



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Tuesday afternoon, October 27, 2020

Day 58

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Second Session

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Carson, Jonathon, Edmonton-West Henday (NDP)
Ceci, Joe, Calgary-Buffalo (NDP)
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United Conservative: 63

New Democrat: 24

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Legislative Assembly of Alberta

1:30 p.m.

Tuesday, October 27, 2020

[The Speaker in the chair]

Prayers

The Speaker: Lord, the God of righteousness and truth, grant to our Queen and to 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 interest and prejudice, keep in mind their responsibility to seek to improve the condition of all.

Please be seated.

Introduction of Guests

The Speaker: Hon. members, joining us in the gallery today are guests of the Member for St. Albert, parents against the privatization of FSCD and PDD homes. Please rise and receive the warm welcome of the Assembly.

Ministerial Statements

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

Joey Moss

Mrs. Aheer: Thank you, Mr. Speaker. One of the most beautiful things that we get to do in our jobs is acknowledge heroes. Today I'm honouring the smile, the love, and the affection of Joey Moss, a legendary member of the Edmonton sports community, who left us yesterday.

Joey is perhaps best recognized because of his 35-year career with both the Edmonton Oilers and the Edmonton football team staff, beginning with the Oilers in 1984 and the football team in 1986. Of course, Joey never failed to impress people he interacted with because of his work ethic, his positive spirit, and his love and passion for sport. He became the Oilers' locker-room attendant in 1984, when the Great One himself, Wayne Gretzky, was dating Moss's older sister. He said: we were all so lucky enough to be part of his life for a lot of years; his love for life always brought a smile to anyone who met him; whether it was a coffee before practice or a big hug after a great win or a tough loss, he would put life in perspective.

The people watching from home or on television or reading about Joey's story in the newspaper saw Joey embraced fully by the players and coaches alike as a friend and as a teammate. Albertans and Canadians connected with the familiar and iconic footage of Joey passionately singing *O Canada* at the very top of his lungs at the Oilers' home games. Joey's job was a room attendant, but his passion was for the team, the players, and his sport. Reading the impact that he had on them was so overwhelming and joyful at the same time. The outpouring that we've all seen from so many of these players about Joey's passing speaks to how much of an incredibly special human being he was.

Perhaps the most inspiring thing we learn about people like Joey is about their natural passion and their ability to love, which creates a space where we see people for who and what they are and what they inspire. The Winnifred Stewart Association and the foundation

said that Moss touched the hearts of a lot of people. Their quote said:

We hope that Joey's legacy will continue on through the Edmonton Oilers, Edmonton Football Team, and all professional sports clubs and workplaces, as we continue to recognize the contributions that people [within the developmental disabilities community] make in our society, as integral members of the workforce.

In 2003 he was presented the NHL Alumni Association's seventh man award, which goes to NHL members whose behind-the-scenes efforts make a difference in the lives of others. In 2007 he accepted the mayor's award from then Mayor Stephen Mandel in recognition of the Oilers' commitment to persons with disabilities. In 2015 he was inducted into the Alberta sports hall of fame to honour his contributions and dedication made to both the Oilers and Edmonton's CFL club. In 2012 he was recognized with the Queen Elizabeth II diamond jubilee medal.

The world feels very upside down these days. We talk about bravery and being courageous. We speak about a strong work ethic and the resilience of Albertans and their communities. Joey embodies the spirit of all of these things and at a time when we need it most, when we are reminded of the strength of an amazing human who took every opportunity to seek joy and bring joy to others in a life that I would say was very well lived. That is something we can all learn from and something that we must continue in his spirit.

I would have to say that former Edmonton football team lineman Blake Dermott said it best. He said:

So often in a season you're physically tired, you're emotionally tired, and you're just drained. Sometimes you come into the locker room, and you don't even feel like lifting your head if things weren't going well. Then you'd see Joey working and just working hard like he did every day. He came in. He had jobs to do. He did his jobs. He never complained. When you saw that, it was really tough to feel sorry for yourself. It was difficult not to react positively to Joey. He truly was my inspiration.

Thank you, Mr. Speaker.

