, that at least some symbolic gesture towards the promise of Canada held out for them at one time is made by bringing this piece of legislation into force on Canada Day. I can't think of any better way to celebrate our country than by telling the victims of human trafficking that now we have some protections in place and some remedies against the abuses that they've suffered at the hands of others.

For all of those reasons, Madam Chair, I sincerely hope that the members opposite reconsider their position on this coming-into-force date, live up to the promises that they've made to victims of human trafficking to deal with this matter urgently, live up to the promises that they made in their campaign platform to deliver this as soon as possible, and accept this amendment to make this act come into force on July 1 of this year.

Thank you.

The Chair: Are there any other members wishing to speak to amendment A1? The hon. Member for Edmonton-Decore.

Mr. Nielsen: Thank you, Madam Chair. I appreciate the opportunity to speak for the first time on this piece of legislation. I, unfortunately, did not get a chance to speak to it during second reading, but at least here we are at 2:30 in the morning. I'm getting the opportunity now.

One of the first things I would like to just quickly touch on as we talk about amendment A1, one of the comments that I couldn't help but key in on from the Member for Brooks-Medicine Hat was about wasting air in the Chamber. Just like 86 other MLAs in this House I was sent here to do a job, and I try to do that job each and every day to the best of my ability, so when the government is asking me to support legislation, I have a duty and a responsibility to the people of Edmonton-Decore to make sure of things like the government has done meaningful consultation, not situations where it's consul-told. There's been consultation. I want to make sure that the government has engaged with stakeholders and has their full support. I don't think that's an unreasonable expectation on my part to make sure that that's happened.

I think that any new powers are reasonable given the context, so it's incumbent upon me to ask questions to make sure that that is indeed the case. I think that to say that as I perform those duties, I'm taking up air in the Chamber: I may be as bold as to say that

that's a little bit disrespectful towards the people that I represent. But I don't want to belabour that, so hopefully those comments will be taken . . .

2:30

Mr. Jason Nixon: Point of order.

Point of Order Language Creating Disorder

Mr. Jason Nixon: I rise on 23(h), (i), and (j). The hon. member is – I don't actually know what he's referring to. I'm not sure if he knows what he's referring to, but he seems to be indicating that the hon. Member for Brooks-Medicine Hat in some way in her speech indicated that he was wasting air in the Chamber or that any member was wasting air in the Chamber, Madam Chair. I would leave that up to the people of Alberta and the hon. member's constituents to decide if he's wasting air in the Chamber. I would know nothing about that. But the hon. Member for Brooks-Medicine Hat certainly did not say that. She said that she did not intend to waste air inside the Chamber. I think that's very nice of her, not to waste air inside the Chamber. She did not say what that hon. member is trying to imply. That's typical NDP political games, and they should stop that. It's creating disorder inside the Chamber.

The Chair: The hon. Member for Edmonton-City Centre.

Mr. Shepherd: Thank you, Madam Chair. I would say this is a dispute of the facts. This is not a point of order. Indeed, I think that the Member for Brooks-Medicine Hat took quite liberal interpretation with remarks from the Member for Edmonton-Glenora. I think what my colleague was simply saying is that what he was observing from the comments of the Member for Brooks-Medicine Hat indeed seemed to indicate that she felt the debate we were engaging in this evening was not of use and indeed seemed to indicate that we were playing political games; in other words, wasting time. My colleague is simply using allegory, metaphor, and other euphemisms to summarize that comment. He was continuing with his debate. There is no point of order here. I think we can continue.

The Chair: Hon. members, aren't you lucky that I've been here for such a long time and heard the debate in question. I actually will find this to be a point of order.

Hon. Member for Edmonton-Decore, there are many comments taken out of context from the hon. Member for Brooks-Medicine Hat's speech, and I would find there to be false and unavowed motives towards another member and twisting of words that were said. I didn't find in the member's speech that we are now discussing that there was anything that was insulting to any member in this Assembly. In fact, she was only referring to herself in that matter. I will ask that you apologize to the member, withdraw your comment, and focus on amendment A1, which we are discussing.

Mr. Nielsen: I'm happy to apologize and withdraw and hopefully get on to this debate so that we can discuss this matter as fully as possible.

Debate Continued

Mr. Nielsen: Thank you. I was of course disappointed when I did hear that, you know, the referral unfortunately didn't go through. As a member of the private members' committee – I know the Member for Calgary-West, also being a member – we can move very, very quickly, we have to move very, very quickly in order to

get legislation back to the House in a very, very expeditious manner. I think that had this been able to go through that mechanism, getting a chance to consult with stakeholders fully, it probably wouldn't have taken us as long as maybe some people would have thought.

As I've stated time and time again in this House, I tend to get hung up on the language, things that I hear versus things that I see written down or vice versa, and I'm seeing, over and over again, conflicting messages, things that are bumping into each other, that are creating confusion. When I'm looking at amendment A1, we're asking that the coming-into-force date be bumped up here a little bit, so when I hear comments like, "Well, we need to get it right" – I mean, we heard that just as early as 2:15. We need to move quickly; we need to pass this right now so that – you know, I definitely don't disagree. There are people right now, as we speak, that are being subjected to human trafficking.

But when I see written down a coming-into-force date at the end of this year, it conflicts with that message that I'm hearing. I think that by moving this date up, we still have the ability to create any new regulations around this and be able to still move forward in a much faster method. Maybe if we had sent this to committee and managed to get in some of the ministry's staff, we could have found out how long it would have taken to possibly develop some of those regulations. We would have been able to ask those questions and perhaps even found out that we could have moved up the in-force date even further than July 1 of this year.

I do want to thank the Member for Edmonton-Glenora for bringing this amendment forward. I have a suspicion here that as we proceed through Committee of the Whole, I'll get an opportunity to speak a little bit more fulsomely on the bill because right now I do have to concentrate on amendment A1. There are further concerns that I have with this bill, not that I'm not supportive of it, because I am supportive of this bill. I think – I'd like to think, anyway – that my position on human trafficking is very clear and very firm. I believe that people that engage in human trafficking need to be caught, need to be prosecuted to the fullest extent of the law, and I think they need to receive the consequences to their fullest.

Of course, I'm struggling, I'm conflicted a little bit with this because there's part of me that does want to move very, very quickly on this, but I'm not an expert. I don't claim to be and never would. Some of the, I guess, questions that I have about the bill, including A1, around the coming-into-force date, cause me some concern, and the reason that is is that I don't want to see any unintended loopholes, back doors, cracks, anything like that that will allow these individuals to escape getting prosecuted and facing the consequences. The other half of me is saying: we need to slow down a little bit. Because I'm not an expert on this, I need to rely on, well, at the very least, 23 other members of this House. I'm hoping I get to rely on 86 other members of this House to hopefully catch the things that I haven't caught when I've read this legislation.

As I said, hopefully as we proceed in Committee of the Whole, I'll get the opportunity to express some of those questions, maybe get some answers, suggest some thoughts around other pieces of the language that's being proposed. Again, I'm finding a bit of a conflicting message around: we want to move fast; we need to get this going, but we have an in-force date that's way down the road. I don't think it necessarily needs to be that far, and I think this amendment will allow us to bring that up there a little bit and still get the job done and protect those folks that, as we speak right now, are being subjected to human trafficking. I do look forward to being able to jump up some more, ask some questions, hopefully get some answers, add some of my thoughts and comments, and maybe get some thoughts and comments back on those as well, Madam Chair.

The Chair: I think the hon. Premier is up to speak.

Mr. Kenney: Well, thank you, Madam Chair, and thank you for carrying on those duties at 2:40 in the morning. As Premier I'm very honoured to be here in this important debate on a matter that is very close to me and, really, my whole political vocation. I first spoke about the importance of the fight against human trafficking as a Member of Parliament in the House of Commons in 1997 and articulated those concerns consistently on both sides of the national Parliament, in opposition and in government, and indeed at the OSCE, Organization for Security and Co-operation in Europe, Parliamentary Assembly, both as a parliamentarian and later as a minister.

2:40

Madam Chair, I was honoured to play a central role in the development and publication of the national action plan to combat human trafficking in 2012 and indeed, as minister of citizenship and immigration, to bring forward particular measures to protect the victims of human trafficking, including statutory amendments and complimentary orders in council and policy reforms, to offer temporary resident permits, ministerial permits, to foreign nationals who sought protection within Canada because they had been victims of human trafficking.

That indeed, Madam Chair, is why as leader of the United Conservative Party I ensured that ours was the first party in the history of Alberta politics to address human trafficking in its electoral platform. We did so through one of the very first platform commitments made by this party, this new party, in publishing in February of last year our nine-point Alberta action plan to combat human trafficking. No other political party in Alberta history had ever bothered to address human trafficking in their electoral platforms.

It didn't matter to the NDP in their 2015 platform, in their 2019 platform. It wasn't an issue worth even mentioning. In fact, Madam Chair, if you were to google the words "Alberta NDP human trafficking," you won't find a single search response. Silent. Deathly silent, year after year after year after year, including four years in government – inaction, nada, nothing, not a syllable, word, action, motion, bill, policy – nothing to address the scourge of modern slavery that is human trafficking, and they have the temerity to stand in this place this morning and tell us that this is a matter of great importance to them. I measure importance by action and not empty words.

