



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Thursday morning, May 28, 2020

Day 22

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta
The 30th Legislature
Second Session

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Party standings:

United Conservative: 63

New Democrat: 24

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Legislative Assembly of Alberta

9 a.m.

Thursday, May 28, 2020

[The Speaker in the chair]

Prayers

The Speaker: Hon. members, good morning.

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

Ordres du jour.

Orders of the Day

The Speaker: The hon. Deputy Government House Leader.

Mr. Schweitzer: Thank you, Mr. Speaker. I rise on behalf of the Government House Leader to move government motion – oh, sorry.

The Speaker: Sorry. I thought that you were asking for unanimous consent. We probably were fine without it in this case because we're doing Government Motion 21.

Government Motions

The Speaker: If the Minister of Justice, Deputy Government House Leader would like to move Government Motion 21 on behalf of the Government House Leader, he'd be more than welcome to do so now.

Physical Distancing in Legislature Chamber

21. Mr. Schweitzer moved on behalf of Mr. Jason Nixon:
- A. Be it resolved that despite Standing Orders 13(7), 16, and 32(4)(b), for the duration of the spring sitting of the Second Session of the 30th Legislature and to allow for appropriate physical distancing within the Chamber during that time, all Members may sit, speak, and vote in any seat that has not been assigned to them provided that they immediately relinquish that seat on the request of
 - (a) the Member who has been assigned that seat, or
 - (b) the Speaker.
 - B. And be it further resolved that this motion take effect immediately upon passage.

Mr. Schweitzer: Thank you, Mr. Speaker. This motion is merely to enable the Assembly to maintain physical distancing for the remainder of the spring sitting. When previously sitting, each day we passed a similar motion that morning. I ask for unanimous consent of this Assembly to take this step.

The Speaker: You've moved a government motion, so we don't need unanimous consent. This is just passage of a motion. But as a result of that it is a government motion, it is a debatable motion according to Standing Order 18(1). Is there anyone else wishing to speak to the motion this morning?

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

[Government Motion 21 carried]

Government Bills and Orders

Second Reading

Bill 2

Gaming, Liquor and Cannabis Amendment Act, 2020

The Speaker: The hon. Member for Calgary-East, momentarily.

Mr. Singh: Thank you, Mr. Speaker. I stand in accordance with section 2(2) of the Conflicts of Interest Act, and I declare that I have private interest by way of ownership of shares of stocks in the companies involved in Bill 2. As such, I withdraw myself from participating in this debate, considerations, and voting on Bill 2.

The Speaker: The Associate Minister of Red Tape Reduction.

Mr. Hunter: Thank you, Mr. Speaker. I rise today to move second reading of Bill 2, the Gaming, Liquor and Cannabis Amendment Act, 2020.

This legislation continues our promise of making life easier for all Albertans by addressing a number of out-of-date aspects of the Gaming, Liquor and Cannabis Act. Specifically, it proposes five amendments that will help modernize the act while still promoting the responsible use of alcohol, public health, and safety. They will also eliminate unnecessary red tape that exists in the Gaming, Liquor and Cannabis Act, simplifying the act and making it easier for all Albertans to navigate.

The first of these amendments will repeal the prohibition area outlined in section 54 of the Gaming, Liquor and Cannabis Act. This area in southern Alberta includes Cardston county and portions of the county of Warner and prohibits the sale of alcohol in the region. However, much of the act's language references the long-repealed Liquor Control Act, demonstrating just how much this act needs to be updated. It also contributes to a patchwork of policy for the province, a symptom of red tape, and is an inconsistency we want to rectify. However, this does not mean that liquor will be sold in these areas. Ultimately, through bylaws municipalities will have the final say to allow or prevent liquor sales in their jurisdictions.

Second, we're eliminating the requirement for municipalities and Métis settlements to hold a vote of their electorate when the first application for a liquor licence is made in their jurisdiction. This is a rare occurrence that only takes place when Alberta Gaming, Liquor and Cannabis receives an application for a liquor licence in a community that does not yet possess any licences. This is a great inconvenience for a small community or a summer village when, for example, their only licensed restaurant closes. Because they no longer have a licence, the community has to go through the expense of a costly vote. This amendment will make the vote optional for a municipality or Métis settlement, saving them time and money when appropriate and affording them more autonomy.

Third, on the topic of liquor licences, we're allowing AGLC the latitude to impose conditions on a gaming or liquor licence after it has been issued and without a specific violation by the licensee. This provision was introduced for cannabis retailers when cannabis was legalized in October 2018 and is now being extended to gaming and liquor licences. This provides a consistent approach for gaming, liquor, and cannabis licensed premises and also strikes the right balance between stopping the war on fun and keeping Albertans safe.

The fourth amendment has the most impact on everyday Albertans. We are reducing restrictions on public alcohol consumption in parks. This change would allow park owners to allow public consumption without food in designated picnic areas within their parks. This would apply to municipal and provincial parks. However, this doesn't mean it's a free-for-all. It will be the

responsibility of the park owners to choose whether they want to allow this and then provide adequate signage to indicate that public consumption of alcohol is in fact allowed in marked public picnic areas. To be clear, parks with no signage would automatically indicate that liquor is not permitted. It will also be up to Albertans to be responsible and to continue to enjoy all of our province's beautiful parks safely and respectfully.

Last, we are clarifying language in the Gaming, Liquor and Cannabis Act, that liquor is a permitted prize for raffles. AGLC has long stated that liquor is fair game as a raffle prize, but language in the GLCA made that unclear. This amendment removes that confusion, making it clear that liquor was and continues to be allowed as raffle prizes as long as the recipient is of legal age.

Together these changes represent a modernization and simplification of important pieces of legislation. They also achieve red tape reductions that benefit all Albertans.

I'd like to thank all members of the Assembly for their time and attention to Bill 2, and I look forward to a healthy debate moving forward.

With that, Mr. Speaker, I move to adjourn debate.

[Motion to adjourn debate carried]

Bill 4 Fiscal Planning and Transparency (Fixed Budget Period) Amendment Act, 2020

The Speaker: The hon. Associate Minister of Red Tape Reduction on behalf of the Minister of Finance.

Mr. Hunter: Thank you, Mr. Speaker. I rise on behalf of the Minister of Finance to move second reading of Bill 4, the Fiscal Planning and Transparency (Fixed Budget Period) Amendment Act, 2020, which proposes to establish a fixed budget period.

This will require the provincial government to table its budget during the month of February of each year. Mr. Speaker, this proposal is straightforward. It suggests clear benefits of government fiscal reporting and to organizations across the province that rely on provincial budgets for their own financial planning.

The proposed amendment specifically requires that main estimates for a fiscal year be tabled within the month of February of the preceding fiscal year. An example of this is our government's tabling of Budget 2020 on February 27. This provides the Assembly with sufficient time for debate to pass the budget and related appropriation bills before the new fiscal year commences on April 1. The impact on government business in the Chamber is that a February budget limits the need for interim supply votes or special warrants. This means our time in this Chamber can be devoted to other priorities that matter to Albertans. It also means that the Department of Treasury Board and Finance's fiscal planning and reporting processes will be more efficient.

If passed, this amendment will have positive impacts outside of government as well. Mr. Speaker, this amendment directly affects all the organizations across the province that rely on our budget for their own financial planning. With a fixed budget period municipalities, school boards, community groups, nonprofits, and many other organizations across the province will have reliable information and sufficient time to prepare their own budgets. They'll also be able to make stronger long-term plans as there will be greater certainty around provincial budgets.

9:10

Of course, as evidenced by recent events, we all know there are circumstances in which the Assembly may not be able to convene, but a more common occurrence would be that the Assembly

dissolves for a general election. In this case, Mr. Speaker, we included an exemption to the proposed amendment which waives the fixed budget period if the Assembly is dissolved between August 31 and March 1. In this case the elected government must table interim supply legislation until a budget is passed.

A fixed budget period also aligns with a recommendation of the MacKinnon panel to help enhance transparency and accountability in government's financial reporting. Mr. Speaker, this bill is about accountability of government to all Albertans. A fixed budget period will bring order to government fiscal reporting and provide predictability to organizations that depend on provincial funds. It will ensure provincial budgets are delivered on time and are effective in supporting financial plans across the province.

I thank the members for their attention, and I look forward to the debate.

Now I'd like to adjourn debate.

[Motion to adjourn debate carried]

Bill 7 Responsible Energy Development Amendment Act, 2020

The Speaker: The hon. Minister of Justice and the Solicitor General on behalf of the Minister of Energy.

Mr. Schweitzer: Thank you, Mr. Speaker. I rise on behalf of the Minister of Energy today to move second reading of Bill 7, the Responsible Energy Development Amendment Act, 2020.

For generations the energy sector has been a key economic driver in our province, attracting investment and creating jobs throughout Alberta and for those across the country. Underpinning this investment is a need for a well-designed and functional single regulator to oversee the environmentally responsible development of our province's oil, oil sands, natural gas, and coal resources. We need a regulator that is nimble and able to provide producers with the predictability they require to continue investing here in Alberta. Our government has heard time and time again about concerns regarding unnecessary delays in the AER's application review process. Through the AER review, which our government launched last fall, we heard that there is a strong need to refocus the regulator, particularly in regard to the process of reviewing energy project applications.

Bill 7 represents an important step towards providing industry and all Albertans with increased confidence in this process. It is vital for our government to restore predictability to the regulatory process without sacrificing rigour. The Responsible Energy Development Amendment Act, 2020, would provide government with the authority to set maximum timelines for the Alberta Energy Regulator to review applications. This is a milestone in meeting our commitment to ensuring the AER makes timely decisions while also continuing to maintain a stringent regulatory process that protects public safety and the environment.

Bill 7 directly addresses concerns about unnecessary delays as a result of needless red tape and ineffective processes in assessing project applications. This legislation also enables government to establish regulations under the proposed act to clarify conditions or enact any rules as required to operationalize the process. Taking these actions will enhance predictability in the review process for industry and all Albertans.

Since taking office, our government has taken a series of steps to strengthen and modernize the AER, increasing investor confidence in Alberta's energy sector. This legislation builds on these steps, including the appointment of a new board and the hiring of a

permanent chief executive officer. While we are confident that the new leadership will address the timeline concerns that have emerged, Bill 7 will provide us with additional accountability and mechanisms to step in if required. These efforts are particularly crucial as we are working relentlessly to help the province emerge from the two-pronged economic challenges presented by COVID-19 and the Saudi-Russian oil price war. We need to ensure Alberta is prepared and ready for the global recovery when the time comes, including maximizing the efficiency and predictability of our regulatory processes.

Mr. Speaker, these legislative changes are big steps towards making the AER a more robust and effective organization. Bill 7, paired with the steps that we've already taken, will strengthen the AER and improve energy regulation to the benefit of all Albertans. I hope that all members support me in moving forward with Bill 7.

Thank you, Mr. Speaker, and I move to adjourn debate.

[Motion to adjourn debate carried]

Government Bills and Orders Committee of the Whole

[Mr. Hanson in the chair]

Chair's Ruling Amendments

The Acting Chair: Hon. members, as the Speaker outlined in a statement to the Assembly on May 27, 2020, the Assembly is following a new process for the distribution of amendments. LASS staff will continue to retrieve amendments from members, bringing the original copies to the table and presiding officers. Copies will then be provided to the House leaders for the government and the Official Opposition. Additional copies will also be distributed to those who want one. Members simply need to raise their hands, and the LASS will provide you a copy. Extra copies will be placed on the two tables located by the Chamber's rear doors. As a reminder, 95 copies of amendments are still required.

Bill 1 Critical Infrastructure Defence Act

The Acting Chair: Are there any members wishing to speak to Bill 1? The hon. Member for Calgary- . . .

Ms Ganley: Mountain View.

The Acting Chair: Mountain View. Thank you.

Ms Ganley: Good try, though.

Thank you, Mr. Chair. We're moving very quickly this morning. With respect to Bill 1, obviously, I think that our position has been made clear. I think that there are some things in this bill which are mostly fine, there are some things which don't actually change the state of play of the current law, and then there are some things which I think are of great concern. I would say that, for myself and a number of people that I have heard from, probably the most egregious flaw in this particular bill is section 2(1), which as it reads right now would essentially render illegal mere presence in a location. When we're talking about just standing on public land being illegal, that without doing anything else, just standing there is now illegal, I think that that's a bit of an overreach, and I think it's a bit of a concern.