Ms Goehring: Like many Albertans, my colleagues and I are saddened by the news of Joey Moss passing away yesterday. Joey holds a very special place in my heart. Growing up in a hockey family, we loved everything to do with the Oilers, and Joey was a consistent part and core of the team. He was and remains the heart and soul of the Edmonton Oilers. As a lifelong Oilers fan I was excited when I learned that Joey shares a birthday with me, September 25. When I was younger and found this out, I was so excited to discover that I shared a birthday with a celebrity, and he is the best celebrity to be associated with. He had an ability to unite people through his passion for sports, his city, his country, and, of course, his singing of our national anthem.

As the opposition culture critic – the impact that he had on Alberta sports and culture has to be noted. Through his work with the Edmonton Oilers and the Edmonton football team his contributions to sports and culture in this province are remarkable. This is why he was rightly inducted into the Alberta sports hall of fame in 2015. So many hockey and football players, broadcasters, and fans have been sharing what Joey meant to them. Wayne Gretzky has shared what his 35 years of friendship with Joey have meant, and current Oilers, including current captain Connor McDavid, shared how Joey was able to brighten up any day.

Beyond what Joey did for sports, what he did for the disability community is simply remarkable. What an inspiration and reminder that people with disabilities are a valuable part of our communities and society and have every desire to live with purpose and serve our communities when barriers are removed to ensure inclusion.

Joey was a trailblazer and an advocate for all people with varying abilities.

I want to also share sincere condolences to care staff over the years who are mourning this loss. One of my constituency staff had the privilege to work with Joey, and we talked lots last night and today about how Joey's positive attitude and smile were contagious to those around him. His bright light will live on in the murals in Edmonton, his legacy with sports in the city, and his ability to make everyone smile.

And just as I have every year when it is my birthday, I will be grateful that I get to share it with an amazing person who has done so much for Edmonton and Alberta. Rest in peace, Joey. We will miss you, and you will continue to mean so much in our lives.

Thank you.

Members' Statements

The Speaker: The hon. Member for Calgary-Buffalo.

Calgary Job Losses

Member Ceci: Thank you very much, Mr. Speaker. The UCP are failing the people of Calgary. They ran in 2019 on jobs and economy and pipelines, but their record shows that they have been an abject failure on all of these. Fifty-five thousand jobs in Alberta were lost before the pandemic. The UCP is making life more expensive for everyone except the profitable corporations, who got a \$4.7 billion handout, which so far has gone into the pockets of shareholders or into investments in other provinces or countries.

1:40

Today we learned that under the UCP's watch thousands more jobs are being lost in Calgary. Cenovus banked over \$650 million from the corporate handout and today announced that up to 2,150 people will lose their jobs. More hardships for the people of Calgary. Yesterday, when asked about the potential for job losses, the Energy minister, rather than showing compassion or concern, claimed that consolidations were not unexpected nor unprecedented. The Premier promised that his \$4.7 billion corporate handout would fill Calgary's office towers when, in fact, it's emptying them out. Another promise made, promise broken.

Calgarians are waiting for a plan from this government to grow the economy and create jobs, but all that this out-of-touch, out-of-ideas, soon to be out of office UCP could come up with was taking their failed corporate handout and speeding it up. Despite what the Finance minister and the Premier tell Albertans, doing the wrong thing faster is not the same as doing the right thing. Calgarians deserve a real plan that will create jobs, grow the economy, and support the city of Calgary.

Our caucus is focused on real solutions and real actions to get Albertans back to work. I invite all Albertans to join in creating that plan, that will move Alberta forward, at albertasfuture.ca.

Joey Moss

Ms Armstrong-Homeniuk: Mr. Speaker, Albertans lost a great man yesterday. The legendary Joey Moss passed away at the age of 57. Many of you will know him as the man who sang the anthem with such vigour and enthusiasm, but to the members of the Oilers' community and the Edmonton football club he was much more than that. Joey has been a beloved member of the Edmonton Oilers for decades as he was their enthusiastic locker-room attendant since 1984, after the hockey legend Wayne Gretzky recommended him. Since 1986 Joey was also part of the Edmonton football club. He brought the same energy into their locker room. He brought passion

and love for the sport, that we all saw on camera, which he carried into the locker rooms.