Madam Chair, I have met the victims of human trafficking. I have met young women, brought to this country by criminal gangs, who were traded across the country for the most vile form of sexual exploitation, who had no one to stand up for them, no one to defend them. I've met the victims of human trafficking overseas. I have met not just foreign nationals who came to Canada but young Canadian girls and women, some of them indigenous, who were groomed into sexual exploitation by criminal gangs and traded from one territory to another to maximize the avarice of vile criminals at the cost of their dignity.

Now, Madam Chair, most of the legal responsibility to prevent and combat modern slavery resides with the national government, with its criminal law authority. However, there are things that we can do here under our provincial head of authority, and that is precisely why we committed to do so in our platform with Albertans. It wasn't some vague, rhetorical allusion to human trafficking. It wasn't some superficial talking point. It was one of the single most detailed and substantive elements of the platform, which made part of the mandate, which received the largest democratic endorsement by Albertans in the electoral history of this

province since 1905, a nine-point platform that included the prevention of human trafficking, the protection of victims, the prosecution of offenders, and working in partnership with police, community groups, the federal government, and others. It included adoption by the Legislature of the 2002 Protocol to Prevent, Suppress and Punish Trafficking in Persons (the Palermo Protocol),

of which I was an advocate for the government of Canada on the global stage. Madam Chair, I am pleased to report to the Legislature that in section 1(d) of Bill 8 we keep that commitment with the entrenchment of the Palermo protocol definition of human trafficking. Promise made, promise kept.

We then propose the

creation of a provincial Human Trafficking Task Force that will bring together representatives of relevant ministries, agencies, police forces and community groups to share information and coordinate action on an ongoing basis,

and I am pleased to say that a phenomenal group of Albertans have put their names forward and will be announced in the days to come to fulfill that role as a human trafficking task force.

Number three: to increase

efforts to educate the public, particularly vulnerable groups, about the reality of human trafficking, and to report tips to the new National Human Trafficking Hotline.

Number four: to ensure

appropriate training for judges, prosecutors and first responders, including police officers, nurses and doctors, to enhance detection of human trafficking and the prosecution of human traffickers, as well as improving support for victims.

Number five: to ensure

that the Department of Labour provides information to Temporary Foreign Workers in Alberta about their rights under Canadian law, assuring them that if they report an instance of human trafficking, they will not be subject to removal for the duration of their work permit

analogous to a provision I brought in under federal law.

Number six:

Work with community groups, other provinces, and the federal government to collect and share better data on human trafficking, and to ensure coordinated action as part of the National Action Plan to Combat Human Trafficking.

Number seven: to name and shame

traffickers by publishing the names of businesses that have been found to have knowingly facilitated . . . trafficking.

Number eight:

Lobby the federal government to strengthen penalties against human traffickers by bringing into force Bill C-452.

That was a private member's bill in the last parliament that would amend

the Criminal Code to impose consecutive sentences for trafficking in persons.

I can't believe it. The current federal government actually voted against that bill in the last parliament, Madam Chair. By the way, when they did so, the then NDP government of Alberta didn't say a word: silence about the federal government voting against the imposition of consecutive sentences for trafficking in persons last year.

The federal Liberal government also voted against, with the acquiescence of the NDP in Alberta, a provision to create a presumption regarding the exploitation of one person by another in the former Bill C-452. And the NDP here, their Justice minister, their government, their caucus said not one word about the federal Parliament defeating the addition of an offence of trafficking in persons to the list of offences to which the forfeiture of proceeds of crime would apply.

Madam Chair, finally, we committed explicitly – all of this is explicitly in the platform on which every government member in this place was elected – to pass legislation to

- establish a process for victims (or potential victims) to obtain restraining orders against their traffickers

- [to] establish a tort of 'human trafficking' so that victims may bring a civil action against traffickers who are or who have preyed on them, and sue for damages.

Given that two-thirds of criminal charges for human trafficking are stayed or withdrawn, this option of a civil remedy would allow victims to provide for a greater degree of accountability from their traffickers.

Finally, proclamation of "February 22 annually to be Human Trafficking Awareness Day" as part of a broader awareness and education campaign.

2:50

Madam Chair, I am pleased to report to you that in that respect the establishment of a process to obtain restraining orders against human traffickers is part 2 of Bill 8 before the Assembly this morning, the second part, the establishment of a tort of human trafficking, is part 3 of Bill 8 before the Assembly this morning, and finally, the commitment to recognize human trafficking awareness day is found in part 4 in section 21. Promise made, promise kept.

I hear these saccharine words from the members opposite, some of whom have sat in this place for a couple or two or three terms, I think all but one of whom, perhaps, were members of government. They actually have the temerity to criticize this legislation, which has the democratic imprimatur of the people of Alberta, when they failed to bring forward any legislative protection for the victims of human trafficking. They didn't even bring forward a symbolic motion about modern slavery, and now they pretend to be concerned about the issue to the point where they want to delay and filibuster this bill. What a fraud, Madam Chair. What a fraud.

I have spent 25 years in public life fighting human trafficking with real action and real results, including in the federal Parliament, real operational results. I have met women who came to this country who were enslaved by criminal gangs, who were liberated and ultimately received Canada's protection because of policies that I put in place. I will not stand here and be lectured to by these people who have never raised a syllable of concern for those victims in this place. All we ask for is action, the action that Albertans endorsed a year ago this week, Madam Chair.

Now, let me just say that there were some process objections raised here about, well, one of them is – I heard that government members themselves are not allowed to participate in the legislative process; they don't know what's in this bill. Well, Madam Chair, I guess that's how it worked under the NDP. That's what we certainly heard from their government members. I can tell you that this government instituted the member policy committees through which proposed legislation passes to ensure that government members have full input into forthcoming bills. Is that not correct, hon. members? In this instance it went through the Families and Communities Committee of cabinet, capably chaired by the hon. Member for Calgary-Cross, who also sits on the cabinet committee for Families and Communities, correct? That member, representing government members, had input as did many others.

Madam Chair, it then went to a Legislative Review Committee on which government members sit. I know that wasn't the case for the previous NDP because everything was run out of the Premier's office. That's not the case here.

Mr. Shepherd: Point of order, Madam Chair.

The Chair: The hon. Member for Edmonton-City Centre.

Point of Order Imputing Motives

Mr. Shepherd: Under Standing Order 23(h), (i), and (j), “makes allegations against another Member; imputes false or unavowed motives to another Member; uses abusive or insulting language of a nature likely to create disorder.”

Indeed, when we were in government, Madam Chair, we had a Legislative Review Committee on which members of our caucus sat. The information that the Premier is putting forward and the accusation he is making and the imputation he is making are in fact incorrect. I would ask him to apologize and withdraw.

The Chair: Hon. member, that is not a point of order in any way, shape, or form.

Hon. Premier, please proceed.

Debate Continued

Mr. Kenney: Madam Chair, I didn’t think referring to the members opposite as being members of the NDP was abusive, but perhaps I’ll have to reconsider that.

I would like to thank the Member for Peace River for sitting on the Legislative Review Committee of cabinet through which this bill passed. Madam Chair, this bill was highlighted in the throne speech. In fact, originally it was our intention to make it Bill 1. We, however, had to modify that because of the economic blockage of the country when the throne speech was read, so we instead dealt with the urgent matter of ensuring protection of critical public infrastructure.

Mr. Jason Nixon: They’re against that, too.

Mr. Kenney: They’re opposed to that as well?

Madam Chair, I would remind the members of the opposition that we then brought in the budget and various budget-related bills and appropriations measures, which, again, they opposed, including that they opposed the \$21 billion budget for health care in the midst of a pandemic. Then we went straight into the COVID pandemic.

I regret that we haven’t had a chance to bring this forward earlier – we are living in unusual times – but as I’ve said before, the work of democracy continues. We must demonstrate to Albertans that our institutions continue to function. What we’ve heard throughout tonight and the day and the week from members of the opposition is that it is somehow an unreasonable imposition upon them that supposedly jeopardizes their safety for this Legislature to function. Madam Chair, we expect every day the vast majority of Albertans to show up for work in the morning: the grocery store clerks, the truck drivers, the oil field workers, the folks who go to the restaurants – they may not have sit-in service, but they’re still working – the construction workers. Millions of Albertans who, thank God, still have jobs show up every day, and they expect us, their elected representatives, to do the same thing.

I know the NDP doesn’t like it. Apparently, the Leader of the Opposition doesn’t. I’m here as Premier, managing three major crises. I’m here at 3 in the morning to discuss a matter of great importance to vulnerable people, the protection of victims of human trafficking, and all they can do is give us excuses about why they should not be here. But I see members of the government caucus. While respecting the protocol to keep us at fewer members and to maintain distance, we are here doing what Albertans are doing. Right now there are truckers on our roads delivering goods to our stores that we need tomorrow. Right now there are oil field workers producing the energy that heats our homes. Right now there are

people in our health care system, including those who have no connection to the COVID pandemic, who are working night shifts.