With that, I am going to move an amendment. I will let the original hit the table, and I will await your direction.

The Acting Chair: Thank you, Member.

This will be considered amendment A1.

Ms Ganley: Shall I proceed?

The Acting Chair: Go ahead.

Ms Ganley: This amendment moves that Bill 1, the Critical Infrastructure Defence Act, be amended as follows: by striking out sections 2(1) and (5), by striking out section 3(2), and in section 4 by striking out "section 2(1), (2) or (3)" and substituting "section 2(2) or (3)." It's just striking out those words and substituting the other words.

Essentially, what this is designed to address: I'm hoping or believing – it's hard to say – that the government didn't intend to include walking along a highway or simply passing train tracks under this bill. I think that perhaps in the rush to draft it, those things were missed. Certainly, the advice we've had and my take on this is that as it's currently drafted, the bill does in fact render illegal those things. I hope that the government didn't intend to make it that walking along a highway or passing train tracks would be illegal.

I think it's pretty concerning, one way or the other, that just being at a site is punishable under this act, because the punishments are fairly severe, especially for something that someone could very easily do inadvertently, without realizing that they're doing it. I think a lot of people would be surprised to discover that after this act passes, walking along the highway would be illegal.

9:20

This is an amendment for the government giving them a chance to correct their oversight. If they don't, then I assume that it was because this wasn't an oversight at all, which I think is pretty deeply troubling. I think the section as it reads right now is a key example of why the bill is fundamentally flawed. It's hard to see how this could be fixed, but I hope that the government is willing to accept this amendment because I think, again, that is our largest concern in terms of what this bill does. The fact that it renders illegal acts that are already illegal like vandalism: I think that's fine. I mean, it's unnecessary, but it's fine. If the government feels the need to signal to people that those already illegal acts are something that they don't like, I think that's okay.

My concern, though, again, is about the things laid out, particularly in section 2(1), which would give them basically the unfettered ability to render illegal those things like walking along the highway, which is basically criminalizing mere presence.

I think, obviously, the other big concern is in 2(5), which is an ability for the government to add things that are illegal. Currently it would be illegal to walk along a public highway because it's public lands. It might be illegal to walk too close to train tracks, again, in this instance.

But I think another big concern is that that subsection, subsection (5), would make it the case that the government can literally designate anything. They could make mere presence illegal literally anywhere throughout the province just by a declaration of cabinet. I think that that is a concern. I think that it would be a concern for many Albertans because it is a very, very strong power, I would argue, too strong a power to be able to just, by declaration of cabinet, with no public oversight, with no bringing it back to this legislative body, be able to say that mere presence in a location has become illegal.

With that, I would urge all members to vote in favour of this amendment because I think that it significantly improves the bill. I hope that what it does is actually strengthen what the government's original intent was.

Thank you.

The Acting Chair: Thank you.

Are there any other members wishing to speak to amendment A1?

Seeing none, we'll call the question on amendment A1.

[Motion on amendment A1 lost]

The Acting Chair: Any other members wishing to speak to Bill 1? The Member for Calgary-Mountain View.

Ms Ganley: Excellent. I have another amendment. I will once again keep a copy and await its arrival.

The Acting Chair: Go ahead, Member.

Ms Ganley: Thank you very much. The amendment reads as follows, that Bill 1, Critical Infrastructure Defence Act, be amended (a) in subsection 3(1)(a)(i) by striking out "not less than \$1000" and (b) in section 3(1)(a)(ii) by striking out "not less than \$1000" and in section 3(1)(b) by striking out "not less than \$10 000."

[Mr. Milliken in the chair]

What these are doing is that they are impacting not the maximum amount of the fine but the minimum amount of the fine, and the reason why the minimums for the fine are a concern I actually think I outlined sort of in my last set of amendments. Because this does criminalize mere presence in certain places such as, again, walking along a highway, the concern is that a minimum of a \$1,000 fine puts both police officers, officers of the court, and everyone in a bit of an awkward position. Say they've come across someone who is doing that. They are walking along the highway. They did not know that that was illegal, because it's a bit of a strange thing to be illegal, and now they're in this awkward position where if the officer writes that ticket, they're guaranteed to get a fine for \$1,000. That puts people in a bit of an uncomfortable position.

In light of the fact that the offence itself is, in my view, a bit of an overreach in terms of government power, again, criminalizing mere presence in a location, I think that these minimum fines are not proportionate. They're sort of a disproportionate response to, again, walking along a highway. I don't want to decrease the maximum because the maximum may be for something which actually is illegal like vandalism, but dropping the minimum gives those participants in the justice system the ability to make a choice and to say, "Oh, this person was just walking along the highway" and not provide the same sort of fine.

The last amendment would have been better, but in the absence of the government having accepted the last amendment, I think that the punishment should fit the crime a little bit more proportionately, and this would allow people in the justice system to balance the scales a little bit. I would urge all members to vote in favour of the amendment.

The Deputy Chair: Thank you, hon. member.

Are there any hon. members looking to join debate on amendment A2?

[Motion on amendment A2 lost]

The Deputy Chair: Are there any members looking to speak to the bill proper, Bill 1, Critical Infrastructure Defence Act? I see the hon. Member for Calgary-Mountain View has risen to speak.

Ms Ganley: I have risen once again with an amendment, Mr. Chair, and I will give you the original.

The Deputy Chair: Please begin.

Ms Ganley: Thank you very much. I'll begin by reading the amendment. I'm moving that Bill 1, the Critical Infrastructure Defence Act, be amended as follows: by striking out section 1(1)(a)(xvi) and by striking out section 5. What those two sections in combination do – and I'll just read them out for the benefit of the no doubt hundreds of people listening at home. Section 1(1) is the definitions section, and (xvi) is: "a building, structure, device or other thing prescribed by the regulations." That is in the definition of what essential infrastructure means. Essential infrastructure lists a number of things, including highways, railways, that sort of thing, and this last piece is anything that cabinet designates.

Then section 5 is the regulation-making section, and it reads: "The Lieutenant Governor in Council may make regulations prescribing buildings, structures, devices or other things as being essential infrastructure."

9:30

What the sections I am attempting to strike out with this amendment do is that they give cabinet the ability to designate anything in the province. Once something is essential infrastructure, like the highway, mere presence in that location is illegal. If the government were to designate the Legislature itself, presence by those who are not working here would become illegal. Protests would essentially become illegal. If the government were to designate a school, that would potentially render protests there illegal.

I think my concern here is that without legislative oversight, this is extremely broad. It's extremely powerful, and it gives the government the ability to prohibit the citizens of this province from going to any location they should so choose. I mean, that's a huge concern to me. I think it should be a huge concern to anyone who cares about civil liberties.

Again, by striking out this section, we aren't striking out what is at least the ostensible intent of the bill, which is to prohibit something like vandalism. I believe that the vast majority of what this bill has was already prohibited, but that's not really my concern. My concern is the prohibition of mere presence in locations with an extremely high fine, and then add to that the fact that the list of locations is essentially not closed. It's an endless list because cabinet can add to it at any point. Again, that leaves us in a position where people can very easily violate the law and violate the law to a tune of a minimum thousand-dollar fine, which is a pretty significant fine for a lot of people, without knowing that they've done it.

My hope is that the government will accept this amendment and let go of this regulatory power because I think that it's one of the big concerns in this act. With that I would urge all members to vote in favour of the amendment.

The Deputy Chair: Thank you, hon. member.

Are there any hon. members wishing to speak to amendment A3? Seeing none, I'm prepared to ask the question.

[Motion on amendment A3 lost]

The Deputy Chair: Moving back to the bill proper, Bill 1, Critical Infrastructure Defence Act, are there any members wishing to speak to the bill?

Seeing none, I am prepared to ask the question.

[The remaining clauses of Bill 1 agreed to]

[Title and preamble agreed to]

The Deputy Chair: Shall the bill be reported? Is the House agreed? All those in favour, please say aye.

Hon. Members: Aye.

The Deputy Chair: Any opposed, please say no. That is carried.

I see the hon. Minister of Justice and Solicitor General has risen to speak.

Mr. Schweitzer: Thank you, Chair. I move that the committee rise and report Bill 1.

[Motion carried]

[Mr. Milliken in the chair]

The Acting Speaker: I see the hon. Member for Bonnyville-Cold Lake-St. Paul has risen to speak.

Mr. Hanson: Thank you very much, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 1. 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: Thank you, hon. member.

Does the Assembly concur in the report? All those in favour, please say aye.

Hon. Members: Aye.

The Acting Speaker: Any opposed, please say no. That is carried and so ordered.

Government Bills and Orders Third Reading

Bill 1 Critical Infrastructure Defence Act

The Acting Speaker: I see the hon. Minister of Justice has risen for the call.

Mr. Schweitzer: Thank you, Mr. Speaker. On behalf of the Premier today I'd like to move third reading of Bill 1, the Critical Infrastructure Defence Act.

When we brought this bill in, it was at a time of turmoil in Canada. We had lawlessness across this country, where critical infrastructure was being obstructed, Mr. Speaker. That is simply unacceptable. Here in the province of Alberta we expect the rule of law to be upheld. We expect to make sure as well that we provide our police force and our law enforcement personnel with the tools that they require to make sure that they can do their jobs. Albertans entrust in us the ability to make sure we have clear laws and parameters here in Alberta. That's what this bill does. It's proportionate. It's responsible. It's going to allow us to make sure we send a clear signal to those that would try to jeopardize the future of Alberta's economy: not now, not ever in the province of Alberta. This government is going to stand up for law-abiding Albertans. This government is going to stand up for those that want to help us grow and prosper.

I'd encourage all members of this Assembly to vote in favour of Bill 1.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak to third reading of Bill 1? I see the hon. Member for Calgary-Mountain View has risen to speak.

Ms Ganley: Thank you very much, Mr. Speaker. I think I outlined, by way of the amendments that I proposed, my concerns with this

bill. Essentially, the bill does a couple of things. It does the same thing that is done by the Petty Trespass Act. It does the same thing that is done by the Trespass to Premises Act. It renders illegal trespassing on private property and on public property which is essentially fenced off and signed. So in those instances it doesn't do anything because those things are already illegal. We don't particularly object to that because those things are already illegal.

What it also does is that it renders illegal presence on unmarked public property, and the critical infrastructure list contains a lot of things. The ones that are probably of most concern, although there are many, is a highway because sometimes people walk along the highway. It's a thing that happens. Particularly some people on First Nations tend to walk along the highway to get between point A and point B, and that's going to be rendered illegal by this. So I think that that is a pretty big concern. The fine for that offence, the offence of mere presence on public land, is a minimum fine of \$1,000. I think that that's a pretty big concern. I think it would be a concern, really, to anyone. Certainly, we tried to amend those things, but the government rejected those amendments, so they have not been altered.

9:40

I think that another huge concern worth outlining about this bill is – let me actually quote the bill. Section 2(1) in the prohibitions is what I'm talking about: "No person shall, without lawful right, justification or excuse, wilfully enter on any essential infrastructure." Because essential infrastructure includes a highway, that's what we're talking about entering onto.

Another big, big concern – you know, it's funny. I raised concerns about Bill 10, and the government kind of laughed at me, and now they've reconsidered. Maybe they'll reconsider in this event, too. Another big concern is in the definitions. Essential infrastructure: those are the things which people are prohibited from entering onto. There are a number of things listed. The very last in the list, which is (xvi), I believe, is "a building, structure, device or other thing prescribed by the regulations." Basically, that means that the government can prescribe anything.

Then in section 5 it actually explicitly grants that "the Lieutenant Governor in Council", and that's cabinet, just for those listening at home, "may make regulations prescribing buildings, structures, devices or other things as being essential infrastructure." So essentially what this does is give the government the blanket power to prohibit citizens of this province from being present in locations, whether that location is the Legislature, a hospital, a school, a park, any number of things. What it is essentially doing is giving the government not the power to prevent trespassing, not the power to prevent so-called lawlessness, which the government already has. This doesn't provide any additional tools. What it gives the government is the power to prohibit citizens of this province from peacefully gathering in places, and I think that's a big concern.