Joey not only showed a passion for sports but was also an example to the developmental disability community. He impacted millions of people, many he had never met, because he changed how we saw people with developmental disabilities.

Joey had a lot of accomplishments in his career. In 2003 he was presented the NHL Alumni Association's seventh man award, which goes to NHL members whose behind-the-scenes efforts make the difference in the lives of others. In 2007 he was awarded the mayor's award in Edmonton in recognition of the Oilers' commitment to persons with disabilities. In 2012 he was recognized with the Queen Elizabeth II diamond jubilee medal, and in 2015 he was inducted into the Alberta sports hall of fame to honour his contributions and dedication towards the Oilers and the Edmonton football club.

He also left a legacy with the Winnifred Stewart Association, which offers programs which assist individuals with disabilities to lead fulfilling lives and become integral members of the community. He helped start the empties-to-Winn program, in which they raised millions of dollars and will continue to do so for many years.

Joey's legacy will forever live in the Edmonton Oilers' community as well as in the Edmonton football club. May he rest in peace.

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

COVID-19 Response and Economic Recovery

Mr. Horner: Thank you, Mr. Speaker. Albertans have seen a lot of pain these last seven months. The COVID-19 pandemic has tested our resolve, and it's forced us to make decisions that no Alberta government has had to make in the last 100 years. Back in March, at the beginning of all this, the Premier and Dr. Hinshaw rightfully made protecting Albertans the top priority in our response. As the summer wore on, we experienced the risk of relaunching and recovering our economy. Not since the 1930s has our province dealt with rebuilding the economy on this scale.

It is safe to say that no one wants to go through another round of shutting down and starting it all back up again. To Alberta's credit, we did have one of the least restrictive lockdowns; 85 per cent of the businesses in our province, representing 96 per cent of our economic activity, were able to remain open. This was because of the great work done by Dr. Hinshaw and her team and their focused response to areas of high transmission while leaving transmission areas with the appropriate level of restrictions.

However, as David Staples says in his recent article for the *Edmonton Journal*, "The harm caused by lockdowns is much worse than the disease of COVID-19." This claim is backed up by Dr. Ari Joffe of the Stollery children's hospital, who said: I'm truly worried the lockdown approach is going to devastate economies and the future for our children and our grandchildren. To be clear, he was in support of lockdowns when this all began, back in March. Now Dr. Joffe believes that the destruction of lives and livelihoods in the name of survival will haunt us for decades. Every day I hear stories of insolvencies, desperation, and distress, and it is heartbreaking to hear.

With suicide and drug overdose deaths on the rise, the urge to lock down might slow the rise in case numbers, but it won't save all lives. As a society we cannot afford another lockdown. We must all act responsibly to protect our seniors and the most vulnerable. We've learned from the global mistakes how not to respond. Now we must move forward with a focus on personal responsibility and targeted actions.

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

Renewable Energy Development

Ms Ganley: Thank you, Mr. Speaker. There's been a lot of bad news for the Alberta economy in the last year. We're seeing more and more job losses, even before the pandemic, which has only compounded the difficulty. This has been incredibly hard on Albertans. Families are hurting across this province, and many are beginning to lose hope.

The UCP government is trying to seek refuge in the past, relying on discredited trickle-down economics and a \$4.7 billion corporate handout, calling diversification a luxury, and attempting to turn back the clock. It has not only failed to create jobs but shed them in the tens of thousands.

These are challenging times. There is hope, but the way forward does not lie in the past. In 2017 the NDP government used competitive market forces to bring the lowest cost renewable energy in Canadian history. In early 2019 the NDP government secured record low prices on solar energy, again by working with the market. In each instance the UCP and those like them, who refuse to look to the future, were surprised. They said that it couldn't be done, but it was, and those NDP programs are still benefiting this province, as is that vision of the future and creating economic activity today.

We can't afford to chase investment away by calling it a fad. There are trillions of dollars in global capital looking for a renewables home right now. The market is changing, and we need to keep welcoming it. The UCP said that it was impossible then; it wasn't. They say that it's impossible now, that we must seek refuge in the past, and it becomes clearer and clearer that that will not work. Albertans are losing hope. The path forward does not lie in the past. This province is filled with smart, hard-working, innovative people. Our energy industry is adaptable.