What we do here is not heroic. What we do here, of course, is in full compliance with public health orders and protocols with respect to personal hygiene, taking all necessary precautions. But as I’ve said in this place before, at the height of the Blitz, when the Luftwaffe was bombarding London, the Mother of Parliaments, the House of Commons, continued to sit and do the ordinary business of the people.

Mr. Jason Nixon: Even though it was bombed.

Mr. Kenney: It was destroyed, and the next day they met, Madam Chair.

I don’t know why these people think they should live in some privileged ivory tower away from reality, when the vast majority of our constituents have to show up for work and do what they can. [interjection] Madam Chair, I’m hearing some heckling from a member over there who never raised a word about human trafficking in her four years in government – not one word – as the record will show.

Madam Chair, all I can say is that they did nothing, they said nothing about human trafficking. They took no action on human trafficking. Now that a government was elected running on a nine-point, detailed, and substantive platform for human trafficking, they oppose it. Now that a government has come forward with a meaningful and reasonable bill to give victims of trafficking the ability to get court orders to protect them from the mob, from trafficking gangs, from pimps, they want to slow it down. Shame on them.

Now, Madam Chair, I have no opposition to this motion. I’m happy to support this to move forward the application of part 3 of the bill to July 1. Sure. Let’s get together and force the courts to gear up and apply that more quickly. But if we’re going to force the courts to begin to apply the sections of the bill, human trafficking protection orders under part 2, which allow for ex parte orders to protect victims of trafficking and that impose weapons prohibitions and that impose fines of up to I think \$50,000 and up to two years in prison, I’m happy to accelerate that. I don’t want to wait an extra day to protect the victims of trafficking from the bad people. We waited for four years under the NDP. They did nothing. Let’s act now.

3:00

The Chair: I see the Leader of the Official Opposition.

Ms Notley: Well, thank you very much. Certainly interesting. I’m glad the Premier has been able to get a lot off his chest and do some good, therapeutic yelling. I feel that that was probably helpful for him. I’m sure he’s been under a lot of stress, and, you know, that was certainly very dramatic.

Just a couple of things I’ll point out. To begin with, this passionate thing that we must be here to deal with this at 3 in the morning: these folks got elected on April 16, 2019, and this bill was brought into this House for second reading, for the first opportunity for debate, on April 8, 2020. Just throwing it out there. Apparently, we were able to wait just under 365 days. So before we get too impassioned about this, let’s just be, oh, a little less hypocritical and perhaps look at the facts just a teeny bit.

[Mr. Hanson in the chair]

Now, you know, it is interesting. The Premier rightly points out that, yeah, it is actually primarily a federal – federal – responsibility to deal with human trafficking. It is not actually a provincial responsibility. That’s probably why his good friends, some of

whom are part of his cabinet, who were in the Progressive Conservative government for 44 years didn't do anything about human trafficking. It's probably why his good friend the former Premier of Saskatchewan, who was Premier for 12 years – and I believe they're very close – didn't do anything about human trafficking. So I think that when the Premier throws around the word “fraud,” he should be a little careful about what he is basing that on.

I would also suggest, nonetheless, and reinforce that we are in support of this bill. We think it's a good idea. However, we are also in support of the democratic institutions that are reflected in this building, and the fact that the Premier wants it to happen does not mean that he has a God-given right to have a bill go through two readings in one day. It just doesn't, because – you know what? – the passion of the Premier does not define the decision within this House. What does is the level of considered debate, consultation with stakeholders, notice, research, and analysis. That's our job. That's what we're elected to do, even if these people think that 3 o'clock in the morning is the right time to do it, which, to be clear, it is not.

Now, on the matter of whether we are here or not here and all the ridiculous allegations that we just heard from the Premier, let me begin by saying that I was briefed today by – well, first I was briefed by the chief medical officer of health, and then I, you know, got to watch what appeared to be the longest TED talk I've seen in decades, that was put on by the Premier and his pointer. Nonetheless, what we heard about today was the extreme crisis that Albertans are under, and we heard from the chief medical officer of health about how the most important thing we could do is listen to her recommendations. Even as I look across there, I see people who are less than six metres apart.

Mr. Shepherd: Two metres.

Ms Notley: Sorry. Two metres apart. Six feet, two metres. Right now I see that.

Apparently, members of the government believe that they have some, as I've said before, biological superpower, so when the chief medical officer of health suggests that we need to conduct ourselves safely, that when we need to avoid assembling in one room, fewer than 15 people, that doesn't apply to us. In fact, the chief medical officer of health exempted us from the gathering issue. She did not ever say that it's okay to avoid the social distancing rules, yet we see it day in, day out. Moreover, even though she exempted it – and, I'm quite sure, on the direction of the government – the fact is that the science is the science. I'm sure she's not just doing it arbitrarily when she comes up with: don't meet with more than 15 people in a room. I'm pretty sure there's science that drives that. So even though there's been an exemption for this Assembly, the science still drives it.

Now, that's fine. I do believe that we do important work here, and that's why we've been here. That's why we're here right now, in fact. We are here right now defending the work that we do. And you know why? Because we will not let this government use this pandemic as an excuse to demand that every piece of legislation get jammed through this House, in breach of parliamentary tradition and rules, in one day. We are actually here defending – we are defending – this building, we are defending our job, and we are here at 3 o'clock in the morning because we are here to do our work.

We are here to be legislators. We are here to ensure that there is democracy in this province notwithstanding every single thing they do to try and avoid it, including the outrageous display we saw when they broke practically every tradition and launched an assault on democracy within this House to blow up the budget rules, jam through a fake, almost dishonest budget, get rid of 30 hours of

debate and replace it with three, under the guise of saying that we had to leave the Legislature because there was a crisis, and then drag us back in here in order to pass legislation that's not related to the crisis. It is yet another of many countless examples of dishonesty on the part of the leadership of this government, and it is a big one. It is a big one.

They came in here and they said: “We don't care about the rules of accountability, that are so critical to passing a \$54 billion budget. We are going to rewrite the standing orders, and we are going to jam through that budget because we're in a crisis. Oh, wait. It's not a crisis anymore. Now it's business as usual.” I hate to say it, but people notice. Folks notice what's happening.

Mr. Jason Nixon: Point of order.

The Acting Chair: Point of order noted.

Point of Order Relevance

Mr. Jason Nixon: I know that the Leader of the Official Opposition may just be catching up to where the Chamber is at tonight. That happens sometimes. The reality is that we're debating a bill that is associated with human trafficking, not the budget, which has been passed already by this Chamber. I know that she would like to redebate issues because she's probably trying to avoid the fact that her caucus is in the Legislature today trying to block a bill that helps victims of human trafficking. That's the bill that's before this House, Mr. Chair, and I'd ask that you ask the Leader of the Official Opposition to speak to that bill.

The Acting Chair: Thank you, sir.
Go ahead.

Mr. Shepherd: Thank you, Mr. Chair. We just listened to the Premier speak at great length of his deep offence – of his deep offence – that we were not supporting them in the rules that they have decided they wanted to arbitrarily put in place for this Legislature during a crisis period. He spoke at great length on how disappointed he was that, he feels, we are not doing our job. He covered a broad spectrum of topics that occasionally touched back on the bill in front of us. I have heard nothing from the Leader of the Official Opposition that goes any broader or any further than the Premier did in his remarks.

I understand that the hon. Government House Leader may not enjoy listening to somebody taking apart his poor arguments and those of the Premier, but that is the privilege of the Leader of the Opposition. I see no point of order here.

Thank you.

The Acting Chair: Thank you.

I'm prepared to rule. My understanding is that the chair has given fair latitude tonight, and we will continue to do so. But we are on amendment A1, which refers to the human trafficking act and striking out “December 31, 2020” and substituting “July 1, 2020,” so if we could stick to those details, I'd really appreciate it.

Ms Notley: Well, thank you very much. I'm happy to stick to those details as soon as I finish responding to the last two points made by the Premier.

Debate Continued

Ms Notley: Anyway, as I was saying, we were talking about the public health risks. Let me just be very clear – and I want this on

the record – that we are not actually here talking about the health, necessarily, of anybody here or even the health of folks over there, who are sitting, again, far too close to adhere to the rules put in place by the chief medical officer of health. I'm just curious: did you exempt yourselves from the fines that we passed last week? I'm not sure.

3:10

Nonetheless, the key is that what we are concerned about is the public health of Albertans. We assemble, then we go back to the rest of Alberta, and we create a risk. I have heard from experts that one of the reasons there's a big difference between Calgary and Edmonton is because there were two critical events where people gathered and then spread out in Calgary. Because of that, you see a much higher level of infection right now – probably it will change – in Calgary. So this is a legitimate issue.

The reason I mention it is solely because there is a balancing act to be done here. We all come in here – and here we have much fewer and over there we have slightly fewer folks – and when we do that, other Albertans don't have their representatives in the House, so we fundamentally undermine the franchise of Albertans every time we come together without the full Assembly in place. Yet that's the thing we do because we have to try to establish some level of compliance with the science that drives the recommendations of the chief medical officer of health. We try to stay safe and follow her directions. The more we do that, the more we undermine democracy, the fewer people that have their representatives in the House for critical decision-making, and also the fewer resources the opposition has at its disposal to engage in debate.