This bill is not happening in the context of COVID-19. This is a bill that was introduced long before COVID-19. It was the government's flagship bill in this session. This bill isn't designed to protect public health, and it doesn't end when the public health emergency ends. This bill goes on indefinitely. It goes on indefinitely allowing the government to prevent people from gathering. When we look, you know, throughout history at places where government overreached for power, overreaching in such a way that prevented the peaceful gathering and communication among citizens was often a first step. So I think that should be a concern. I think it should be a concern to anyone. This is, again, not about the portions of the bill that prohibit things that were already prohibited like trespassing, like vandalism, like other forms of illegality. This isn't about that. It's about the portions of the bill that

prohibit private citizens from gathering. I think that if this bill passes, as I anticipate it will, it's a sad day for this province because those are things which are essential to democracy.

With that, I would simply urge all members to vote against the bill, and I will take my place.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak to Bill 1, Critical Infrastructure Defence Act? I see the hon. Member for Lacombe-Ponoka has risen to speak.

Mr. Orr: Thank you, Mr. Speaker. I consider it a privilege to be able to rise and speak to Bill 1, Critical Infrastructure Defence Act. In light of the history that we've seen in Alberta – well, across the country, actually, quite frankly – of the interruption of essential services, damaging both equipment and infrastructure, this is an important bill. I truly need to counteract some of the comments of the previous speaker from across the aisle here. This is not about restricting presence. There's nothing here that says people cannot be present. To say that they can't be present at a hospital or a school or any other infrastructure, for that matter, is completely misrepresenting it.

What they cannot do, Mr. Speaker, is that they cannot wilfully destroy or wilfully damage those facilities. They cannot wilfully obstruct or interrupt the use or the operation of these facilities. They cannot stand, for instance, at the door of a hospital and prevent medical people from bringing people in for emergencies. They cannot blockade a railroad with equipment and fires and prevent the passage of trains. They're perfectly welcome to be present, which the hon. member across tried to say they couldn't be. They're perfectly welcome to gather. There's nothing here to say that they cannot gather and exercise democratic presence. What they cannot do, though, is wilfully destroy or wilfully prevent the use or the operation of any of that essential infrastructure.

There's a huge difference between peacefully standing on the side of the road or peacefully standing at the entrance to a building or any other place, for that matter, and holding signs or voicing opposition or voicing concerns and actually wilfully destroying property, wilfully obstructing the proper use of infrastructure, wilfully creating acts that, quite frankly, are societally unacceptable. These kinds of wilful acts rendering the inability to use essential infrastructure are the kinds of acts that actually destabilize society. They stand in the face of the rule of law, and people want to trespass the rule of law in this case rather than protesting in peaceful and nondestructive ways.

There is an important element that this law brings forth, in which people of recent have thought that they can be immune to the law in the name of some kind of destructive protest, and that somehow they should be free from any recrimination on that. That's not acceptable in a peaceful society. In order for a society to avoid chaos, in order for a society to avoid ending up in literal battles with each other – because we've seen that, where in some cases other people have been opposed to the protesters, and then the police have to stand between and avoid a literal physical feud on-site. These kinds of things are not acceptable in a society that's focused on keeping peaceful protest, peaceful democratic statement.

For these reasons, Mr. Speaker, I absolutely support this bill. I think it's long overdue, and I encourage all members to vote in favour of the bill. Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any other – oh. Of course. We have a 29(2)(a) available as well should anybody be wishing to make any quick comments or

questions on this matter. I see the hon. Member for Central Peace-Notley has risen to speak.

Mr. Loewen: Yes. Thank you very much, Mr. Speaker. I was listening to the member talk about following the rule of law and how important that is in our society, for people to follow the rule of law. Of course, when people don't follow the rule of law, there are always consequences as far as their acts and how they affect others. That's why we have laws. We don't want to have situations where people will jeopardize other people's safety and their right to make a living and to support their families.

The member brings this up about supporting the rule of law and how that can affect, and of course there need to be consequences for those that don't follow the rule of law. Of course, that's what Bill 1 does, it talks about making a difference or making sure that we can enforce the rule of law here in Alberta. We've seen these protesters disobeying the law and not only damaging the economy but also jeopardizing the safety of Albertans. I just would like to hear the member maybe continue on that vein a little bit more as far as his feelings and how this could affect his constituents and the people that he represents here in Alberta.

Thank you.

9:50

The Acting Speaker: Thank you, hon. member.

I see the hon. Member for Lacombe-Ponoka has risen to respond with about three minutes and 30 seconds remaining.

Mr. Orr: Okay. Thank you, Mr. Speaker. You know, in particular with regard to rail lines the potential damages that can happen with regard to illegal acts or jeopardizing the security of the rail line are immense. I used to have a friend who actually worked in high-level emergency management in relationship to rail shipping, and the many, many calls that he would get when train cars would derail or end up in accidents at crossings and these kinds of things – and we have to understand that many of these rail cargos are actually highly volatile, highly dangerous products, and when we allow people to just willy-nilly go out and damage rail tracks, blockade tracks so that there's the potential of damage to cars, derailing, it puts whole communities at risk.

I've personally sat in tabletop exercises for communities where rail lines run through the community. What would happen if a train derailed in the midst of our community? We'd have to evacuate the community. We'd have to deal with potential fire issues. We'd have to deal with potential chemical issues. There are huge risks to this kind of behaviour. Protesting is fine. Protesting is good. It's part of our democratic society. We all support that. Acting in a criminal way to literally destroy or damage these essential infrastructures is an extremely high-risk venture, and it needs to be prohibited for the safety of all people.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

Hon. members, there are about one and a half minutes remaining on 29(2)(a).

Seeing none, are there any members who wish to speak to third reading? I see the hon. Member for Central Peace-Notley has risen to speak.

Mr. Loewen: Thank you very much, Mr. Speaker. Yes. I'd like to take, I guess, one final chance to speak to Bill 1 and the importance of Bill 1, the Critical Infrastructure Defence Act. I guess what I've learned here this morning is that – and I guess maybe it's not surprising – the NDP won't support following the rule of law in Alberta. That, I guess, is probably the biggest takeaway from this

morning. They've said that they're not going to be supporting this bill.

I guess what's probably frustrating for Albertans is that Albertans have seen the damage to the economy of these illegal protests. They've seen these protests go on. They've seen the lack of respect that these people have for Albertans and their right to make a living and the right to carry on in their lawful opportunity to make a living and support their families. So to hear that the NDP won't be supporting such a basic right as the opportunity to follow the rule of law and to have the opportunity to not only support your family but be able to go about your business in a lawful manner, it's amazing that the NDP would do this.

But I guess we shouldn't be surprised because this is a group of people that have been protesting their whole careers. We've seen support for groups like Extinction Rebellion; we've seen coauthoring of books about protesting: all these radical activities that the NDP have supported in the past and continue to support. I guess probably what's more surprising is when they get up and try to say that they support the oil and gas industry, they support pipelines, when we know that they support people and have campaigned and protested these very activities.

We look at some of the amendments that they tried to bring forward, Mr. Speaker, and they're grasping at straws. They're trying to call things into the bill that just aren't there, suggesting that somehow this bill would restrict somebody's right to walk down a highway or to cross a railway. I mean, that's absolutely absurd. There's absolutely nothing in here that says anything like that. If we look at 2(1), the one that they've quoted, it says, "no person shall, without lawful right, justification or excuse." To suggest that that restricts the rights of Albertans to do something that's lawful is ridiculous.

Mr. Speaker, this legislation would protect essential infrastructure from damage or interference caused by blockades, protests, or similar activities. It's that simple. It's about protecting the rights of Albertans. It's about enforcing the rule of law. It's about making sure that individuals and groups whose existence is focused on hurting our economy, reducing safety, and destroying our right to make a lawful and legal living here in Alberta can't do that in Alberta. I think it's very clear what this bill does and what it doesn't do. Obviously, we've seen these protests in Alberta and across Canada, and we've seen the damage to the economy that they did. Obviously, we need just a little stronger laws and regulations to protect the rights of Albertans and to enforce the rule of law here.

There's an increase in penalties so that people understand that there are consequences for illegal activities both on an individual level but also for any groups or corporations that direct these activities. There's an increased amount of punishment for those people, too. I think it's important that we realize, and the people that want to engage in these activities need to realize that these are serious acts. They jeopardize safety, they jeopardize the economy, and they're not lawful. It's very simple. If you're doing something illegally, you should pay a price for that, and the price needs to be compared to the offence.

What we will do here, what our government will do is to discourage all illegal protests. That's the goal. These illegal protests scare away investors. We look at things like the Teck mine and how these protests affected that mine and how companies, when they look at what's happening in Alberta and Canada, decide: is it worth investing here? Of course, we've seen what happened with the Trans Mountain pipeline where government, in fact the NDP government in British Columbia, was obstructing that project and causing that project to be delayed and delayed and delayed to the point that the company just finally said, "We're out," and the

federal government had to buy it out to have any hope of it continuing.

Mr. Speaker, we see the opposition here, the NDP opposition, and their friends and their supporters and the people that they help – I mean, they campaigned for federal candidates for the NDP party with an NDP leader that railed against our oil and gas sector, railed against pipelines. That's the people that they support, so it's not surprising that they won't support Albertans here by voting for Bill 1 to defend the rule of law. We know where their heart is. Their heart is not with Albertans. Their heart is not with the rule of law. Their heart is with the protesters, the antagonists, the obstructionists of the Canadian economy and the Alberta economy. That's where their heart is, and I think it's absolutely unimaginable that they would be able to take that stance and think that somehow they're supporting Albertans. [interjections] It's interesting to hear the comments that are coming from the other side right now, the little chatter.

Of course, it's coming from people that think Extinction Rebellion should be teaching in our classrooms, a group that stopped the traffic on a bridge here right near this Legislature just a few months ago and caused a traffic jam first thing in the morning. Now, can you imagine if an ambulance had been caught in that traffic jam with somebody needing serious medical attention, caught in a traffic jam by this group called Extinction Rebellion, that these people here think should be teaching in our classrooms, and the loss of life that could have happened in that situation? But, of course, they think that's fine, I guess. I don't think so, and I don't think the majority of Albertans . . .

10:00

The Acting Speaker: Sorry to interrupt the hon. Member for Central Peace-Notley.

I just want to remind members of the House that should they wish to have discussions, there are lounges outside, to both sides, and the peace lounge directly behind us, and those conversations can happen there. Currently the only person with the call is the hon. Member for Central Peace-Notley, so if he could please continue.

Mr. Loewen: Thank you very much, Mr. Speaker. I think this law recognizes economic freedom of Alberta's businesses and our essential infrastructure to help protect our workers. Of course, we have to have these tougher penalties to deter these illegal activities.

Mr. Speaker, I just want to read a quote from our Premier: "The right to protest does not include being able to prevent your neighbours from getting to work and putting food on the table or threatening their security. Albertans expect their government to deal with lawlessness and stand up for the values that all law-abiding citizens share. This government is doing just that."

Mr. Speaker, again, we need to realize what this bill does and what it doesn't do. What it does do is that it increases fines and penalties for individuals and corporations and groups that direct these individuals to break the law. That's what it does. It increases penalties for them, and it clarifies the protection of essential infrastructure here in Alberta. It adds to existing legislation and is consistent with the amendments made in the fall of 2019 to the Trespass to Premises Act and the Petty Trespass Act.

Mr. Speaker, this bill is important. We know that Albertans were frustrated by what happened with the blockades. We've seen what happened to the blockade just west of Edmonton here, the railway blockade, where Albertans decided that they'd had enough. So we know that this is what Albertans want. We know that this is what we need to be able to protect our infrastructure and to protect our economy here and to ensure safety for our workers and for our essential infrastructure. We know this is what's needed.

Now, we know that essential infrastructure – it does list in here some of the essential infrastructure: provincial highways, transportation facilities, transportation systems, railways, hydro developments and power plants, agricultural operations, oil and gas facilities, public utilities, electric utilities, gas utilities, coal processing plants, oil sands processing plants, radio communications, dams. It also includes – and this was another thing that the opposition seemed to have a problem with – “a building, structure, device or other thing prescribed by the regulations.” Mr. Speaker, when we develop these bills and everything and when we prescribe different things in it, we have to have that opportunity because a list will never be complete because things are always changing. We need to have that opportunity to add anything that becomes essential infrastructure.

Mr. Speaker, this bill is a good bill. It's what Albertans want. It's what Albertans need. It's what we need to protect our economy and the safety of our workers. Of course, listening to the NDP talk about this bill like it's going to take away rights from walking down a highway is absurd. It's absolutely absurd. There's nothing in here of the sort. This bill is made to do exactly what it says, and that's to protect our essential infrastructure from people that want to do damage or interfere with our essential infrastructure by blockades, protests, or other activities like that.