Last night I had the opportunity to consult with Albertans about the opportunities for Alberta's energy future. We want to hear from you at albertasfuture.ca. Alberta has a bright future. It is possible, and we can get there together.

The Speaker: The hon. Member for Fort McMurray-Lac La Biche.

Breast Cancer Awareness

Ms Goodridge: Thank you, Mr. Speaker. October is Breast Cancer Awareness Month, and I have had many conversations with my friends, family, colleagues, and Albertans to raise awareness over the course of this month. I have learned many facts and stats about this disease although, far more importantly, I've had many brave women share their stories with me. I've had a few people ask me why I decided to take on this cause. For me it's simple. It's been 10 years since I've been able to hug my mom, 10 years since I've been able to hear her laugh.

Every single day six Albertans are diagnosed with breast cancer. Almost 11 years ago my mom, Janice Goodridge, was diagnosed with stage 4 breast cancer at 48 years old. Sadly, she didn't make it to see her 50th birthday. By the time she found her cancer, there were limited treatment options available to her, but one thing she did take full advantage of was her ability to share her story with others. She took every opportunity to raise awareness of breast cancer, to give it a face, and encourage women around her to get this life-saving screening. Throughout her life my mom always generously gave of her time, talent, and treasure to causes that were important to her.

Shortly after receiving her diagnosis, she decided to create a team for the upcoming Relay for Life. In total her team raised over

\$30,000 in a short couple of months for breast cancer research. She was brave, she was courageous, and she was strong. She taught me that you fight for something even when you know that you might not win your battle. I believe that this is a winnable fight and that it's especially true when breast cancer is found early, so I would urge everyone to please consider that, talk to your doctor, talk to everyone, get breast cancer screening.

Thank you.

1:50

Oral Question Period

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

Energy Industry Jobs

Ms Notley: Thank you, Mr. Speaker. Yesterday I asked the Energy minister to advise this House on how many Albertans are expected to be fired after Cenovus' deal with Husky. She proceeded to dodge the question and lecture us on the merits of mergers and acquisitions. But what I care about are jobs and paycheques for Alberta workers. Today we now know that it will be more than 2,000 jobs lost in Calgary. Is the minister seriously going to tell these 2,000 Calgarians that this represents a success?

Mr. Jason Nixon: Mr. Speaker, it's pretty rich for the Leader of the Opposition to pretend that she now cares about energy workers or energy projects inside our province. She certainly didn't care when it came to pipelines when she was the Premier of this province. The NDP continue to bet against Alberta, to bet against our province, hoping for our defeat as they support their close ally Justin Trudeau in Ottawa. This side of the House has a different approach. We're focused on getting Albertans back to work. We believe there's a great future for our energy industry, and we're not going to celebrate their demise. Instead, we're going to make sure our energy industry can succeed.

Ms Notley: Well, everything that the member opposite just said is not a fact. What is a fact is 2,000 Calgarians unemployed overnight.

Now, we know this government has directed billions and billions of dollars to the oil and gas sector since it was elected. We all agree that oil and gas is critical to our economy. The difference is how we support it. What's shocking about their plan, Mr. Speaker, is that they have not secured any kind of guarantee for job security for the hard-working Albertans who drive this industry. To the minister: is Alberta's so-called recovery plan working in reverse, or is this what you expected all along?

Mr. Jason Nixon: Mr. Speaker, when the NDP just a short while ago were in government, they spent their time stopping the energy industry from succeeding. They have no faith inside the energy industry, and they have spent their time protesting against pipelines, protesting against the energy industry, and not standing up for the largest employer both in this province and inside this country. This side of the House has a recovery plan. We're investing significantly all across this province. We're going to continue to do that until we can get Albertans back to work. While the NDP sits there and tries to go for shutdowns, we're going to work on getting everybody back to work.

Ms Notley: We secured a pipeline's approval while those folks over there did nothing but play politics, yelling at the federal government.