Of course, the folks over there: they're not unwise. They know it, and that's why I say that it's very clear what's happening here. To be perfectly clear, there's not another Legislature or parliament in the country that is doing this. In every other jurisdiction governments are acting like normal human beings and sitting down with the opposition in order to negotiate reasonable strategies, and that has been absent here.

So we are here at 10 after 3 in the morning debating a bill which, again, to reaffirm, we support, but we also support ensuring that the stakeholders who care so deeply about this bill get a chance to read it before it's passed and that questions we have about it get answered. When I got up originally, I spoke solely about the bill, and I had about seven questions that I offered up to the Minister of Justice and Solicitor General in the hopes that, which is normal when you are doing Committee of the Whole, the minister will actually respond to those questions. We've not yet heard that answer, which is why we should not be passing it today out of this committee, and it's why we definitely shouldn't be passing it at a quarter after 3.

It is ridiculous for the government to think that this is a good time to be debating. You know, come on. People watching this understand exactly what's going on here. It is an assault on democracy, and more importantly it is an assault on the good decision-making that will drive ensuring that we have the best bill and all the questions answered and all the t's crossed and all the i's dotted. You know what? We don't need to come back next week to do Human Trafficking 2.0 to fix all the problems that we failed to address this week, and we don't need to come back the week after that to do Human Trafficking 3.0 to fix all the problems that we actually, then, created when we did the second bill, which we then had to bring in to fix the problems from the first bill because these guys over there think it's totally reasonable to pass a bill in a day. When you do that, there are invariably mistakes.

What we're trying to do is the job of the opposition, which is simply to ask questions, to do research, to consult with stakeholders, to provide input, and then to pass the bill. We might actually end up passing the bill three days, maybe four days after it's introduced. Well, April 16, 2019, April 8, 2020, but somehow the world will end if this House does its job and this bill takes three days to pass. Really, come on. This is ridiculous. I think that we should take the time now to do our work, do our homework, respect this institution. Let MLAs who are not here right now engage in the debate. Apparently, it's not necessary for the government members to do that because they were all on the committees, and they all had their great caucus discussions. That's what we heard about from the Premier.

Mr. Jeremy Nixon: We're here to engage.

Ms Nottley: No. I'm just saying that apparently it wasn't an issue. I heard that it was all done internal to caucus there. That's fine. That was the argument that was made, but for the opposition, certainly, we have not all had the chance to engage in it, and we can't because we're not all going to be in here at the same time because that is a violation of public health. So we're going to do that.

At the same time, what we would suggest is that we follow the typical parliamentary rules of this House, that we engage in a respectful relationship with the principle of democracy, and then at the same time, when that is done, perhaps three days from now, perhaps two days from now, we also accept this amendment so that when it passes a week from now or whenever it is, we can still ensure that it comes into effect in July, and we're all on the same page. Look at that. We agree with the bill. We've got a chance to fully canvass it the way a strong, healthy democracy would do. Nobody is bullying anybody or berating anybody for the very act of wanting to engage in a discussion about a bill. Look at that. You get up in the House and you ask questions and you debate, and no one berates you. No one bullies you. What a thought. Anyhow, we do that, we get it passed, we put it in place in July, and life is good. We've all done our job. We've done ours, the bill gets better, stakeholders get a chance to have input, and then it gets passed sooner.

I certainly, on that basis, urge all members to support this amendment so that the bill itself will come into effect sooner, which is, of course, what we would all like to see happen because, to review, we all support the bill, and we just want to make sure it's as good as it can be.

Thank you, Mr. Chair.

The Acting Chair: Are there any other members wishing to speak to amendment A1? The Government House Leader, please. I'll remind you that we are . . .

Mr. Jason Nixon: Well, thank you, Mr. Chair. Yeah, absolutely. As the hon. acting House leader said, there are many comments that were just made by the Official Opposition leader, and I will be happy to respond to them in the context of the Legislature.

I will say that for the Official Opposition leader to bring up bullying on an afternoon or now early in the morning, but on a sitting day in which the mobile-home bill was being debated inside this Chamber, which, interestingly enough, is also being filibustered and blocked, as you know, Mr. Chair, by the Official Opposition – the last person who tried to get a bill like that inside this Chamber was a former member of that hon. leader's caucus when she was the Premier of Alberta, Ms Robyn Luff, who said that she had to cross the floor because that Leader of the Opposition, when she was Premier, was bullying her so much that she couldn't get legislation passed. But I digress when it comes to that.

I would like to focus, Mr. Chair, on the comments in regard to normal people. The Leader of the Official Opposition indicated that our sitting here inside the Legislature and following the chief medical officer's advice and protocols is somehow not normal. Well, I will say that what is happening with COVID-19 and the reality that we have to take some of the steps of social distancing and the things that people are going through all across Alberta, including us, certainly is not normal, but doing your job is normal.

I know your constituents; I had the pleasure of being at your constituency many times. I know my constituents, and I can tell you that some are working right now doing their jobs. In my home town of Sundre people are stocking the grocery store shelves for tomorrow so people, including my own family, can come and get groceries. Truck drivers are driving up and down highways and, as we've heard from the Minister of Transportation, having trouble being able to get food because of the COVID-19 crisis and the fact that restaurants aren't open, but they're still in their trucks driving to get us supplies and get us the things that we need in this province.

Mr. Kenney: But politicians are too precious.

Mr. Jason Nixon: But politicians are too precious to come into a Chamber and sit in leather seats and debate legislation? Shame on the Leader of the Opposition. Shame on her for leading her caucus that way.

I am proud to be able to serve inside this Chamber. I'm thankful to my constituents for the opportunity to be able to come here. Each and every time that I sit in this House and I look at this building, I sit in awe that the constituents of Rimbey-Rocky Mountain House-Sundre sent me here, and they can rest assured that I am never scared to work. I don't care if it's 3:15 in the morning or if it's 9 o'clock in the morning or it's noon. I will come to this Chamber each and every time, and we will fight to make sure that we get legislation passed, particularly when it comes to something as important as this bill in regard to human trafficking. That's normal, going to work. It's normal.

3:20

For the hon. members to continue to not want to do their job, from my perspective – and it's certainly a matter of debate; that's fair, Mr. Chair – is shameful. It's shameful. I don't even know how they can look their constituents in the eyes with a straight face when they continue to come to this Chamber and complain about going to work. Shame on them.

An assault on democracy is another thing that the hon. member said.

Mr. Kenney: Making democracy work is an assault on democracy.

Mr. Jason Nixon: Exactly. Making democracy work is an assault on democracy? That hon. member is sitting in the Leader of the Official Opposition's chair inside the democratic seat of this province. Every member including yourself, Mr. Chair, is elected by the people of Alberta to be here. This is not an assault on democracy; this is democracy. You are in the building where democracy is done. Now, I know that you just want to leave and you don't want to do your jobs and you want to go and take an extended vacation, or whatever it is that they want to do.

Mr. Shepherd: Point of order, Mr. Chair.

The Acting Chair: Point of order noted. Go ahead, Edmonton-City Centre.

Point of Order Imputing Motives

Mr. Shepherd: Thank you, Mr. Chair. Now, the member clearly stated that he believed that we were wanting to leave, wanting to take a vacation, I believe he said, and some other things. I think that clearly falls under Standing Order 23(h), (i), and (j): "imputes false or unavowed motives to another Member."

Now, he can certainly argue that we have talked about our concerns about the COVID crisis and concerns about how this government is choosing to approach what they are considering to be urgent and emergent legislation, but as soon as he begins to speculate on what he feels we would rather be doing instead or what he feels our reasons for that might be, I would say that he is indeed imputing false or unavowed motives to members in this House. I would ask that he apologize and withdraw.

Mr. Jason Nixon: Mr. Chair, I would say that this is a matter of debate. Certainly, my understanding from what the members seem to be indicating with their argument is that they would like to leave the Chamber that they were elected to serve in and not do the job that their constituents sent them here to do, which is to debate legislation. But I would not want the hon. member to feel offended, so I'm happy to withdraw the comments in regard to vacation but will still continue to point out that that hon. member and his leader have made clear to this Chamber that they do not want to do their job inside this Chamber, and they want to go home. Mr. Chair, that is shameful, and that is not democracy.

Now, if you want to talk about an assault on democracy, which is what the leader brought up when she was speaking to the amendment, in regard to what is taking place inside this Chamber...

Mr. Shepherd: Through you, Mr. Chair, as opposed to me.

The Acting Chair: Through the Chair.

Mr. Jason Nixon: Mr. Chair, I know the hon. member is new to having to take over the House leader's role. I didn't refer to the hon. member. Looking across the aisle is not speaking to the hon. member. I know that's maybe a new thing for him, but that's not what took place there.

Moving on with my comments, Mr. Chair, on assault on democracy, you know, the Premier of Alberta has a great respect for the parliamentary process, something I share with him. He and I enjoy the history of both this Chamber, our House of Commons in this country, the Mother Parliament, how our democratic parliamentary system works, and I can tell you as this House leader that in the last few weeks I have seen him over and over and over try to help the Official Opposition just do their job.