Again, Mr. Speaker, we realize the importance of this bill. We know that we need something to ensure that we don't – there has to be a difference between a country like ours and other countries in the world where they don't have the human rights records, they don't have the environmental records that we have here. One of the biggest differences is the rule of law and being able to enforce the rule of law, and making sure that small groups, special interest groups that don't have the best interests of Albertans in mind don't control our economy and our safety here in Alberta.

We know that by obstructing our oil and gas here in Alberta, all these groups are doing is allowing other countries that don't have the environmental record, that don't have the safety record, that don't have the human rights record as we have here – they allow them to produce those products. Those products end up on the market, and that is detrimental to us in Alberta because we need to have these products sold. We need to have a good return on those products, and by interfering with our infrastructure to get our products to market, we get less money here for our product, and, of course, we encourage other countries to fill that gap in the marketplace.

You know, we're sitting in a situation here with this pandemic where the economy has been hurt and there has been a lot of money spent, a lot of extra money spent, and this is money that we're paying interest on, Mr. Speaker. By having our coffers empty and by having to pay this interest on this money that we're borrowing to keep our economy going here, that takes away from our social programs, that takes away from the opportunity of Albertans to enjoy a good life here. Had we had some of this infrastructure built, if we hadn't had the protesters, the people that the NDP support, these protesters and these governments that have been delaying these projects, we would be in a far better financial situation here in Alberta. That would put us in a better situation to get through things like this pandemic and our response to it.

But, of course, Mr. Speaker, I guess the NDP don't care about the rule of law, they don't care about Alberta businesses, they don't care about pipelines, and it only makes sense, I guess, because they've been protesting them for years, but this government wants to stand behind our industry, and we want to get things done.

The Acting Speaker: Thank you.

Hon. members, 29(2)(a) is available, and I believe that the hon. Member for – well, I think 29(2)(a) was going to be the hon. Member for Drayton Valley-Devon. That was who caught my eye, so that's happening.

Mr. Smith: That's good. Okay. Thank you, Mr. Speaker. I just wanted to stand up and have a few comments about the excellent speech that I just heard delivered here about Bill 1, the Critical Infrastructure Defence Act.

I know that when I was listening to the hon. member, he brought up some of the amendments that the opposition wanted to bring forward on the critical infrastructure act. I know that I stood a little bit amazed when I heard one of the hon. members from the opposition stand up and say that this bill would stop people from being able to walk on the highways. I was very pleased that you brought to the attention of this House that that is absurd, and that we can just simply read the bill. If we go back to the bill and we take a look at section 2(1), “No person shall, without lawful right, justification or excuse, wilfully enter on any essential infrastructure.”

Mr. Speaker, we live in a democracy, and that democracy is always about a balance of freedom and safety and security within our society. In a democracy we have the capacity as citizens to be able to have influence over the government and the decisions that this government makes. We have representatives that are duly elected that have the capacity to listen to their constituents, to come into this House to debate the bills, and I would, having sat on the opposition's side of the House, understand that they have a role and they have a duty. They are to hold the government to account and to bring forward reasonable amendments, amendments that would make a bill better. They're not there to oppose just simply for the sake of opposing. They're there to provide us with good suggestions and good ideas. But to bring forward an amendment, as the hon. member has suggested here, that suggests that this bill would stop our citizens from being able to reasonably exercise their rights is indeed absurd, and all you have to do is read the bill.

10:10

Now, I know that there are times when as citizens, with our rights to freedom of assembly and to freedom of expression and to freedom of belief, we have the opportunity to be able to bring that before the people in some sort of a protest or in some sort of a gathering that allows us to be able to try and send a message to society and to our legislators that we want a particular change moving forward.

But we do not have the right – and what the opposition seems to not understand or at least not have a critical understanding of is that that right to peaceful assembly, that right to freedom of expression, that right to freedom of speech, does have limits. It has limits that are reasonable and are seen as reasonable in a free and democratic society.

Now, what this law, the critical infrastructure bill does – and what the hon. member did was speak to the reasonable limits that are set out in this bill, that it is not reasonable for somebody to go to a critical piece of infrastructure, block that piece of infrastructure and thereby inhibit the rights of others in our society to make a living, to be able to ship grain along a railroad, to be able to haul goods along a critical piece of infrastructure like a highway, to be able to shut down a dam or an electrical facility because you don't like the kind of power that it's generating.

Mr. Speaker, this is reasonable. This is a bill that has had a lot of thought, that is reasonable and fits the definition for what we would understand to be reasonable in a free and democratic society, and therefore I would commend the member for his comments, thank

him for his reasonable understanding of how we move forward. I would encourage the opposition as they move forward to actually do their job, which is to bring forward reasonable amendments, reasonable opposition to a bill that will actually make the bill better. When they do that, I believe that the ministers involved in whatever the bill is that we may be debating in the House would have the capacity to see that it is reasonable and will work with the opposition. However, we do understand that not always is the opposition reasonable.

The Acting Speaker: Thank you, hon. member.

Members wishing to speak to third reading of Bill 1? I see the hon. Member for Highwood has risen to speak.

Mr. Sigurdson: Thank you, Mr. Speaker. It is my honour today to speak to Bill 1, Critical Infrastructure Defence Act. I'm really happy to be speaking in support of this very important legislation. I think it's important for us to be reminded of where this came from and, you know, talk about how we need to protect our critical infrastructure, not just within our province but across our entire country.

Rewinding back, we can all remember earlier this year the blockades that ran across our entire network in Canada and how it impacted our entire country. These protests were not peaceful protests. These protests affected our infrastructure network from coast to coast. It affected energy. It affected agriculture and manufacturing.

There's nobody within our government that is against peaceful protest. It is a right. It's a right for somebody to be able to go out and peacefully protest. I don't think anything in this bill prevents anybody from doing so. You know, anybody that wants to have the right to be able to come out and have a protest, as long as it's peaceful and it doesn't affect infrastructure, that is something we support.

But when it came time to do something about these radical protesters, the ones that came out and targeted infrastructure across our country, we had to come back with a bill that gave us the ability to address this. These radicals were fighting against our environmentally regulated energy industry, the most ethical and environmental in the world.

What they didn't realize was that, through doing this, they affected everything from our food supply right down to propane, to manufacturing across the entire country. I think that's something, as a government, we needed to address, and Bill 1 does exactly that. These protesters were more concerned about their own ideology, and they didn't realize that what they were doing put families, put workers in harm's way. These supply shortages caused job losses. These jobs are how people feed their families.

Mr. Speaker, some rail blockaders, you know, also actually put the protest ahead of the safety, security, and well-being of the majority of people across our entire country, including our province. Some videos even showed eco terrorists throwing pallets, debris on tracks, lighting it on fire. There was black smoke burning up into the air. You kind of question the kind of hypocrisy there when they were actually protesting for something that they thought was nonenvironmental.

Key infrastructure like this needs to be protected, our rail lines need to be protected, and construction sites need to be protected, anything critical. We need to assure the public and foreign investors that if they come here and they want to invest in our country and they want to build an important project, though they may run into opposition to that, they're not going to be affected in a way as being held hostage or completely being shut down.

You know, Alberta is in the wake of COVID-19, and just what's happening with the Russia and OPEC price war is hurting right now.

We think back about how there was a \$20 billion investment that was happening with the Teck Frontier mine in Fort McMurray and how that entire project was affected in the wake of these protests that were happening from coast to coast, and it ultimately ended up with the cancellation and the pulling of this project, which would have brought so many jobs and investment to our province. We had 14 First Nation communities in proximity to the project who would have seen hundreds of jobs come from the Teck mine, millions in revenue into the province. These are things that we have to be concerned about as a government and be able to protect. The Critical Infrastructure Defence Act, I believe, does exactly that.

The eco terrorists affected jobs across our province, and I think the Member for Central Peace-Notley kind of hit the nail on the head. Our opposition is very supportive of the socialist green left. We've heard many, many times and seen on many occasions where they've stood up themselves and chanted: no more pipelines. I guess that's why we're seeing so much opposition from them to be able to want to continue to have things the way they are right now so that these eco radicals can shut down our country. I guess they feel that is acceptable. This government doesn't feel that is acceptable.

You know, we understand that we are the most ethical and environmental producer of oil and gas, and that industry is a main provider into government programs, building schools, providing quality health care, and that is why we've got to continue to work on making sure that we can provide surety and protections for our critical infrastructure. The money generated from these environmentally regulated projects is allowing us to invest in our community. I can't understand why the opposition hasn't figured that out yet. We've got to continue to find ways to be able to support this industry. Bill 1 is a great start to doing so.

10:20

The devastating impacts of the radical action in the past through the blockades was deeply felt. As I mentioned before, hundreds of rail workers were laid off. Farmers were struggling to get their grain and other products to market at a very crucial time of year. The agriculture industry has faced enough burdens at this time that I think it's important that we continue to protect all of our infrastructure. You know, they already have to battle with weather issues and everything else. They have so many things that are unknown to them in what they do in the agriculture industry. The least we can do is come up with a bill that at least protects the rail lines so that they have the surety that when the market prices are right, they can actually get their grain and pulses and products to market.

We need to fight back. This bill will create new penalties on any individual or group who damages or interferes with our critical infrastructure such as railways, highways, bridges, and oil and gas production and refinery sites. Our government will do all we can to continue to discourage illegal protests that are scaring investors, which is shutting down a large part of our economy and threatening overall public safety. These measures will provide the strongest protections for critical infrastructure in Canada, and in reality, if Ottawa does not – and they do not – have the courage to enforce the rule of law, then our government is going to step in with bills like this to ensure that we do defend the rule of law.

We stand firmly behind the right of every Canadian to protest, but preventing Albertans from getting to work and feeding their families makes a mockery of our democracy. Our democratic values are what make our oil the most ethical in the world. These

blockades do nothing but aid our oil-exporting competitors across the world, oil dictators, and by introducing Bill 1, we will continue to penalize criminals who take money from the pockets of Albertans and put it in the coffers of brutal dictators like this. These penalties we're introducing will hurt the eco terrorists and will discourage this type of behaviour in the future. Any individual who has committed these offences will face fines of \$1,000 and \$10,000 for the first offence. Repeat offenders face increased fines of up to \$25,000.

I believe Bill 1 takes vital steps in protecting Alberta's industries and livelihood, and it also sends a message to investors in times of uncertainty that Alberta is open and ready for business. The COVID-19 pandemic and the economic crisis have shown just how important it is for us to continue to support job creation and investment in Alberta. Alberta's economy and the hard-working people of this province simply can't afford to be held hostage by radicals or, in the words of the Premier, zealots of the green left who are blocking the means for our prosperity. COVID-19 is already taking enough investment and jobs away from the province. We can't allow these ideological few to harm the needs and the ability for the majority to have prosperity in our province.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

Hon. members, 29(2)(a) is available, and I see the hon. Member for Calgary-West and government whip.

Mr. Ellis: Well, thank you very much, Mr. Speaker, and I'd like to thank the Member for Highwood for his comments. I, too, along with him and many of my colleagues in this Chamber, of course, do support Bill 1, the Critical Infrastructure Defence Act. I guess what I'd like to hear from the Member for Highwood, of course, has much to do with his constituents. Obviously, his constituency is south of Calgary, a very beautiful area. It has critical infrastructure and, you know, has pipelines and related infrastructure – highways and telecommunication lines, utilities, and infrastructure – that would be protected under this Critical Infrastructure Defence Act. I would like to hear what his constituents think in regard to enforcing, of course, the rule of law.

As we're all aware, historically, of course, you know, we can look only in recent history to Kinder Morgan as an example. Kinder Morgan had jumped through all the necessary hoops and had done everything that they could possibly do to get that Trans Mountain pipeline from areas within Alberta to the west coast, but the complete failure of the rule of law to be enforced was something that really caused them to essentially give up on the project. Thus, the federal government, of course, came in there. I think we're all aware of the history surrounding what is now the Trans Mountain project. Certainly, I think everybody here within this Chamber and all Albertans, or certainly the vast majority of Albertans, would like that project to continue and ensure that we are able to get our resources to other markets within the world.