Now, industry experts across the board are telling us there is more of the same to come and that even with a recovery we cannot expect

the industry to create the jobs it once did. That is why now more than ever the government needs to step up and focus on meaningful diversification, not call it a luxury. When will this government abandon their failed \$4.7 billion no-jobs corporate handout, stop paying lip service to diversification, and present Albertans with a real, meaningful plan to diversify our economy?

Mr. Jason Nixon: Mr. Speaker, what that hon. member did when she was the Premier of Alberta was speak against Keystone, protest against Energy East, and she never got one pipeline built while she was in power, instead focused on overregulating our industry, going out of their way to be able to chase away billions of dollars in investment inside this province. Alberta's new government has a different approach. There's a future for oil and gas inside our province. We're going to continue to work to make sure that we can succeed as a province, all while the NDP sit there and hope we don't.

The Speaker: The Leader of the Opposition for her second set of questions.

Ms Notley: Well, Mr. Speaker, we know that if there was money in storytelling, this province would be super rich. Unfortunately, that's not the case.

COVID-19 Testing and Contact Tracing

Ms Notley: Now, yesterday we saw Alberta add more than 1,400 new cases in just three days. The chief medical officer says that we've, quote, crossed a tipping point. She reminded us that COVID is not influenza, as the Premier himself has said, and she urged Albertans to do more, not less, as the Member for Central Peace-Notley argued yesterday. No one wants to see another lockdown, yet this government is sleepwalking into a second wave. Today we propose a suite of measures that don't include lockdown to avoid this. Is the government prepared to work with us to put them in place?

The Speaker: The hon. Minister of Health has the call.

Mr. Shandro: Thank you, Mr. Speaker. I've read the NDP's news release. I suppose their answer is to shout at me to do more of what I'm already doing. They called on us to reverse the plan to fire front-line hospital workers. There's nothing to reverse. There will be no job losses for nurses or other front-line clinical staff. They called on us for testing results to be turned around faster. Alberta has the best testing program in Canada. Our turnaround time is now two to four days. They called for more contact tracers to be hired. Pre-pandemic we had 50 contact tracers; now there are over 800, and we're hiring more every day.

Ms Notley: Well, the minister is correct: we do have 800 contact tracers. That may seem like a lot, but for our population it's low. The Harvard medical journal recommends at least 30 contact tracers per 100,000. This means we need more than 1,300 in Alberta. We can't respond strategically to the speed of the spread if we don't know where it's coming from and where it's going to. This is critical. Will Alberta hire more contact tracers, and if not, just what is this minister doing to improve tracing? We know it's not working right now.

Mr. Shandro: I'm happy to answer the question a second time, Mr. Speaker. I guess that if you have your questions written down for you and you're a little bit too focused on reading, sometimes it's a little bit difficult, but I said that we are hiring more every day. That's what I said.

I'll go back to their press release. They called for a risk index for businesses. We already have the most transparent approach in

Canada. Dr. Hinshaw offers updates twice weekly and will do so more often if needed. We will not apply a one-size-fits-all solution to a complex problem. We have a map that provides guidance for Albertans so that they can understand where the risk is throughout the province.

Ms Notley: Well, another one of the problems we have is very long test result times. Unless you're on a secret list, like the Premier, you're waiting several days for results. That's days of lost wages and lost economic activity. B.C. and Saskatchewan have committed to turning around results in 48 hours, yet AHS is telling Albertans they could wait up to 10 days and to check the website. We must do better. What steps, if any, is this government taking to cut down on the time it takes to get your test results so that we can identify positive cases earlier?

The Speaker: The Minister of Health.

Mr. Shandro: Thank you, Mr. Speaker. I'm happy to answer that question as well a second time. We are doing it through our partnerships with pharmacies as well as with DynaLife so that we can have a greater capacity throughout the system. We did it throughout the spring by investing in equipment, investing in the workforce, investing in supply like reagents and swabs, buying 3-D printers so we can print our own swabs here in Alberta, and that's how we were able to build up a system for testing in Alberta that is a leader in the country.

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

Ms Notley: That was the spring. This is now. We're asking about now.