Mr. Chair, you saw just the other day that he had me create a framework to create an unprecedented debate inside this Chamber where the Premier, while managing multiple crises that we have not seen in this province for over 100 years, came into this Chamber out of respect for this Chamber...

The Acting Chair: Hon. member, you've withdrawn your comment?

Mr. Jason Nixon: Yeah. I already withdrew.

The Acting Chair: Okay. So we are back on amendment A1.

Mr. Jason Nixon: Yeah. I withdrew. Sorry. I didn't want to, you know, overemphasize that the members don't want to work.

The Acting Chair: We just want to get the clock going on the proper order.

Mr. Jason Nixon: Oh, Mr. Chair, I managed to get myself an extra three or four minutes there? Or a minute? How'd that go?

The Acting Chair: About a minute.

Mr. Jason Nixon: I do apologize. That was not my intention.

Debate Continued

Mr. Jason Nixon: Back to what the Premier did. He created a debate inside this Chamber where he, the Premier, the leader of the province, who's managing multiple crises in this province – all of us would agree on that – came into this Chamber and allowed the Chamber, the democratic Chamber, to hold him accountable for the work that he's doing, gave a statement to make clear the work that he was doing, gave the Leader of the Official Opposition an opportunity to provide a statement and then to ask him questions for, I believe, 30 minutes, and then he had over half of his cabinet sit here and do the same process until 1:30 or 2 in the morning, roughly. I can't remember what time it was exactly, but it was the wee hours of the morning then, too. Mr. Chair, he certainly did not have to do that. He did that because he respects this place.

Now, while he was doing that and putting in a democratic process to respect this Chamber, to respect the opposition's role, what were the opposition doing? They were complaining about going to work.

Ms Hoffman: That's not true.

Mr. Jason Nixon: I see the hon. member heckling, saying that that's not true. Their leader just said it in *Hansard*. It's in *Hansard* for eternity, that the main goal of the Official Opposition during this unprecedented crisis is to stop working. To stop working. Could you imagine going to your constituents, Mr. Chair, and saying, "We want to stop working and just go and hide"? We're not going to do that. That's not going to happen.

We will encourage the Official Opposition to continue to do their job, and hopefully they will eventually step up to the plate and recognize the important role that they have inside this place. That's democracy. Over and over the Premier has created an atmosphere for the Official Opposition to do their job, and they just say that they don't want to do it.

Now, why does that matter for this bill? Because this bill, as the Premier and others have done a great job this evening, is about something that is very important. The hon. members say that they support it. Prove it. Prove it. Stand up and vote. In fact, the Premier indicated that the government will be supporting the amendment. Let's at least vote on the amendment and get some progress inside this Chamber. Instead, you continue to stand up and filibuster. Actually, you're filibustering because you want to leave, so you're going to block a bill on human trafficking while you're filibustering to try to make sure that you can't work.

Most of you were part of a government for multiple years who did absolutely nothing on human trafficking, all the time pretending that you cared about that issue. I don't remember once hearing any of the members across from me in this Chamber even raise human trafficking. I can't remember every word spoken here, to be fair, but I certainly don't recall. I do know that they never brought any legislation, and I do know tonight what we see taking place here inside this Chamber: the hon. Member for Edmonton-City Centre filibustering and complaining because he does not want to work, filibustering and blocking a human trafficking bill.

The hon. Member for Calgary-Buffalo, the former Finance minister, long-time city councillor: what is he doing tonight at 3:30 in the morning? Filibustering and blocking a human trafficking bill, by his own leader's admission, in protest because he has to go to work. Do the constituents of Calgary-Buffalo appreciate that member spending his time inside the Legislature trying to make it so he can't go to work and can go on what, from my perspective, would look like an extended vacation? I don't buy it. It is shocking.

The hon. Member for St. Albert: in the four years that she was in government, I never once saw her rise to talk about human trafficking. She now says that she supports the bill, but she never spoke about it once in four years. She won't stand up right now and make sure that you can vote on such an important piece of legislation. In fact, Mr. Chair, what is she doing? I know she's upset about it; she doesn't like to be called on it. She's filibustering because she wants to leave the Chamber and doesn't want to do her job. That's shameful, I think. It's shocking what has taken place inside this Chamber tonight.

The Acting Chair: Back to amendment A1.

Mr. Jason Nixon: Now, again I'll talk about amendment A1. The government supports amendment A1, but even after that – Mr. Chair, it's rare that you see compromise where everybody agrees on amendments. You know that. You've been in the Chamber as long as I have. You know that's a rare moment.

I don't actually remember the former Premier once standing up and saying that she supported one of our amendments when we were in opposition, but the Premier did that tonight, which is great, but still the opposition is so focused on trying to get themselves out of the Chamber for, I guess, the NDP extended vacation, the COVID vacation, instead of helping their constituents, that they won't even vote on their own amendment that we're going to pass, take yes for an answer. Is it the NDP who stand up and say that they support the human trafficking bill that we see in here? Is that the NDP that's going to show up? I certainly hope so. Or is it going to be the NDP, that we've seen all day repeatedly on bill after bill, that continues to ask just to go home while their constituents are out working during this crisis? Or is it going to be the NDP that was in government and did nothing for four years on this important issue, Mr. Chair? We'll find out shortly whether the NDP is going to continue their plan, I guess, of attempting to filibuster to get themselves out of work.

3:30

I want to assure them through you, Mr. Chair, that Alberta's government will continue to work each and every day on behalf of the people that sent us here. Their constituents don't have to worry. I assure them that we will work each and every day on behalf of their constituents even though their MLAs want to go home.

The Acting Chair: Is there anybody else wishing to speak to amendment A1? The Member for St. Albert.

Ms Renaud: Thank you, Mr. Chair. It's my pleasure to stand up and speak to amendment A1 of Bill 8, Protecting Survivors of Human Trafficking Act. Certainly, this seems like a reasonable amendment. I think that we are hearing that the government members believe that this is urgent. Fair enough. So if they're willing to accept this amendment to change the dates, that is good news. I just wanted to say a couple of things because you're certainly allowing us some latitude to respond to previous members, and I would like to do that.

I heard the member go on at length, as usual, about some of the things that are in his mind that he is assigning to us that are

incorrect, that we don't want to do our job. Just to clarify, I was here at 9 this morning. I was on duty till 6, and I was happy to do so. Then I went home and heard that I needed to be here again to debate a piece of legislation that I think is important, so I'm happy to be here again. As I said earlier today, I was sent here by the people of St. Albert. I swore an oath twice, actually, and I will always be here to do my job when it's essential and when it's in the best interests of the people of Alberta. That's pretty straightforward. I hope that clears that up for the government members.

I also thought it was a bit – the Premier kind of went on and said that that member over there never said in four years the words “human trafficking.” That's a bit creepy. If you're searching through *Hansard* for words, fair enough, but let's talk about some of the other things. Some of the other things I referenced in my speech earlier is part of the reason that democracy . . . [interjections] You know, the side conversations are really tough, Mr. Chair. It's hard to focus.

What I was saying earlier today is that part of the reason that I think it is so important to cling to this democracy and to the systems that have been put in place – and some of those systems, as I've said a few times, you know, they take time. They're a little bit clunky sometimes. It's time-consuming. It requires representatives, people that were sent here by the people that voted for them to represent them, and that takes time. I think why it's so important to respect those principles of democracy is that it is actually a fragile thing.

What we're trying to say is that we agree with this bill. I don't know how many more times to say that to protect victims of human trafficking is a good thing. It's a good thing. We've all said that. Let's stop playing these silly games and acting as if we don't support that. That's ridiculous.

What we have a problem with is consistently jamming through pieces of legislation in every phase in such a fast manner that we don't have the time to do our jobs. Our job is not just to be here and to read legislation and to prepare notes, to stand up, to debate, to do those things. Our jobs are to actually consider the legislation, to look at ways to make it better. But, most importantly, none of us in this place are experts on every piece of legislation that shows up on our desks. We absolutely are not. So it's incumbent on us to spend the time to find the experts, to talk to them, to speak to our constituents, and to find out what they said.

As our leader said a little bit earlier, most people haven't even had time to read it. So stakeholders that are vital to this conversation – and I'm not saying that they would disagree with it, Mr. Chair. I'm saying that they haven't even had time to read it. Outside of this bubble people are struggling. We know this. They have lost their jobs. They are struggling with their kids at home. The kids are struggling. People are worried about family members that are older. People are worried about the health of their family members. That is the reality, so they are not focused on a piece of legislation right now.

I'll give you a personal example. The first time I ever met a woman who had actually been, sadly, trafficked herself was in Ottawa, and that was, I think, about six years ago, maybe seven years ago. Actually, I was given an award by then Prime Minister Harper, and it was for social innovation for the western provinces. I was sent to Ottawa to get this award, and there was another woman, from Ontario, who had started an organization to support survivors of human trafficking. That was actually the first time that I'd ever heard stories like that, that I'd heard about what a system unable to respond to those concerns was. That was the first time I'd actually heard those stories.

I think when you know that it's a problem, your eyes are opened, and you see the stories that other people come to you with. So I did

start to notice. And what I did start to notice was that human trafficking or exploitation – now, certainly, it is defined more broadly in the preamble and in the definitions of the words, but it's not just what we imagine it to be. It's not just people, you know, shoved in a truck and driven over here or, you know, temporary foreign workers shoved in a basement and forced to work at a fast-food place. It is that, but it is also other things. I didn't realize that. My eyes weren't open until I'd actually met people like that.