Again, hearing from the member, I would like to know what his constituents think, of course, regarding the importance of enforcing the rule of law and ensuring that the critical infrastructure is there for, you know, the betterment of the people within his constituency.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

I see the hon. Member for Highwood has risen to respond, with about two and a half minutes.

Mr. Sigurdson: I would like to thank the Member for Calgary-West for bringing that up. I actually would like to say that, being the representative for Highwood, I get to be the representative for

the birthplace of oil and gas, with the Dingman 1 well being within my riding and within Turner Valley having the original Turner Valley gas production facility there now being a provincial historic site. We are the birthplace of where oil and gas started in Alberta, and I'm very proud of that. A lot of my constituents are very proud of that as well, and a lot do work in the oil and gas industry.

I think that was the biggest frustration. When we talk about the rule of law, that is where we saw so much frustration from people in my area. They're all for people protesting and having the peaceful right to express their opinion, but when it came to the complete ignoring of the rule of law, the blocking of these rail lines, protests that they've seen with pipelines – our investors, our oil and gas industry goes through a very, very strenuous regulatory process to get to a point at which they can start building these pipelines, from indigenous consultations right down to environmental processes. Then when they get to the finish line and they, in fact, actually get the chance to create those jobs, build economic prosperity for our province, only to be stopped by eco radicals and terrorists, that are the minority, it becomes extremely frustrating.

We all need to live within the rule of law. That is how we get along together. We're all for peaceful protest, but when people ignore the rule of law and stand in the way of people's livelihoods so that people cannot feed their families, so that we can't build a strong economy here so we can build our health care system, so we can build schools, so we can take care of our children, so we can provide a future for our children, that is where we see the biggest frustration from constituents in my area, and that's why I'm so supportive of Bill 1.

The Acting Speaker: Thank you, hon. member.

I see the hon. Minister of Children's Services has risen to speak.

Ms Schulz: Thank you, Mr. Speaker. I am honoured to rise to speak to Bill 1, the Critical Infrastructure Defence Act. As a minister of this government and the MLA for Calgary-Shaw and as an Albertan I am so proud to support this legislation. I'm going to take us back to a couple of months ago, back to February. Like many Albertans, I watched in shock and frustration as a small but vocal group of protesters held our entire country hostage.

10:30

Then came Teck's decision to withdraw its application for the Frontier project. It was a devastating blow to this province and to this country. Alberta lost the opportunity for 7,000 jobs, and Canada lost the opportunity for \$70 billion in new tax and royalty revenue that could have funded our social services, education, and health care over the next four decades. These are incredible public services that Albertans rely on, and that investment is gone. Our Premier and my colleagues fought so hard to support that project. They worked tirelessly to build consensus with First Nations and to communicate with our counterparts in the federal government and to advocate for our province and Canada.

Teck could clearly see the writing on the wall. The growing tension between illegal protesters, police, railway employees was growing more precarious by the day, and they would be held publicly accountable for any violence, not the protesters. In a law-abiding democracy, Mr. Speaker, it's ludicrous that a radicalized small group can abuse the rule of law, the will of the elected, sovereign First Nations, and the support of the majority of the population of this province and our country. Bill 1 is our commitment to the people of this province that we will not allow the prosperity of our people to be derailed by groups seeking to abuse their right to protest.

Mr. Speaker, what do we have without laws? What do we have without consequences? In this case no jobs, no opportunity for the people of our province. They did hold our country hostage by blocking essential infrastructure; they cost hundreds of hard-working Canadians and Albertans their jobs; and some believe they made a mockery of our justice system.

What we won't do, Mr. Speaker, is what the members opposite did, is sit idly by while our economy suffered and jobs left our province for four straight years. I want to quote the Premier in his response to that Teck decision back in February.

Weeks of federal indecision on the regulatory approval process and inaction in the face of illegal blockades have created more uncertainty for investors looking at Canada. Teck's predicament shows that even when a company spends more than \$1 billion over a decade to satisfy every regulatory requirement, a regulatory process that values politics over evidence and the erosion of the rule of law will be fatal to investor confidence.

Mr. Speaker, let me say that again: \$1 billion. Teck spent \$1 billion and a decade fighting for this process, and in the end they walked away because of a lack of federal leadership, constantly moving targets on environmental regulations. Moving goalposts means that we can't expect investors to invest in Canada and Alberta when project after project continue to be squashed by this indecision.

Mr. Speaker, some governments may be okay with allowing illegal protesters to co-opt the First Nations agenda, driving investment from our province, filming TikTok videos on vital infrastructure while violating court orders, but our response is: not in Alberta. Our Premier and the Minister of Justice took swift and firm action to put forward Bill 1 and send a clear message to Albertans and to investors that we will not stand idly by while the rule of law is ignored. These measures will provide the strongest critical infrastructure protections in our country. And let me be clear. Peaceful protest is a right, and it's an important right. Section 2 of the Canadian Charter: that is not what we're talking about here.

These measures will create an offence for "without lawful right, justification, or excuse" wilfully entering any essential infrastructure, including entering with permission obtained under false pretenses, wilfully destroying or damaging essential infrastructure, wilfully obstructing, interrupting, or interfering "with the construction, maintenance, use or operation of any essential infrastructure" rendering "the essential infrastructure dangerous, useless, inoperative or ineffective." It will also hold individuals and corporations who seek to direct and aid illegal protest accountable.

As my colleague the Member for Central Peace-Notley said, this is confirmation that the rule of law matters and that special interest groups and eco terrorists do not control our economy. They do not control our safety here in Alberta. These penalties are small in comparison to the hundreds of millions of dollars that were blocked from our economy as a result of those illegal protests, Mr. Speaker. I do encourage all members of this House to join me in supporting this important legislation. We need to send a clear message to Albertans, to Canadians, to investors abroad that in Alberta we believe in the rule of law.

Mr. Speaker, we will stay focused on growing the economy, protecting the safety and livelihoods of Albertans. We won't be a government of words but of action. We support our energy sector which has the highest human rights, democratic, and environmental standards in the world. We know that this is what grows our economy. We know that our oil and gas sector matters. It provides the means for us to support important public services that Albertans rely on, but it also means that my children, that the children of my constituents, the indigenous population here in Alberta, the very

important First Peoples of Alberta have a future here and have opportunity.

Thank you.

The Acting Speaker: Thank you, hon. minister.

Are there any members looking to join on 29(2)(a)?

Seeing none. Moving back to third reading. I see the hon. Member for Brooks-Medicine Hat has risen to speak.

Ms Glasgo: Thank you, Mr. Speaker, and thank you to all the other members who've spoken today. I think there is very broad-base support for this kind of legislation. You know, I've always grown up with an affinity for pipelines, I guess. I mean, I say this in the true sense of the word. The fact that my dad is employed by the oil and gas sector – I've said this a couple of times – he literally built these pipelines.

I'm going to start with a story because I think it just goes to demonstrate just how vast our infrastructural network is in Alberta. When I was younger, I remember one time distinctly, we were driving to Tobin Lake, Saskatchewan for a fishing trip. It was about eight hours away from Medicine Hat, and I was a little bit antsy, as most young kids are. "How are we going to get there, Dad? When are we going to get there? How much longer?" Whatever. My dad said, "You know what? I have a job for you." He said, "Count the pipelines," and I said, "Dad, how am I going to count the pipelines? Like, don't you put them in the ground?" And my dad said, "Yeah, but there are markers along the highway." So I started counting them, and every time we'd drive past one, our whole car would say, "Pipeline. Pipeline. Pipeline." Then all of a sudden we started running out because there were just too many.

I think that just goes to illustrate – I think we counted, like, a hundred between, you know, Medicine Hat and Calgary one time or something – just how many different markers are along the highway, illustrating how many networks and how many resources are really moving underground, whether that's water, oil, gas, whatever. It doesn't matter. It just goes to illustrate how vast our infrastructural network is and, really, how much we have to offer here in Alberta but also how much is at risk if we allow eco radicals to block that.

Like I said, I grew up with a respect for that. I grew up with a respect for the rule of law, for private property, for public property. You know, it was always: if that's not yours, don't touch it. If you're not supposed to be there, don't go there. That was just how things worked, and as far as I'm concerned, it's still how things work. But I've been quite surprised and honestly quite concerned to see this new generation of woke protesters who are going to rail lines, burning things, and doing TikToks on rail blockades while farmers are losing the ability to take their goods to market. Like, what kind of world do we live in when governments and oppositions stand idly by and think that that is acceptable, taking kids out of classrooms to go and do a TikTok on a rail line?

You know, Mr. Speaker, I have to say that sometimes late at night you're sitting and you're scrolling TikTok; it can be very entertaining, but that's not what that's for. You can't post that you're wilfully ignoring the rule of law, you're wilfully ignoring that collective and important ability for Albertans and Canadians to get goods to market and then dance on a rail line and basically dance over the lack of success for these farmers and ranchers, for oil and gas companies, and for the prosperity of this country. Like, I just can't understand a world in which we would allow that to happen.

[The Deputy Speaker in the chair]

To top it all off, when we are saying that we are allowing these protests – and like my hon. colleagues have stated, you know, a

peaceful protest is one thing, but this is not that. These are foreign-funded groups coming into Alberta, where an overwhelming majority of Albertans voted overwhelmingly for pipelines. They voted for jobs, the economy, and pipelines. This bill protects that. For an overwhelming majority of Albertans to have their opinion, their democratic rights squashed because some foreign-funded eco radical – I have to choose my words carefully there, Madam Speaker, because it really makes me angry – comes in here and dictates to us what our prosperity will be because of a feeling they had that day or a paycheque they're receiving from Greenpeace, I have a problem with that.

I guess that brings us to the question, you know. This was brought forward by the hon. Minister of Justice and the Premier about three months ago. Many people have been saying: "Well, I don't see very many protests happening now; why is this really needed? Why is it necessary right now, at this moment?" We need to be proactive. So often governments get put in positions where you have to react to positions that are happening or react to things that are going on. I mean, the COVID-19 crisis: you can prepare all you want, but at one point you have to react and be there for your citizens. There's nothing wrong with that. By passing Bill 1 here today, we are able to act proactively, get in front of these issues, and ensure that we can preserve the success of our economy as well as the success of grain farmers and others, who were losing up to \$50 million per week under the blockades.

10:40

Investor confidence: the hon. Minister of Children's Services spoke about this at length. You know, her words were very poignant because investor confidence did take a knock. We lost the Teck Frontier project. We have lost countless other projects that I'm sure many of us will never even hear about because there were companies and job creators who were looking at Alberta or looking at Canada more fully and saying: you know, you guys are trying your best, but I'm not taking a chance there. I can't imagine a world where we would let that happen. We have an opposition who's virtually silent on this except for chanting: no more pipelines. Maybe they're silent because they'd rather be on the side of the protesters. I don't know. I wouldn't impugn a motive there or anything like that, but it certainly begs the question of why they wouldn't get up and speak to this.

You know, we know that especially in this pandemic, especially now, having infrastructure, having that stable and reliable source for food for Albertans to be able to live and get what they need is essential. We've seen how many people are celebrating our farmers right now. Everybody is all of a sudden really happy that they have food on their kitchen table. But just three short months ago the opposition didn't even care that their goods were being blocked from getting to market. I mean, just as a refresher, you don't get paid until your grain reaches the market. That needs to happen. It's just beyond me why anyone would oppose this. The pandemic did bring into sharp focus just how important reliable infrastructure is and especially the need for reliable and stable economies.

I just want to say in closing, Madam Speaker, that I'm so happy to be able to support this. The fact that this used to be just a private member's bill – I had these musings a couple of months ago and was looking for a private member's bill, and this came up. I'm not going to lie; when I heard that the government was taking it on, I was kind of bummed because I thought: "Oh, darn. There goes my idea." But at the same time, how great is that? It's showing that this idea has the strength of the entire Alberta government behind it. It is a priority for our government to respect the rule of law and ensure that our economy is protected for decades to come.

On that note, Madam Speaker, I'm happy to support this legislation. I would encourage the opposition to do the same. Thank you.

The Deputy Speaker: Standing Order 29(2)(a) is available. I see the hon. Minister of Children's Services.

Ms Schulz: Thank you, Madam Speaker. I just want to say that I always appreciate the debates by the Member for Brooks-Medicine Hat. I appreciate her unwavering support for our agriculture industry, our energy sector, farmers, oil and gas workers, but what I also really appreciate is just that she brings this vision and this very succinct way of summarizing the rural Albertan value of common sense. So I do want to thank her for her words today.