Health Care Workforce

Ms Notley: Another thing this government could do to combat the steep rise is to stop attacking front-line health care workers. Now, yesterday's walkout was absolutely because of the disrespect and chaos caused by that minister. Back at work today means they're back to providing front-line care, back to risking their lives, and back to working under the threat of losing their jobs. Will the government today do these workers the courtesy of acknowledging that they are front-line, that they are essential, apologize, and stop the plan to fire 11,000 of them?

The Speaker: The hon. the Minister of Health.

Mr. Shandro: Thank you, Mr. Speaker. I'm always happy to stand and answer the hypocrisy of the NDP. As I've said previously in this House, the NDP contracted out 68 per cent of the laundry in this province: all of the laundry in Calgary and Edmonton contracted out. We're proceeding with exactly what the NDP did. They contracted out 70 per cent of community labs in the north part of the province. We're going to continue to do exactly what the NDP did, contracting out those jobs exactly like the NDP did. But, unfortunately, the NDP choose to continue to be hypocritical.

Ms Notley: Well, you know, Mr. Speaker, the Member for Calgary-Acadia disrespects this House with that level of nonsense, and he disrespects Albertans by doing it. He also disrespected those 11,000 workers when he implied yesterday that they were overpaid. These are women and people of colour making less than \$40,000 per year whose pensions you are determined to eliminate and whose pay you think should be cut or eliminated altogether, all this coming from a member who makes over \$180,000 and a Premier who has the

richest taxpayer-funded pension in the country. Will the minister apologize to these front-line workers for claiming they are the greedy ones?

The Speaker: The hon. the Minister of Health.

2:00

Mr. Shandro: Thank you, Mr. Speaker. Here we go again with more hypocrisy from the NDP. We are contracting out laundry, exactly as the NDP did. They contracted out laundry in Calgary and in Edmonton and 60 per cent of the province, and we're going to continue to do exactly what the NDP did. They contracted out 80 per cent of the beds in continuing care. They contracted out labs, 70 per cent of the community labs throughout the province, well, the north end of the province. We're going to continue to do exactly what the NDP did.

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

Ms Notley: One more.

The Speaker: My apologies.

Ms Notley: We did not contract out a single new worker while we were in government. Moreover, we signed a deal to protect their jobs. You ripped it up in the middle of a pandemic. This minister is threatening the livelihood of these front-line, hard-working health care workers. They go to work wondering if their pink slip will arrive today, tomorrow, or the next day. How can they possibly also protect Albertans in the middle of a pandemic with this minister in charge? [interjections]

The Speaker: Order.

The Minister of Health has the call.

Mr. Shandro: Well, thank you, Mr. Speaker. Again, we are doing exactly what the NDP did. It's unfortunate that the unions have decided to take illegal action. I did appreciate the words yesterday from the Leader of the Opposition standing with AHS and calling for patient care to be at the centre of what everybody is going to be deciding in the future. It's good for her to be able to stand with AHS and those comments. We appreciate it as well as AHS.

The Speaker: Now – my apologies – the hon. the Member for Edmonton-City Centre.

COVID-19 Contact Tracing and Risk Monitoring

Mr. Shepherd: Thank you, Mr. Speaker. Now, there is much more this government could do if it wants to truly take seriously the threat of COVID-19 and the rising case counts that are being seen from here all the way to Lethbridge. There's a federal COVID-19 tracing app that could play an integral part in tracing the spread of this deadly virus. It's been available for three months in Manitoba, New Brunswick, Newfoundland and Labrador, Nova Scotia, Ontario, Prince Edward Island, Quebec, and Saskatchewan. To the Minister of Health: tell Albertans why this app is not available here, when will it be, and are you really that unwilling to work with the federal government?

The Speaker: The hon. the Minister of Health.

Mr. Shandro: No, Mr. Speaker. But I'd also like to use this opportunity to point out that months ago Alberta was a leader in this area as well. So thank you to the NDP in their news release for pointing out where, again, Alberta are leaders in our response to COVID. We have a COVID tracing app, and we're in discussions

with the federal government on how their app can also be used to supplement our response to COVID in Alberta.