A few months back I got a call from a constituent. That constituent – I can't get into, obviously, a lot of the details because of privacy – has a daughter who was under 18 years of age, and actually what started out to look fairly innocent progressed, progressed, and it looked very much like it was, well, exploitation, certainly. I'm not a lawyer. I'm not law enforcement, but it certainly looked like it was going down that path. When I tried to support this constituent, to try to find out where are the resources, what could we possibly do other than referring it to the office of the Child and Youth Advocate – there's got to be something else that we can do. We tried law enforcement, tried police, tried all kinds of different things.

So I'm well aware that there are large loopholes to having the tools that you need in order to protect people that are potential victims of human trafficking and exploitation. The reason I go into this detail is that for the members opposite to say that, you know, we're not here to do our job: I'm here. I will always be here. That we don't support this legislation: I absolutely support this legislation. I hope that it comes into force sooner. I absolutely do. What I support as well are the principles of democracy. I will always support the principles of democracy, and that means not being rushed. When it's an emergency and you have to do first aid and you have to do those things, absolutely. Rush. But when you have the time, you do it properly. I refuse to be rushed because somebody tells me that I have to be rushed. I refuse to not do my job, and my job is about going back to my constituents and finding out what they think and asking them and asking that dad that called my office for help because he was desperate. I have not had an opportunity to do that. I would very much like to do that before I'm forced to vote on this piece of legislation.

My comments earlier today: if you look at the preamble of the bill, Mr. Chair, I think the preamble, as always, gives you a good idea of where this is going. As I said earlier today, the preamble of the bill describes the activity, it describes the protection or the groups of people that should be protected. One of the things that I said was that I think there is a huge group of people that are very much at risk, that are always vulnerable.

3:40

There is a group that is always vulnerable and always at risk. I believe that it's an oversight. I certainly don't think that there is any malicious intent whatsoever, but I think that if you look at the entire category of people with disabilities – and that would include whether it's a spinal cord injury, a traumatic brain injury, a developmental disability, a chronic mental illness, whatever it is – this is a group of people that is disproportionately abused, neglected, and exploited on a regular basis compared to their nondisabled peers. I would say that part of my job as both a critic and a representative of the people of St. Albert is to point out how I think this could be better, and that is one of the ways. That is one of the things that I think is important.

I guess I've said this a number of times over the last couple of weeks now, that to be assigned some of the motives that the government members will stand up and accuse us of – I mean, I get that sometimes it's a little bit of theater in here and all of that. But when you come right down to it, I think that we're all here for the

same reason, and that is to serve the people of Alberta to the best of our ability, and that is to make careful decisions and to understand that our votes matter and that our votes are representative of the people that sent us here. Mr. Chair, I think it's incredibly important to take the time to do the job properly.

You know, I heard one of the members say: "We have to do this; we must do this. You didn't do it before. You had four years. Let's rush it through." I wish that in the four years that we had been in government we had done 10,000 things that I thought we could do. I think there were so many things that I would have liked to have seen done, but the reality, as we all know, is that it takes time to move legislation. It takes time to craft it, to consult, to review it with different levels of committee. It takes time to debate it. It takes time to make the changes that you need. That is just the reality, and I respect that. I would like to say that although I may not have uttered the words "human trafficking" – I don't know if I did or not. I don't know if that conversation ever came up.

You know, one of the things, Mr. Chair – I think it's really kind of interesting that we're talking about exploitation. It's such a serious topic because lives are impacted by the people, the perpetrators of these kinds of crimes all the time. What I find really interesting is that this incredible place – you know, people have been here forever – is actually a workplace, and the stuff that goes on in here and the stuff that I hear other members over here saying would not be tolerated in any other workplace. When a person is speaking and talking, the stuff that they're saying would not be tolerated anywhere, but it seems to be acceptable here while we're debating about protecting people from abuse and neglect and exploitation. I mean, it's sort of mind-boggling to me, actually.

Let's go back to the facts. Here is the amendment. If the government is going to support this amendment, I'm glad. If it pushes up the date, I'm happy about that because that's what's important, to protect people. However, democracy requires a few other things. It requires some time to give careful thought to what we're doing. For me, because I am not an expert in this particular matter – I am not a lawyer – I need time to speak to my constituents. I need time to speak to stakeholders. Now, if the government members can't respect that, I don't really know what to say to that because that's our job. That's our job. Our job is to consider the legislation but to consider so many other pieces, and that requires a little bit of time. You know, I think that all of us have put up with a lot because we understand this is a unique situation. We are in the midst of a global health emergency, and that requires certain actions. I get that. I totally get that, but there are other things that we do not have to shove through.

It was unfortunate that we had to get rid of 30 hours of budget estimate questions because that's an important process for Albertans. It's the one time that we can break down these ministries and spend time trying to get answers. That was pushed aside. That was pushed aside, and that is important. That was pushed aside, and now the new argument is: this is urgent; you must do this now. I don't really understand. It's almost like one week is one thing, the next week is another.

Let me be one hundred per cent crystal clear for the record. I will always be here to do my job. Always. If I am required to be here – the people of St. Albert sent me here – I will always be here to do my job when it's urgent. I will support pieces of legislation that make sense, that are well done, that are fair, that are equitable, that the people of St. Albert, the people that I represent, are comfortable with, that they can live with. I will support that, but I will do it when I have the time to consult properly, to speak to the experts because I am not an expert on this topic. I don't expect that in one day to go through three stages is acceptable. That is not enough time. I didn't

have many hours off – I didn't have enough hours off today, actually – to get there to be able to ask.

Mr. Smith: Point of order.

The Acting Chair: Point of order noted. Go ahead, Member.

Point of Order Relevance

Mr. Smith: Mr. Chair, I speak to 23(b), "speaks to matters other than . . . the question under discussion." Last time I looked, we were dealing with A1, dealing with the substituting of December 31 for July 1, 2020. We've listened to an awful lot of things that the member has said. I'm not sure that I've heard her speak to the amendment once. Could she please start speaking to the amendment?

The Acting Chair: Thank you, Member.
Go ahead, sir.

Mr. Shepherd: Thank you, Mr. Chair. I would note that we have listened to a wide variety of conversation here tonight from members of the government, from the Government House Leader, from the Premier, from the Government House Leader again, from many people, talking about their views about whether we feel that we should be doing our jobs, whether they feel that we are doing our jobs despite the fact that we stand here currently doing our jobs, despite the fact that the Member for Calgary-Klein seems to feel that it's his job tonight to be the peanut gallery and that's why he was sent here by the people of Calgary-Klein. What I'm hearing from my colleague the Member for St. Albert is that she is indeed discussing this bill. She is discussing why she is here doing her job debating this bill. She is not straying any further afield than any member of the government that has spoken to this amendment or this bill this evening. I would suggest that members of the government be happy with giving the goose as good as the gander.

Thank you, Mr. Chair.

The Acting Chair: Thank you, Member.

I'm prepared to rule on this. Perhaps we've given too much latitude to members speaking in the House, and I would appreciate if people would stick to amendment A1, so if we could move on and speak to amendment A1. I will try and hold other members to that as well so that we can make some progress tonight.

Thank you.

Debate Continued

Ms Renaud: Thank you, Mr. Chair. How much time do I have left?

The Acting Chair: You have four minutes.

Ms Renaud: Four minutes? Okay. Well, I'm just going to wrap this up because I know that some of my colleagues have other important things to say about this amendment A1.

Once again, Mr. Chair, I do support the amendment. I support the bill, I support democracy, and I support the time needed to do that. That's what I will say, and I will take my seat and allow my colleagues to offer their comments. But, you know, a piece of advice that I got a while ago about this place and about the work that goes on here: somebody quite smart told me that it's not so much what people say; it's what they do. Keep an eye on what they do. It's not what they say. I just thought I'd leave that there.

Thank you, Mr. Chair.

The Acting Chair: Thank you, Member.

Other members wishing to speak to A1? I'll recognize the Member for Edmonton-City Centre, but I'd just like to remind folks that it is 10 to 4 in the morning. We've been here a long time. People are starting to get a little frustrated, and we will try and take that into the context, but please try and stick to the amendment at hand and the bill at hand. We would love to make some progress on that matter.

Thank you.

3:50

Mr. Shepherd: Thank you, Mr. Chair. I appreciate the reminder of the hour and that I'm able to rise and continue the debate as is my job as a member of the Official Opposition, indeed to speak to amendment A1 on Bill 8, which is looking to bring in some provisions to prevent human trafficking and to punish those who would undertake it. Indeed, it is my job to stand here tonight to speak to amendment A1, which proposes to change the date, just as it is my job when I'm not in this House. It is my job to stand here and debate whether this bill should come into effect on July 1 or December 31, just as it is my job to listen to the constituents of members of the government who write to me about their concerns that they are not being heard by those members, just as it is my job tonight to stand here and discuss this bill about human trafficking and to recognize that indeed I support this bill, just as it is my job when I'm not in this place to, as the Health critic, hear from doctors across this province who are not being heard by the government members, who apparently fall short at times on their job.