I also want to ask – I mean, I know a lot about her area. There is a lot of agriculture, obviously a lot of supply chain, and a lot of oil and gas workers, including members of her own family. I do want to ask a question today about what the impact of these things, these illegal protests, disruptions to our supply chain – I mean, taking us back pre-COVID, obviously, things looked a little bit different, and there were a lot of risks to our economy. What does that look like for your constituency specifically?

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

Ms Glasgo: Thank you, Madam Speaker, and thank you to the hon. Minister of Children's Services for that important question and those, I would say, undeserved compliments. It was quite nice of her.

The question was surrounding the impacts of this on my constituency specifically. Brooks-Medicine Hat is right in the heart of the prairies. I mean, we have an abundance of oil and gas, especially gas, and many men and women who work in that industry and rely on that to feed their families.

The impacts of a struggling oil and gas sector or farmers not being able to get their resources to market: I mean, one needs to look no further than the local hockey teams who won't have sponsors or the kids who won't be going to music lessons this year. I know there was actually somebody fundraising – this was for COVID, but it just goes to show, you know, how these things all lean on each other. When people aren't working, they can't send their kids to music lessons, they can't do extracurricular activities, they're not going for dinner, they're not supporting hotels, they're not travelling. It's really hard for communities like ours and mine specifically to get by when you don't have that reliable revenue, that reliable income for families.

I know that in my own family I can think – it's quite fresh in my mind, the last two financial crises that we've had and the crashes in the oil and gas sector. There was a time when my own father struggled to find work for over a year, and it wasn't for lack of trying, Madam Speaker. It wasn't for lack of trying of anyone in his crew or anything at all; it was that there was none. That was instability in the marketplace. That wasn't because we didn't have resources to harvest and to use, and it wasn't because we didn't have people who were willing to go to work. It was because governments had created conditions in which success was virtually impossible.

We need to take that on as a government. We need to put that on our shoulders and say: "You know what? It is our obligation to step out of the way, make sure that we can reduce the regulatory burden, make sure that we can do everything in our power to create the conditions for success." When something like a blockade happens, I know that I had farmers in my own riding who couldn't get to Carseland to get fuel. I had oil and gas workers in my riding who were messaging me saying: "You know, MLA for Brooks-

Medicine Hat” – I can’t use my name – “what am I going to do? How am I going to continue in this sector? I’ve put years and years in this. I’ve put so much investment. I’ve provided jobs for 50 people. I’ve this, that, and the other thing.” They can’t go on when governments are standing in the way of their success, Madam Speaker.

I just want to thank the Minister of Children’s Services for giving me the opportunity to talk about my constituents. I like to say that I brag a lot about them because they’re pretty great, but they’re all so hard working, Madam Speaker, and it actually makes me a little bit emotional because they work so hard and they do everything that they can. But at the end of the day, they need a government who cares about their ability to put food on the table, and for the last four years, they didn’t feel that there was one. I’m happy to stand here as the Member for Brooks-Medicine Hat, the first Member for Brooks-Medicine Hat since we’re a new electoral district, and say that ours is a government that cares, ours is a government that will stand up for the rule of law and make sure that there are the conditions possible to get you back to work.

Thank you, Madam Speaker.

The Deputy Speaker: Twenty seconds under 29(2)(a).

Seeing none, are there any other members wishing to speak?

Seeing none, would the hon. minister like to close debate?

Mr. Schweitzer: Thank you, Madam Speaker. Again I just want to thank the Legislature and everyone here in the House for this thoughtful debate today that we’ve had on this Critical Infrastructure Defence Act. As well, I’d like to thank the Member for Brooks-Medicine Hat for the work in advance as a private member on this thought process, which led ultimately to the government taking on Bill 1, the Critical Infrastructure Defence Act, that was moved by the Premier. Again, this is an important bill. I encourage everyone in this House to vote in favour of it.

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

[Several members rose calling for a division. The division bell was rung at 10:49 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Aheer	Loewen	Rowswell
Amery	Lovely	Rutherford
Barnes	Luan	Sawhney
Dreeshen	Milliken	Schulz
Ellis	Neudorf	Schweitzer
Glasgo	Orr	Sigurdson, R.J.
Hanson	Pitt	Singh
Horner	Rehn	Smith
Issik	Reid	Wilson
Kenney	Rosin	Yaseen

Against the motion:

Ceci	Irwin	Pancholi
Ganley	Nielsen	Schmidt
Totals:	For – 30	Against – 6

[Motion carried; Bill 1 read a third time]

Government Bills and Orders

Second Reading

(continued)

Bill 4

Fiscal Planning and Transparency (Fixed Budget Period) Amendment Act, 2020

(continued)

[Adjourned debate May 28: Mr. Hunter]

The Speaker: Hon. members, we are at second reading of Bill 4. Is there anyone wishing to join in the debate? The hon. Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Mr. Speaker. It’s a pleasure to rise today to speak to Bill 4, Fiscal Planning and Transparency (Fixed Budget Period) Amendment Act, 2020. I rise today to comment on this bill. It is a bill that in theory we can, absolutely, within this House find some support for, the idea of providing some transparency, some predictability to Albertans and particularly to those Albertans who rely on funding support, grants, service support from the provincial government. It’s incredibly important that there be some predictability in the way that budgets are tabled.

[The Deputy Speaker in the chair]

Actually, we have no better example of that than the first year of this current government’s term. As we know, this government did not table a budget after the provincial election in April. They waited until October to do so, and while that’s not necessarily uncommon – I recall that the previous NDP government did that as well. They waited. But what they did do, the NDP government, was that they provided some certainty to organizations, particularly those who rely heavily on provincial funding such as school boards and municipalities, about the predictability of the funding that would be coming. They basically actually passed measures to ensure that the funding that was being provided would be maintained until the new budget was tabled. There was some predictability there for school boards in the time right after an election.

We saw quite the opposite happen last year, when the provincial budget was not tabled until October 2019. In that time period specifically, organizations like municipalities and school boards really suffered from that because they had to make projections, as school boards do. It’s part of their budget period to make decisions about their upcoming school year in April, May. That’s when they’re doing a lot of their budget work. They’re figuring out how many staff they have, how many students they predict they’re going to have, how they’re going to organize transportation. All those decisions and budgeting decisions are made in April and May for school boards in particular.

What we saw happen last year was actually the uncertainty not only by the fact that a budget was not tabled by this current government but because the government made a number of misleading statements about what would be coming in terms of funding. For example, in the First Session of this Legislature we had the Minister of Education and the Finance minister stand up and tell school boards that enrolment growth would be funded. They were quite proud of that statement after the Official Opposition had been holding them to account on that for quite some time. They seemed quite proud to make that announcement, but then we quickly found out in their budget that they tabled in October that they did not fund enrolment growth at all, actually.

11:10

That created a real hardship for school boards not only because they had been counting on the promises and the statements made by ministers of this government, but they actually had hired staff and they were well into the school year, into the 2019-2020 school year, before they got delivered the blow, which was the education budget for each school board, in the fall by this government. We are still dealing with the consequences of the underfunding from that budget and the fact that school boards did not have the ability to make the plans that they needed to because they relied on statements that were misleading from cabinet ministers about that funding.

More than ever we have a great example of the importance of having a clear budget delivered in a timely fashion so that those organizations in our system can plan appropriately. Of course, we know that there are always going to be some challenges with respect to unprecedented events. Certainly, I don't think we've had a better example of unprecedented disruptive events taking place in this province than we have in the last few months. So I do think some predictability, where it is appropriate and where it is possible, is very important.

While it's good that the government is bringing forward this amendment act to actually provide some level of certainty with respect to when the provincial government will be responsible for delivering a budget, I'm disappointed to see that they didn't actually take the recommendation from their own MacKinnon panel, their blue-ribbon panel, which we certainly see as providing the template and the marching orders for this government to make severe cuts in education, in postsecondary, in health care. For this government to proceed with those cuts, even in light of the pandemic that we've been experiencing – certainly, in many respects the government has taken that blue-ribbon panel report as their mantra. It's actually been their marching orders. Yet in this instance they actually chose not to follow the specific recommendation that was contained within the MacKinnon panel report.

In particular, recommendation 25 in the MacKinnon panel report indicated actually that a specific budget date should be set for predictability. In that respect the report refers to what takes place in British Columbia. For example, in British Columbia they have a specific date, what they say is the third Thursday in February, when the provincial budget will be tabled. That's actually the specific recommendation from the MacKinnon panel report. They support the idea of a predictable date upon which the budget will be tabled.

Unfortunately, what we see here with Bill 4 is a budget period. A period of time somewhere within the month of February is when the current government is suggesting that a budget will be tabled. Now, I again say that I believe in and support the idea of predictable budgets being tabled, but I wonder why the government would choose to not follow the very specific recommendation of the MacKinnon panel report and put in a specific date. That's a question that I'm hoping, as we proceed further in debate on Bill 4, that we have a little bit of a discussion about. What was the rationale, the reasoning, for example, for not following that specific recommendation?

It really means that this legislation is quite thin. It's quite weak. I could probably read out the specific provisions of the bill right now, and it would probably only eat up about 10 per cent of my time, maybe not even that. It is quite weak legislation without that fixed budget date, which is the certainty that I believe municipalities, school boards, and Albertans are truly looking for, and I would invite the government members to comment on why that wasn't the case.

It seems to me that this is – I don't know – a measure to look like they're providing some transparency, some certainty, but they

haven't carried through a hundred per cent, as they should. Particularly right now I think Albertans are looking, at this time of great challenge and unpredictability, for great certainty. I invite the government to actually do that, to provide that specific certainty within this legislation that is in accordance with the MacKinnon panel report. These are the kinds of things I would like to hear from the government with respect to what their rationale is for not following that recommendation. I would like to hear a little bit about whether or not there should perhaps be any penalties imposed upon any government or particularly, perhaps, a Finance minister who fails to actually follow the specific requirements of this legislation and table a budget within the time period set out.

I do have to say that Albertans have a little bit of a lack of faith right now in this government following the rule of law, a phrase we heard used quite regularly today. I actually, as a lawyer myself by profession, very much believe in the rule of law, but I've been disappointed since I've been in this House and in this Chamber to see that the government does not seem to feel the same way, whether it be closing debate on very significant issues, omnibus bills, firing elections commissioners who are investigating them – their members, their leader – their leadership race. I think that right now a lot of Albertans don't have a lot of faith in this government's commitment to the rule of law, so again I invite the government to provide a little bit more assurance to Albertans by putting in some penalties; for example, if they don't follow their own legislation. I think that at this point in time Albertans feel like that's a real possibility.

I think that's a good conversation to have, and I'm hopeful that when we get to Committee of the Whole, for example, on this bill, we will have a discussion about proposed amendments to this bill that will consider that issue, and perhaps the government would like to respond and consider those amendments very carefully. If the intent of this legislation is to provide certainty and assurances to Albertans – I believe the government has a lot of work to do to provide those things – I invite the government to consider those kinds of questions and those possible amendments as ways to really provide and meet the objectives that they've set out in this legislation.

Thank you, Madam Speaker. It's been a pleasure to rise and speak to this bill, and I look forward to doing so again in the future.

The Deputy Speaker: Standing Order 29(2)(a) is available. Are there any members wishing to offer some comments?

Saying none, are there any other speakers to the bill? The hon. Member for Calgary-*Buffalo*.

Member Ceci: Thank you very much, Madam Speaker. Bill 4, Fiscal Planning and Transparency (Fixed Budget Period) Amendment Act, 2020: as my colleague who just spoke previously was talking about, there are parts of this that are supportive, parts of this bill that make sense. It's a very thin, easy read. That's not the part I'm talking about. The part that I'm talking about is, of course, the transparency. While this does purport to be transparent in terms of when budgets or main estimates are brought forward, it's a budget period, and unfortunately that's not shooting very high.

You know, the previous government, of course, didn't have the benefit of a Bill 4. We were doing a number of things, hundreds of things, to try and correct the issues that were brought forward by decades and decades of mismanagement by the PC government in this province. Had we been able to get to this – in due time we would have gotten to a fiscal planning transparency act – I'm confident to say that it would have been a fixed-date amendment act and not a fixed period. There are 28 days in February, and any one of them can be the opportunity to bring forward a budget under

this Bill 4. It doesn't really provide a great deal of predictability on when that is coming forward. It could be one of 28 days, and in Vegas that's a pretty big risk in terms of putting money down on what day the budget is coming forward.