Mr. Shepherd: Well, thank you to the minister, Mr. Speaker, for pointing out that indeed the government has an app, and it's told us that more than 200,000 Albertans have downloaded it. But the fact is that it didn't work. This government rushed it out, and they introduced a \$625,000 failure. Now, other provinces are reporting that the federal app, which was thoughtfully deployed, actually works. To the minister: your app was a failure, as many of your actions have been, unfortunately, on COVID-19, so can you explain to me here and now why you won't rectify your mistake and bring in the actual functional federal tracing app?

The Speaker: The hon. Minister of Health.

Mr. Shandro: Thank you, Mr. Speaker. Our app actually did help our contact tracers be able to do their work quicker and more fast. It's unfortunate to see the hon. Pizzagate member continue with his conspiracy theories. It's unfortunate that he continues . . .

Mr. Sabir: Point of order.

Mr. Shandro: . . . to cheer against Alberta and our pandemic response, Mr. Speaker. But, look, as I said, we are in discussions with the federal government, and we'll continue those discussions and see how their app can be used here in Alberta.

The Speaker: I provided some caution yesterday with respect to making accusations or allegations, around this type of language. It's clear that the minister didn't heed that caution, so he can apologize and withdraw.

Mr. Shandro: I apologize and withdraw. Thank you.

Mr. Shepherd: When you don't have facts, Mr. Speaker, you resort to insults.

Now, I've got another good idea for this minister. It comes from the Edmonton Chamber of Commerce. They propose establishing a risk index for COVID-19 that will help their members make important business decisions based on case counts and the risk of spread. Now, with better awareness of risk, businesses can make decisions around supply, staffing, cash flows, you name it. So it's simple, Mr. Speaker. This would help more businesses survive. To the minister: will you commit to establishing a COVID-19 risk index, as businesses right here in Edmonton are begging you to do?

The Speaker: The hon. the Minister of Health.

Mr. Shandro: Thank you, Mr. Speaker. We do have it. We have it on our website, and we're updating the website daily. We have a map so Albertans can see the abilities of where . . . [interjection] The hon. Leader of the Opposition is really angry. She's yelling again. But, listen, we have this opportunity for Albertans to be able to see the map so they can understand where the risks are throughout the province. We're going to continue to update the website daily.

Ms Renaud: Do you need some pizza?

The Speaker: Order. Order. Hon. Member for St. Albert, I literally just moments ago provided a caution to the hon. the Minister of Health in which he had to apologize and withdraw. Perhaps you can apologize and withdraw as well.

Ms Renaud: I apologize for asking if he needed pizza.

The Speaker: Hon. member, it is important. I just provided caution. He apologized and withdrew. Yesterday you saw how the hon. the Member for Calgary-McCall apologized and withdrew. I am certain that you can do that as well.

Ms Renaud: I apologize and withdraw.

The Speaker: Well done.

The hon. Member for Central Peace-Notley has the call.

COVID-19 Response and Economic Recovery

Mr. Loewen: Mr. Speaker, I noticed last night that the Leader of the Opposition posted a new video. In this she contested that her party is not pushing for a shutdown of Alberta small businesses, but what she said next was totally contradictory. She suggested that we should take a page from other provinces to, quote, limit activity. She called for reductions in activity. Given that Dr. Hinshaw already announced additional data-driven measures to limit the spread of COVID, it sounds like the NDP are indeed calling for more restrictions and closures for Alberta small businesses. To the Minister of Jobs, Economy and Innovation: can you tell us just how damaging an NDP shutdown would be for Alberta small businesses?

Mr. Schweitzer: Mr. Speaker, it would be devastating, just plain and simple. It would be devastating to follow the NDP plan on this. Our plan has gotten 235,000 Albertans back to work; 7,400 businesses opened and reopened. That's 400 more businesses than were there at the beginning of the pandemic. The NDP have been talking about their jobs plan, though, and we need to know. It's actually incumbent on me as a legislator to know: does that jobs plan of the NDP include hiring people to screw in light bulbs like the old NDP jobs plan? We want to know if that is still part of their current plan to diversify the economy.

Mr. Loewen: Mr. Speaker, given that the NDP leader proceeded to claim that if only the government took the NDP's advice and implemented a variety of supports for businesses and given that the measures she suggested included rent and eviction protection, utility supports, supports for PPE, and supports for renovations to reduce spread and given that these measures sound very familiar, to the Minister of Jobs, Economy and Innovation: could you please remind the Leader of the Opposition and her NDP colleagues about how Alberta's government supported small businesses through the pandemic and in the efforts to safely relaunch?