It is my job here tonight to look at this and indeed to uphold the system of democracy, which we have just heard that the Premier so deeply, apparently, believes in that he felt the need to abrogate the budget bill, unlike this. He insists it is important for us to put through this amendment and this bill here tonight on human trafficking just like the budget, which he insisted on pushing through in a single day because it was an emergency. But now suddenly that changes, and we are looking at this bill here tonight and amendment A1, which is looking to propose to change the date on which some of these provisions would come into effect. All of a sudden that is the regular business of this House, and that is what is incredibly important for us to be here doing.

Frankly, Mr. Chair, I will take no lectures from any member of this government about doing my job as I stand here tonight and debate amendment A1 to Bill 8, which, again, is looking to change the date on which portions of this bill would come into effect. We have talked tonight about this bill and indeed about this amendment, and there has been much discussion about whether our debating this and discussing whether or not this date should be July 1 or December 31 is playing political games. The political games I've seen are not about our debate on this amendment or the fact that we as the Official Opposition have brought forward amendment A1 to change this date. The political games I've seen are around a government that seems to feel that it can simply use this crisis and use these questions and decide how this House is going to operate one way when it's convenient for them and in another when it is not.

I will stand here tonight on behalf of my constituents here in Edmonton-City Centre, and I will debate amendment A1, discussing whether we should have a date of July 1 or December 31 on this bill regarding human trafficking, which indeed I am not aware of having had come forward in this House nor in the 44 years that the former Conservative Party sat in this House, members of which now sit in the cabinet of this government. But I will stand here tonight, and I will do my job on behalf of the constituents of Edmonton-City Centre and debate amendment A1 and discuss

whether we should have a coming-into-force date of July 1 or December 31.

I will do that despite the fact that indeed we face a global pandemic here in the province and despite the fact that it is my job to sit here and debate this as much as it is my job to ask questions of this government during question period. It is my job here tonight to debate amendment A1, deciding which date this should come into force, whether that be July 1 or December 31, just as it is my job, despite the protestations of this government, to ask questions about a minister of the Crown who besmirches his integrity in the midst of a global pandemic. It is my job here tonight to debate amendment A1 to this bill on human trafficking, just as it is my job to hold them to even higher account during a global pandemic, not a lower standard as they seem to claim.

It is my job to debate this amendment here tonight and to look at whether we should have a coming-into-force date of July 1 or December 31 . . .

Mr. Stephan: Well, then, what do you think?

Mr. Shepherd: . . . just as it is my job to ignore the heckles of the Member for Red Deer-South, just as it is his job, if he would like to, to rise and actually debate the bill rather than casting heckles from across the House.

It is my job to represent the people of Edmonton-City Centre and discuss this bill here tonight and amendment A1 about whether this should come into force on July 1 or December 31, just as it is my job to represent and to continue to point out when this government chooses to use the powers that it has in this House to short-circuit democracy at every turn when they feel it is convenient for them and then to attempt to badger us as the opposition when we stand up and protest against it as we debate things like amendment A1 on Bill 8 on human trafficking, looking at whether this should come into force on July 1 or December 31.

Indeed, Mr. Chair, we've heard people talk tonight, as we debate this amendment A1 on Bill 8, about dome disease, and I would suggest that perhaps this Premier and members of this government do not look as charming or as incredibly smart and sophisticated as they seem to think they do on the floor of this House to a majority of Albertans or when they're pre-empting the chief medical officer of health. That said, we are here to debate tonight amendment A1 to Bill 8 on human trafficking, looking at whether this should come into force on July 1 or December 31. I would note that I am able to do my job creatively on behalf of the people of Edmonton-City Centre.

Now, Mr. Chair, is this an important bill? Absolutely it is. Is this a bill that deserves to have fulsome debate because of its importance? Absolutely. That is why we are bringing forward amendments like amendment A1, which proposes that we have a coming-into-force date of July 1 as opposed to December 31. Indeed, it is important enough that if the government truly felt it needed to pass in a single day while considering amendments such as A1, which would change the date on which this comes into force, they certainly could have provided the bill and reached out to us more than a couple of days before they brought it in to run through in a single day.

Indeed, in the history of this House, whether or not you're considering a bill and there is an amendment such as A1, which proposes to change the date from December 31 to July 1 in which this would come into effect, there is in fact a good deal of collaboration that happens between government and opposition in order to facilitate that passage in a day. I can tell you, Mr. Chair, that, unfortunately, that was not the case here, and there's been about as much good faith between us and this government as there

has been between their Minister of Health and the doctors of Alberta. We will continue to debate this bill and continue to debate amendment A1, which proposes to change the date from December 31 to July 1.

Mr. Jeremy Nixon: I agree. Let's vote.

Mr. Shepherd: We'll be happy to vote. The Member for Calgary-Klein has his opportunity to debate, and I hope he'll take it when that opportunity comes as opposed to choosing to be the peanut gallery here tonight and set a wonderful example for his sons.

Mr. Jeremy Nixon: I only have one son.

Mr. Shepherd: Well, for his children, then, and indeed for his constituents in Calgary-Klein.

The Acting Chair: Let's try to keep away from . . .

Mr. Shepherd: I would be happy to if the Member for Calgary-Klein would also be happy to keep away from my comments, Mr. Chair.

I will continue to debate amendment A1, which proposes to change the date on which Bill 8 would come into force.

Ms Notley: What amendment?

Mr. Shepherd: Amendment A1, Leader of the Official Opposition. That would, again, change that date from December 31 to July 1. That is my job, Mr. Chair. It is my job to continue to stand up for democracy in this province and to use whatever tools are at my disposal to do that. The fact is that it's not a question of whether or not I support this bill because absolutely I do. Indeed, it is my job to highlight as well, when we are discussing things like amendment A1 on Bill 8 on human trafficking, which proposes to change the date from December 31 to July 1 when it would come into force, when the government is choosing to take such an important issue and, frankly, play games.

We will continue to debate and bring forward amendments because, again, a bill of this import deserves to be considered fully, to be heard by all stakeholders, and indeed to have the opportunity to ask those stakeholders perhaps if they would support amendment A1, which would change the date from December 31 to July 1 when this would come into effect. Of course, that's incredibly difficult to do when you're given the bill a day or two ahead of when the government expects it to be passed in a single day.

4:00

Now, the fact that they have this in their platform, Mr. Chair, does not mean that that gives them automatically the right to demand that the bill be passed in a single day, which, again, is not unprecedented but a rare occurrence in this Legislature and one that has generally always been achieved by incredible levels of forthrightness, transparency, good faith, and collaboration, which has been far from the hallmark of this government on pretty much everything it has chosen to do. There are plenty of people across the province of Alberta who feel precisely that way.

However, despite that bad faith of the government we will continue to stand here and debate on amendment A1 to Bill 8, proposing to change the coming-into-force date from December 31 to July 1, which the government has said, apparently, that they might actually demonstrate a small modicum of good faith and support that amendment. I'll be pleased to see that because I can tell you, Mr. Chair, as I stand here and do my job debating amendment A1 to Bill 8 on changing the coming-into-force date, that I recall that when I stood in this Legislature and we had our

budget debate, the Premier took great exception to my tone and the questions that I asked and that I would dare try to accomplish, during the three hours instead of 30 that we were given, actually asking the questions that I was asking on behalf of the people of Edmonton-City Centre, just as I stand here and do my job now asking questions as we debate amendment A1 to Bill 8, the human trafficking act, looking at changing the coming-into-force date from December 31 to July 1.

I will continue to debate this. I will continue to talk about this, and so will my colleagues here tonight. We will continue to debate this bill to ensure that we have the opportunity to give it the fulsome debate it deserves, and if this government wishes in the future to try to pass a bill in a single day, I would suggest that perhaps they consider a bit more how we can ensure that that is part of the democratic process. They can provide the bill earlier, and then we can look at things like amendment A1, which, again, on Bill 8 is proposing to change the coming-into-force date. We can have the opportunity to take that out and speak with stakeholders, and we can actually work together in the good faith that this government seems to want. Indeed, if it is such a priority for them, as the Premier so angrily declared tonight, he can make that decision to actually reach out and operate in good faith during the ample time that we've had in the last few weeks.

That said, I'm pleased to hear that the Premier, in the midst of all his other various and sundry and extremely angry remarks at times, intends to support this amendment, amendment A1 to Bill 8, which will change the coming-into-force date from December 31 to July 1, and I appreciate the jealousy that the Member for Calgary-Klein has in watching my debate and my rhetoric. I encourage him to get up, and I'm sure he can at least try to approach the level of skill that I'm displaying here. He doesn't need to be jealous, Mr. Chair, as we continue to debate amendment A1 to Bill 8 on human trafficking, proposing to change that date from December 31 to July 1.

Mr. Chair, I think we've had a lot of pretty heated discussion here tonight. We have seen a lot of game playing, but let's be clear: we are here to do our job. This is our job. I try to do this with as much integrity and dignity as I feel this House and this job and this process to which we are all honoured to have the opportunity to serve deserves, and I will not stand by and listen to any member of this House, including this Premier, try to tell me that I am failing in it. He is not the judge of the integrity of my work, and I will put my integrity up against his in the eyes of the people of this province any day of the week as I continue to debate amendment A1 to Bill 8 on human trafficking, proposing to change the date that this would come into force from December 31 to July 1.