You know, groups and organizations and institutions throughout this province, of course, as my colleague from Edmonton-Whitemud was saying, look to the budget and try and understand what the implications for their funding and for their planning will be, and if it's not predictable in terms of a date, then they're really shooting in the dark.

The other things that aren't apparent in this bill are that there's no real sanction for the Minister of Finance or the entire cabinet if they don't meet the provisions of this bill although you'd think they'd probably try and follow it. If they set up a law in this province, they'd probably try and keep to it, but there are no sanctions or incentives, for that matter, no carrots or sticks, to ensure that they actually abide by the period that is identified in this bill. So that's an issue. Perhaps at Committee of the Whole we'll be in a position to bring forward recommendations to deal with that, and members of the other side will see the sense in putting some carrots and sticks in place so that there's some actual teeth behind the Fiscal Planning and Transparency Amendment Act, which are woefully missing at this point in time.

11:20

As my colleague from Edmonton-Whitemud just said a few minutes ago, you know, this bill has as much to do with the recommendations from the MacKinnon panel as perhaps the NHL hockey season this year will have to do with great hockey. You know, it's a challenge to see any kind of buildup to the season. It may come back. But the MacKinnon panel made a specific recommendation, and that specific recommendation is not found in this bill at all. It purports to follow the MacKinnon panel recommendations, but a date and a period are two different things, and I think everybody knows that. So this is not a recommendation from the MacKinnon panel that's been adhered to.

As I said, it's an extremely short, thin bill, and it could have been better by including some sanctions for cabinet and the Minister of Finance for not adhering to the bill; those aren't in here. It could have been better, improved by having a fixed election date; that's not in here. This legislation, hopefully, can be made better at Committee of the Whole, and we'll certainly have an opportunity to bring forward those recommendations. As I said, we're looking for the support of the other side to make that happen.

With that, Madam Speaker, I'm going to take my position. Thank you very much.

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

Seeing none, any other members wishing to speak? The hon. Member for Edmonton-Ellerslie – my apologies – Edmonton-Decore.

Mr. Nielsen: It's still the same city, Madam Speaker, so it's close enough.

The Deputy Speaker: Yeah.

Mr. Nielsen: North side, south side: it's all great.

I appreciate your recognizing me this morning to speak to Bill 4, Fiscal Planning and Transparency (Fixed Budget Period) Amendment Act, 2020, something that was brought forward allowing a window for the budget to be presented. While I'm not necessarily saying, you know, that we can't support this – when I was involved in negotiations in the labour world, you always want

the best language you can get. The reality is that sometimes you don't always get that. At least, this is something rather than nothing.

But, you know, they did leave quite a large period available, open, with the month of February. I think my colleague had mentioned that there are 28 different days that are available to maybe just wildly pick, so I guess I wonder why, based on the MacKinnon report, that this UCP government has held in very, very high esteem – they refer back to it on many, many occasions on what needs to be done, and this was a very, very specific recommendation within that around establishing a fixed date, not a fixed period but a fixed date. So I'm now starting to wonder why it was that on this particular item the government decided: well, we're not going to follow that one; we're going to do our thing over here. Yet there were other instances where we saw the government saying: well, this is what the panel said that we need to do, and we're going to do it come hell or high water. So a little, I guess, confused about why we would just sort of abandon that particular item there.

As some of my colleagues have also mentioned, I see a bit of a lack of potential penalties or consequences for not hitting this proposed window. I have to say, you know, that when you have one instance of, I guess, a deflection of responsibility, so be it, but now we're seeing a second deflection of responsibility here. I mention Bill 14, where the government put in some language around: you can't hold us responsible if things go sideways. Now we start to see a pattern starting to form here, Madam Speaker, where the government is prepared to present legislation where they're starting to wonder: well, it might or might not work, but just in case, don't hold us responsible. That does not provide confidence to Albertans that their government knows what they're doing. It leaves a lot of uncertainty out there.

My colleague from Edmonton-Whitemud very, very eloquently talked about school boards needing to have some certainty around their budgets, how they can plan for those kinds of things. Here we are talking about a fixed budget period, yet there are no consequences and no responsibility if we can't even hit this budget period. Again, I'm always getting hung up on the language, Madam Speaker, where we're saying one thing, we're printing something else, and then we're doing something else on top of that. That creates confusion. It creates uncertainty, something that has been talked about by many members of the government and the government caucus, yet here we are creating uncertainty because we really don't know whether we're going to hit this period or not.

I think it's probably worth mentioning, especially since we've heard it many, many times – not that I was keeping track of it this morning, but I think we heard it up to as many as a dozen times – the rule of law. Here we are proposing a law, yet we're giving ourselves a back door with which to escape if we don't hit that rule of law. Do you really believe in the rule of law, or is it only, "Well, we'll believe in it as long as it works for us," and when it doesn't, it's, "Hang on; we don't want to follow that"? It kind of sends some mixed messages.

Again, it's not that I'm saying that I'm not prepared to support the legislation. I'd rather have something than nothing. As my colleague said, there were a lot of changes that were on the books when the former NDP government was looking at legislative time, and unfortunately there's only so much you can get done in that time, but that was one of the things we were certainly going to look at. You know, it would have been better to see a fixed budget date rather than a budget period.

When we're faced with things like, you know, the big job losses that we've seen here in the province, especially as of late during the pandemic, no commitment to help people with their financial struggles, no commitment to help school boards in educating

Albertans' children, no supports when it comes to Alberta businesses and the landlords, I guess I shouldn't be surprised when I don't see any real commitment when we talk about a fixed budget date versus a budget period. Like I said, perhaps throughout the process, Committee of the Whole, there'll be a chance to maybe make some suggestions on how we could strengthen the language that is presented. Something is better than nothing, but I would like to see a better something rather than nothing.

I do look forward to seeing some more of the debate here this morning on Bill 4, and hopefully we'll get a chance to maybe offer some suggestions in Committee of the Whole on how we can make Bill 4 a little bit more predictable, maybe a little bit more accountable for the government so that Albertans can maybe finally start to have some confidence in how their government is running the province here in Alberta.

11:30

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

Seeing none, are there any other members wishing to speak to the bill? The hon. Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you, Madam Speaker, and I want to thank all of my hon. colleagues who have weighed in on the debate on this legislation already. I think they've hit on some of the important things that need to be considered when considering how to vote on this piece of legislation. One of the things that has come up time and again in the comments that we've heard is the fact that this legislation doesn't really comply with recommendations from the MacKinnon panel report. In fact, you know, I went through and reviewed the MacKinnon panel report, and indeed it is true that the MacKinnon panel report did recommend setting a fixed date rather than a fixed period, which is what we see here.

Far be it from me to criticize the government for walking away from a recommendation in the MacKinnon panel report. I reviewed the report. There are some 25 recommendations, and in fact I would encourage the government to continue down this path and reject the other 24 recommendations in the MacKinnon panel report in addition to rejecting the recommendation made to establish a fixed budget date. Indeed, I think there are probably many members of the caucus in the party opposite that are quietly wishing that the government would walk away from some of these recommendations as well.

I look at the recommendation that the MacKinnon panel report made to renegotiate the agreement with the Alberta Medical Association. That's not going particularly well, and certainly we've heard from many rural doctors all across rural Alberta that the government's ham-fisted dealings with the Alberta Medical Association are creating a lot of consternation for rural MLAs. I know that we've seen a number of rural doctors pulling out of locations all across the province, so I'm certain that those conversations are going on behind closed caucus doors, that perhaps the government should review that recommendation.

With respect to other recommendations that I think the government should probably reject in addition to their move to reject this recommendation from the MacKinnon panel report to establish a fixed budget date, I certainly am concerned about the budget with respect to Advanced Education. The MacKinnon panel report recommended that the funding mix for Advanced Education institutions in this province should fall more in line with those of British Columbia, Ontario, and the other large provinces. Well, Madam Speaker, this move to comply with the MacKinnon panel's recommendations has certainly had a significant impact on an institution in my riding. The Campus Saint-Jean, a faculty of the University of Alberta, is facing over a 40 per cent cut and will

reduce probably 70 programs. That will significantly affect francophone rights in the province of Alberta to receive higher education in the language of their choice and will certainly diminish the ability of people to receive higher education in the official language of their choice.

It's curious to me, Madam Speaker, that on a number of occasions the government is holding the MacKinnon panel up as a shield for these really unpopular decisions, but when it comes to establishing a fixed budget date: "Well, who's Janice MacKinnon? We've never heard of her." The report is just sitting on a shelf not being dealt with, a lot like the Fair Deal Panel report. You know, I certainly just want to reiterate that I applaud the government's move to move away from this recommendation in the MacKinnon panel report, and I encourage them to walk away from the other 24 recommendations as well before it's too late.

On the issue, though, of transparency, I do want to highlight the fact that time and again we've seen members of this government claim to be open and transparent, yet when pushed to be actually open and transparent, they fail to do so. I refer, of course, to the COVID pandemic government response debate that we had yesterday.

The Deputy Speaker: Hon. member, we are currently on second reading of Bill 4, which, for your record, is the Fiscal Planning and Transparency (Fixed Budget Period) Amendment Act, 2020. I will remind you to steer back towards that debate instead of the many other debates of which we've already heard in the five minutes in which you've been speaking.

An Hon. Member: It's very relevant.

The Deputy Speaker: Hon. member, I'm speaking right now.

I will ask the hon. Member for Edmonton-Gold Bar to please proceed with the debate on Bill 4.

Mr. Schmidt: Well, absolutely, Madam Speaker. Of course, the issue is transparency. It's right there in the label. It's right there in the title of the act. We're dealing with fiscal transparency in this case, and certainly the issues of fiscal transparency were nowhere to be seen during the COVID pandemic debate yesterday, when 18 of 23 cabinet ministers . . .

The Deputy Speaker: Hon. member, I will give you one more chance to speak on the matter which we are currently debating; otherwise, we will move on with another speaker.

Mr. Schmidt: Well, Madam Speaker, I'm doing my best to convince you that, in fact, the issue is transparency. It's right there in the title of the bill. Certainly, in my comments related to this piece of legislation I'm encouraging the government to honour its commitment to transparency. In speaking to this bill, I think it's important that the government demonstrate a genuine commitment to transparency, which we haven't seen yet from this government.

On the issue of transparency, I will leave what appears to be a contentious sore point for the UCP caucus and talk about the fact that we have seen issues of transparency with respect to budget-related matters. I think my hon. colleague from Edmonton-Whitemud has raised a number of issues with respect to budget transparency in the past. She highlighted the Education minister's promise to not cut funding to education when, in fact, days later those decisions were reversed. It is critical to the sound operation of the public sector in this province that public-sector agencies who are receiving money from the treasury have a clear understanding of what they can expect in their budgets.

I appreciate that the Executive Council wants to provide some level of transparency, and I would encourage them to do so not just by establishing a fixed budget date rather than a fixed budget period as proposed in this legislation but also by making sure that they honour the commitments that they make in the public statements around the budget.

You know, we certainly heard from many members of the public that they are shocked and appalled that a minister could stand up in a press conference and promise to keep funding that was in the budget for educational assistants and then only a few days later announce that those people were going to be laid off. This is the opposite of transparency. This is the opposite of accountability.

You know, it's probably beyond us to be able to legislate ministers honouring the commitments that they make in press conferences, but that's certainly what a lot of my constituents would like to see, that ministers who make these kinds of public commitments about the budget actually are able to honour them and that there be consequences for them for going back on their word. I would certainly encourage the government to put its mind to how it can actually do a better job of keeping its public commitments with respect to the budget, more than just committing to bringing down the budget during the month of February.

You know, Madam Speaker, it is really a shame with respect to, again, accountability and transparency with respect to the budget. I appreciate, you know, that on paper the members opposite are committed to enhancing accountability and transparency with respect to the budget. What we've seen, of course, as I've mentioned before, with respect to the lack of credibility around the statements with respect to certain items of the budget is concerning but also the processes which the government has used to pass the budget. You know, on March 17 we passed the budget for the province of Alberta even though we hadn't gone through the proper means of examining the departments individually. That was all fast-tracked under the guise of a pandemic.

11:40

Mr. Smith: Point of order, Madam Speaker.

The Deputy Speaker: The hon. Member for Drayton Valley-Devon.