I look forward, Mr. Chair, to voting in favour of this amendment. Thank you.

The Acting Chair: Thank you very much, Member.

Any other members wishing to speak to amendment A1? I see the hon. Minister of Advanced Education.

Mr. Nicolaidis: Thank you, Mr. Chair. Well into 4 in the morning, as my colleague from Fort McMurray says to all our viewers out there: good morning to everyone who's watching and tuning in live. You know, I have to get up and respond. I've been sitting here – I don't know how long it's been now – several hours listening to the debate. I think all the members here know that bringing this piece of legislation forward and taking some serious steps towards stopping human trafficking is an important priority of ours. It's just something that was manifested, of course, in our platform, something that was detailed not just by a single piece of legislation but by an entire blueprint, that we put forward to the people of

Alberta, to help stop this terrible crime against individuals, to help stop human trafficking. That's the action that we've taken and that we're continuing to move forward with this important piece of legislation, with this very important bill.

It's frustrating, Mr. Chair, I have to tell you, to sit here and listen to a lot of the debate that I'm hearing this evening. I hear concerns from the members opposite that they've only have one day to debate this bill, that it's not enough time. Well, I'm curious. What happened over the four years when those members were in government? What were they doing? They had four years.

Mr. Shepherd: Funding postsecondary education.

Mr. Nicolaides: They were funding postsecondary education. [interjections] We can talk about postsecondary education any time they want, but I want to stay focused on the amendment, Mr. Chair.

Mr. Jeremy Nixon: Unlike them.

Mr. Nicolaides: Unlike them.

They said that there wasn't enough time. Again, for four years what did they do? What action did they take to stop human trafficking? Zero. Well, let's be honest and fair. That's not entirely true. I think the Member for Edmonton-Glenora at some point brought the members of the Alberta human trafficking coalition as visitors to the gallery. I don't believe there was any debate that day on the topic of human trafficking, but the member reached out and brought them to the gallery to observe I'm not sure if it was question period or some portion of debate that day. [interjection] It may be the case. I don't know.

For four years we saw nothing. For four years we saw complete inaction while people suffered, while people were victims of human trafficking, and they did nothing. In fact, I know the Member for St. Albert referred to it as – help me out here. “Creepy” I think was the word that was used. Creepy. When the Member for St. Albert was speaking to the concept of looking in *Hansard* and searching in *Hansard* for the history of the debate of human trafficking over the last four years, that activity is creepy. That activity is, in fact, research. That activity is, in fact, informed opinion, not creepy.

I know the members opposite don't like science, Mr. Chair. They don't like the facts. They don't like to acknowledge the truth, the evidence that's in front of them, and when we present the facts, when we research the information, that activity is creepy. No. That's research. That's proper activity that one should engage in when debating a particular piece of legislation.

I found a lot of opportunity over the last few hours to do some creeping.

4:10

Mr. Jason Nixon: Or research.

Mr. Nicolaides: Or research, a.k.a. research.

I was curious. Maybe we're wrong. What have the members opposite said about human trafficking over the last four years? I encourage all of our viewers at home – it's very simple; *Hansard* has a very easy search tool – to search for “human trafficking” and see what the members opposite talked about. In fact, Mr. Chair, the first time that human trafficking was raised in 2015 was by a member of the then, I believe, PC MLAs. It was raised another time back in 2016, April 14, by the Member for Airdrie, who had a series of questions for the then Minister of Justice about what the Minister of Justice at that time, in 2016, was doing to combat human trafficking. Well, we can see the results of the action. Nothing since then.

Of course, at that time in question period what we saw were a lot of talking points. They said at that time that they were committed to combating human trafficking. They said at that time that they were committed to bringing this injustice to an end. They said at that time that they were committed to doing everything possible to bring it to an end, but they did nothing. I know that can be concerning. I know that sometimes you look back, and you say: “You know what? I wish I did things a little bit differently. Perhaps we should have taken some more action. Perhaps we could have done things a little bit better.” But instead of doing that and instead of saying, “You know what? This is an important piece of legislation, and let's move forward with it,” they're sitting here filibustering.

The members opposite are concerned that they don't have enough time to debate this piece of legislation, so they bring forward an amendment, the first substantive amendment that we have to help bolster this piece of legislation, to help strengthen it, an important piece, a substantive amendment, which says that we should move the date from December 31 to July 1. I mean, it's an important amendment. I get a little confused when I read it because, on the one hand, we say that it's moving too quickly, but then, on the other hand, we want to amend it to move it even faster. Maybe because it's 4 in the morning, we're losing our senses a little bit. On the one hand, we're moving too quickly; on the next hand, let's move faster. I don't know which one it is, Mr. Chair.

Mr. Jason Nixon: They don't either.

Mr. Nicolaides: Maybe they don't either.

Again I draw your attention to the substance of the amendment. It's a date change. If this is so important, if this is so critical – and it is, which is why, again, we have put forward a robust blueprint to combat human trafficking. We are all here working and doing our jobs. Let's see what the substantive amendments are. Let's see what valuable contributions the members opposite have to make. There it is: a date change.

Absolutely, Mr. Chair, I think we can take yes for an answer, and I believe that combating human trafficking is critical. I believe it's important. I believe we must act now to address it, to begin to make progress in combatting human trafficking. I agree with this amendment, and I think it makes sense. Sure. Let's look at moving this implementation forward. Let's get it moving. Let's get the job done. That's why we're all here. I'll be voting in favour of this amendment. I think we can absolutely be moving it forward.

Mr. Jason Nixon: I suspect they'll keep filibustering their own amendment.

Mr. Nicolaides: They may very well continue filibustering their own amendment because they didn't have enough time to debate it, so let's amend it to move it faster. Again, I'm a little conflicted and concerned with the logic.

Mr. Chair, again in my creeping of *Hansard*, my research activity of *Hansard*, I came across something that I found quite disturbing that I had forgotten about, in fact, but found quite disturbing. I think that this comment and this activity that I found tells us why the members opposite are acting the way that they are. This is because we can't forget – I believe it was in 2016; I may be mistaken – that their colleague, their ally, their affiliate in Progress Alberta, called human trafficking a debunked fantasy. That's what they called it. Duncan Kinney from Progress Alberta told us why they made no progress on human trafficking over the course of the last four years. Their ally, their friend, their affiliate Duncan Kinney in Progress Alberta called human trafficking a debunked fantasy. Mr. Chair,

that is absolutely shameful. Absolutely shameful. [interjections] They can heckle all they want, but they can't hide from the truth.

That's what their friends and colleagues believe. So to sit here and say that they want to have a more robust conversation, a more robust debate and then introduce amendments to speed it up, but then at the same time have their friends and allies call it a debunked fantasy, Mr. Chair, this is shameful.

As we sit here at 4 in the morning, people are suffering from human trafficking, people are in the grips and clutches of these gangs and are unable to find a better situation for themselves, and it is incumbent upon us to take action now to address the problem. I know that the members opposite are going to continue to filibuster this. That's fine by me, Mr. Chair. I was elected to be in my seat, and I will be here making sure that we're passing important legislation that is needed to protect Albertans, to get our economy moving, and to ensure that we create a better future for all Albertans.

Mr. Chair, I could continue, but I think I've made my point very clear, and I think we've had ample time to provide robust and substantive debate on this important piece of legislation, so if I may be so bold, I would encourage my government colleagues and all members of the House to vote in favour of this amendment. Let's get it done. This is an important piece of legislation. Let's get it wrapped up, and let's move on.

With that as well, Mr. Chair, I would like to move a motion to adjourn debate.

[Motion to adjourn debate carried]

Mr. Jason Nixon: Did it pass, Mr. Chair?

The Acting Chair: It's passed.

Mr. Jason Nixon: Oh, good, Mr. Chair.

The Acting Chair: We adjourned debate.

Ms Hoffman: We voted to adjourn debate.

Mr. Jason Nixon: Yes. I appreciate the acting leader of the NDP explaining what the chair has already explained.

With that said, Mr. Chair, I am moving to rise and report progress on, I believe, Bill 8, Bill 13, and Bill 3.

Thank you.

[Motion carried]

[Mr. Hanson in the chair]

The Acting Speaker: The Member for Lethbridge-East.

Mr. Neudorf: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports progress on Bill 3, Bill 13, Bill 8. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: Do all members agree with the report? Say aye.

Hon. Members: Aye.

The Acting Speaker: Any opposed, please say no. Carried.

The hon. Government House Leader.

Mr. Jason Nixon: Well, thank you, Mr. Speaker. Given that in a few hours we'll start the next legislative day, and I'd like to see if the NDP will continue to filibuster the human trafficking bill in broad daylight and support guys like Duncan Kinney, I'll give an opportunity for the NDP to think about what they're doing and see if they'll do that while everybody is watching and, therefore, will adjourn the Chamber until 9 o'clock a.m.

[Motion carried; the Assembly adjourned at 4:20 a.m. on Thursday]

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