Point of Order Relevance

Mr. Smith: Thank you, Madam Speaker. I rise to speak to a point of order under Standing Order 23(b):

- speaks to matters other than
 - (i) the question under discussion.

When I look at this bill, I see a bill that talks about setting a particular date for when the main estimates will be tabled. I see a bill that speaks to that issue. It's not a very thick bill. It's not very wide. It's not very long. It's not got a lot of breadth or depth to it. It's a pretty succinct piece of legislation, that I would expect the members of this House would be able to speak to. What I hear is somebody speaking to an awful lot of other issues but nothing that goes directly to the question under discussion.

The Deputy Speaker: The hon. Member for Calgary-Mountain View.

Ms Ganley: Thank you very much, Madam Speaker. Now, I mean, the member is correct. The purpose of debate in this place is to focus on the bill, but I think that part of the bill, presumably, would be the title of the bill, which speaks specifically to transparency. The

communications around this bill, all of the documentation around the bill, everything that the government and the government members have been saying about this bill to the public is supposedly how it's supposed to increase transparency. Obviously, we quibble with the increasing of transparency. We disagree. We don't think, in fact, that this is intended to increase transparency. In fact, it doesn't do what it is purported to do.

I think there is a long history of folks having latitude to speak to that in this place, certainly, particularly as a result of the debate yesterday, which was sold as something other than what it was. The government members seem to be more than usually sensitive about their lack of transparency. But that doesn't change the fact that transparency is an issue that the government has raised in relation to this bill, and therefore speaking to transparency . . .

The Deputy Speaker: Hon. member, I think we're wading into a whole different debate right now. In fact, the debate should be on the point of order that was raised.

However, I am prepared to make a ruling. While I find no point of order on this particular area, I do express some caution on what the member's debate was heading into, which is proceeding with a matter of debate which has already been settled, which is matters in this Assembly that have been dealt with.

I will again express caution. Let's move back onto the debate of Bill 4 and see where we get with that.

Hon. Member for Edmonton-Gold Bar, please proceed.

Mr. Schmidt: Thank you, Madam Speaker, and I want to thank the hon. Member for Calgary-Mountain View for articulating what I thought was a particularly cogent argument.

I'm sorry that the Member for Drayton Valley-Devon hasn't missed me as much as I've missed him. I've certainly sat patiently through everything that he's had to say, and it certainly would be nice if he would extend me the same courtesy, especially since our time together here is short. We don't know how much longer either of us is going to be here, and I think we should really work to treasure all the time that we have together and not seek to shut each other down.

Debate Continued

Mr. Schmidt: With respect, though, to accountability and transparency when it comes to the budget, of course, many of my constituents were concerned with the lack of accountability and transparency with which the government short-circuited the normal budget processes here. You know, we certainly think that accountability and transparency are important pieces of the budget process, and that's why we think that establishing a fixed budget period is probably a good idea. But this piece, certainly, is meaningless in the face of a government that is intent on circumventing accountability and transparency in a whole host of other measures, which I've already outlined.

You know, I certainly don't want any of my constituents to think that this legislation is anything more than just public grandstanding. In my view, I don't think it's a genuine commitment to enhancing accountability and transparency when it comes to the budget process here in Alberta.

You know, I think that my colleagues here also have a number of things that they would like to say. Again I just want to express my support for the idea of enhancing accountability and transparency around budget processes. I would certainly encourage the government to do better when it comes to that, and I've highlighted a number of ways. We live in hope that perhaps the government will do a better job going forward with respect to accountability and

transparency in the budget, and certainly I know that as the representative for the people of Edmonton-Gold Bar I will continue to demand that from this Executive Council.

Thank you, Madam Speaker.

The Deputy Speaker: Standing Order 29(2)(a) is available for any members wishing to make comments.

Seeing none, are there any other members wishing to speak to Bill 4 in second reading? The hon. Member for Edmonton-Highlands-Norwood.

Member Irwin: Thank you, Madam Speaker. This is my first time speaking since we've returned, so I just want to take a moment to, as always, thank our front-line workers and our health care workers. You know, I've mentioned this in the House before, but we are quite privileged to have the roles that we have. I just think we need to every day show our gratitude to those front-line health care workers, those essential workers who are doing so much for all of us, and we can be here.

I also just want to mention, you know, of course, those whose lives have been lost. I know that our chief medical officer of health always says it quite poignantly. When she mentions the numbers, she points out that each of these folks had a story, and that needs to be remembered. I think about Benito Quesada, who just lost his life. He was a 51-year-old father of four who worked at the Cargill plant. Condolences to his family and friends.

I'd like to rise and speak today to Bill 4. I won't speak too long because I know that I have another colleague who would like to speak as well, and it's very hard to, as always, follow the Member for Edmonton-Gold Bar. He took a lot of my points that I was going to make, I must note. So I will say them again, just perhaps not as well.

You know, echoing his comment as well as the comments of a number of my colleagues who've spoken today, this was an opportunity for this government to bring forward legislation that really would address the title of the legislation around a fixed budget period, having an actual fixed budget date. By instead passing legislation that has a range of 28 possible dates, as the Member for Edmonton-Gold Bar so aptly stated, this is very much at odds with our Premier's own blue-ribbon panel, the MacKinnon panel. It's interesting. Of course, that panel, as has been noted, called for a hard, fixed, predictable date for a budget every year, and this bill does not do such a thing. It's interesting to me that we have a government that has put so much weight on panels and on hand-picked panels, in fact, yet they seem to be picking and choosing the recommendations. So it does cause one to question, perhaps, the necessity of such a panel when this government is ultimately going to do whatever the heck they want anyways.

It leads us to some pretty important questions. My colleague from Edmonton-Whitemud spoke about the role of school boards. She worked with Alberta Education. I did as well. I was a teacher. I was a vice-principal. We worked with budgets. We know how important it is to have predictability in the budgeting process, especially at a time when school boards and schools are facing a whole heck of a lot of unpredictability from this government, especially when they're facing a government that's making budgeting extremely challenging and they're having to make very difficult decisions regarding budgeting. So I wonder.

You know, we're early in the reading of this bill, so I do hope that the government considers the needs and the wishes of school boards as we move forward with this. Perhaps if there are to be amendments – and I'm not sure. I certainly won't speculate on what any amendments could be, but like I said, this is truly an opportunity. If this government is going to claim fiscal

transparency, well, here is an opportunity to do so in a way that many stakeholders would support.

11:50

We also disagree that there should be no penalty if the government fails to live up to this legislation. As has been noted, in fact, even by government members, this is very thin legislation. There's not a whole heck of a lot there. Again it makes you question: you know, if we're here in the midst of a pandemic, why ram this through when it does seem to be fairly thin?

I'm not sure how much consultation took place with this bill. I'd love to hear from the members opposite. Perhaps they can shed some light on this.

It also brings up the question of accountability. We've spoken on a number of occasions in this House around accountability, and we wonder. Given the fact that there's no fixed budget date and there are no incentives or sanctions to hold cabinet accountable for their actions here, then I think it's fair, you know, to ask the question: who's going to be monitoring any decisions that this government makes? The reason why I bring this up is that I think about Bill 10 and I think about the sweeping powers given to cabinet. There seems to be a bit of a trend with recent legislation introduced by this government.

As I said, I won't speak too long because I know that I have a colleague who'd like to speak as well. But I really would like to urge the government to consider truly: what is the purpose of this legislation? Why pick and choose recommendations of your own blue-ribbon panel, the MacKinnon panel? You can pretty much count on us questioning the same thing in the future when you are supporting recommendations and you're pointing to the MacKinnon panel. Again, think about this.

Thank you, Madam Speaker.

The Deputy Speaker: Standing Order 29(2)(a) is available. I see the hon. Member for Bonnyville-Cold Lake-St. Paul.

Mr. Hanson: Thank you very much, Madam Speaker. I just wanted to jump up and talk about it because I sat here and listened quite patiently to what I've been hearing, complaints from the NDP caucus about fixed budget dates. I'd just like to point out that they often complain that we didn't release our budget until October 24 in 2019 but just remind the caucus members that they didn't release theirs until October 27.

They talk about school boards and municipalities sitting on pins and needles waiting. Well, we've offered a pretty close date of February, to guarantee that a budget comes out in February. In 2016 the NDP put out their second budget on April 14. I can only imagine that the school boards and municipalities sat on pins and needles from January all the way to April 14. In 2017 they released their budget on March 16; in 2018, March 22. In 2019 they didn't put a budget in at all because of the election in April. It's really rich to sit here and listen to these folks complain about how school boards and municipalities are going to sit on pins and needles when we've promised them a date that they could actually look at to set their priorities, the shortest month of the year.

You know, we could pick a specific date, I guess, and say February 29, but that would be a bit of a joke. I think the consistency that municipalities and school boards would know that the money, the budget would be coming out in February is fairly succinct and close enough, far more sufficient than the dates that the previous government had.

Thank you, Madam Speaker.

The Deputy Speaker: Are there any other members wishing to speak under Standing Order 29(2)(a)? I see the hon. Member for Calgary-Mountain View.

Ms Ganley: Thank you very much. There's just so much in there that begs correcting. It's difficult to know where to begin, but let's start with this. When we're talking about school boards, the challenge that school boards had – now, it's always the case that a government has to tell a school board what they're getting ahead of a budget because of the alignment of budgets during election years. The member is right in that sense. He's alluding to the date of the budget, but the difference is that we told school boards what we were getting. They told school boards what they were getting, too. They told them that they were getting funded enrolment growth except that's not what they did. There's a word for that, Madam Speaker, but I won't say it because I see that look you're giving me.

You know, I think that when we're talking about the transparency and the people waiting on pins and needles and this and that, it's not necessarily about the date of the actual budget. It's about the ability to communicate with those stakeholders. School boards have to budget as well. In this year school boards wrote a budget based on what they were told by this government, and that budget was wrong because what the government told them was wrong. That meant that not only did they have to deal with the cuts in terms of per capita funding, but they had to deal with additional cuts on top of that because they had overspent in September because they based their spending on what the government told them they were going to get, which was not what they got.

I think there's a pretty big difference between those two scenarios, and I think that if we're talking about things that are rich, it's pretty rich for the member to try to conflate those things and try to imply that they are, in fact, the same thing, because they aren't.

The other thing the member said was that there was a fixed budget date, and he made some weird joke about the fixed budget date being February 29. I think what my colleagues were talking about was the fact that there is not, in fact, a fixed budget date. There's a fixed budget period, which is multiple days long, 28 days, I think, long. I mean, to speak to the comments of the member rather than to the substance of the bill itself, I think that for him to get up and say that it is rich for my colleagues to make those statements when, in fact, those statements are completely factually accurate –

I think the challenge here is that if the member quibbles with the fact that we're saying that they told school boards they were getting a certain amount of money and then, in fact, school boards didn't get that amount of money, the solution to that is not to quibble with the fact that we've said it but just not to do it in future. I think that that's probably a solution that everyone would be happier with.

The Deputy Speaker: Any other members wishing to speak to Bill 4 in second reading? I see the hon. Member for Calgary-McCall.

Mr. Sabir: Thank you, Madam Speaker. I rise to speak to this Fiscal Planning and Transparency (Fixed Budget Period) Amendment Act. I think the bill title got this one right because it's a fixed budget period and there is no date at all, so I agree with this part.

It talks about fiscal planning and transparency in budgets, which are one of the most important documents in any government. It sets out the financial policy, fiscal policy for a government for a set period of time. I think that when we talk about having a fixed date to set that policy, it's quite fair that we elaborate on what those policies include, whether there are some pros and cons for setting those policies. The school board example was given by my colleagues. In school board cases it may be wise to have a set date so that school boards get money before the start of the school year. In some other cases it may not be very clear that having a set budget date will make any difference. I will be talking a bit about the importance of a budget and how some of the policies contained in the budget may benefit from a fixed date and for other priorities that may not be practical to do.

The second thing. I think this piece of legislation is coming forward as a result of the MacKinnon panel, the blue-ribbon panel. This piece of recommendation needs to be viewed, needs to be analyzed in that context, with all of the recommendations as well, so I suggest that it's also fair to talk about those recommendations and set the context for this piece of legislation.

The Deputy Speaker: Hon. member, I hesitate to interrupt, but the clock now strikes noon.

The House stands adjourned until 1:30 this afternoon.

[The Assembly adjourned at 12 p.m.]

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