Mr. Schweitzer: Mr. Speaker, I just want to commend all of our cabinet colleagues. With their efforts in working with our chief medical officer and coming up with the right plans to get small businesses back open again, over 17,000 small businesses took advantage of the relaunch grant. We have more businesses now than at the beginning of the pandemic. But let's also highlight that we want to know what's in the NDP recovery plan. It's very vague as to what's in their plan. Are shower heads as well? Is somebody going to come into our homes to put in shower heads? Because that's in the NDP jobs plan from the past. We need to know what's in their current plan for recovery. We have a real plan. That's what we're going to do.

Mr. Loewen: Mr. Speaker, given that the members opposite seem intent on producing every excuse to implement an NDP shutdown even if they won't say it directly and given that an NDP shutdown would have disastrous effects on Alberta's economic recovery and would put hundreds of thousands of Albertans out of work and, in fact, sounds a lot like the shutting down of small businesses that

union boss Gil McGowan is promoting in his boycott that the NDP has yet to denounce, to the minister: can you contrast this plan for an NDP shutdown with our government's economic recovery plan to build, diversify, and create tens of thousands of new jobs for Albertans, all while managing the pandemic and keeping Albertans healthy?

Mr. Sabir: Point of order.

The Speaker: A point of order is noted at 2:09.

The hon. the Minister of Jobs, Economy and Innovation.

Mr. Schweitzer: Thank you, Mr. Speaker. Our government has rolled out a plan on hydrogen. Our government has rolled out a plan on natural gas, mines and minerals, plastics. If that's not enough, we've also put \$175 million into the Alberta Enterprise Corporation for venture capital. We broke a record in Calgary: \$200 million, the largest venture capital investment on record, breaking the record from the last year. We have momentum in certain areas. We also have a real, credible plan. They won't answer the question on their end, though, as to whether or not light bulbs and shower heads are still part of their current recovery plan. The NDP have no plan. They voted them out for that.

The Speaker: The hon. Member for Calgary-Mountain View is the one with the call.

2:10

Cenovus Energy Layoffs

Ms Ganley: Thank you, Mr. Speaker. Yesterday the Leader of the Official Opposition asked three times about potential job losses from Cenovus, and three times the Minister of Energy refused to give a clear answer on a critical topic affecting the jobs of thousands. Now we know. Just 24 hours later we learned that more than 2,100 people will lose their jobs. Will the Energy minister today confirm when she was informed about these layoffs and tell the House if she did anything to prevent them?

Mr. Jason Nixon: Mr. Speaker, our energy industry is in the position it is in today because of the leadership of the NDP when they were in government and the fact that they supported their close ally and friend Justin Trudeau and prevented pipelines from being built and our product from being able to get to market. In fact, shockingly, some of them stood on the steps of this very Legislature and protested against pipelines. Their leader, the former Premier, the Leader of the Opposition, supported Justin Trudeau when it came to stopping Energy East. It was shameful and shocking. When it came to Keystone, she said that she was against it, and when it came to Northern Gateway, she said the same. That's the problem. But don't worry; we're going to get it fixed.

Ms Ganley: Given that yesterday in response to questions about layoffs at Cenovus the Minister of Energy stated, "Consolidation is not unprecedented nor unexpected" and given that it was unexpected to the 2,000 Calgarians who will lose their jobs – they deserve better than an Energy minister more interested in defending the recipients of the \$4.7 billion corporate handout than the thousands of workers who will lose their jobs as a result – what specifically is she doing to get these hard-working Calgarians back to work? Minister, it's clear that your old plan has failed. Where's the new one?

Mr. Jason Nixon: Well, Mr. Speaker, this merger does show that there's confidence inside our energy industry, inside this province. That's good news. Of course, it's unfortunate to see anybody lose

their job at this moment, at any time but particularly at this moment, when our economy is suffering. But we do have a plan. Again, it's very different than the former NDP government's plan. The former NDP government's plan was to focus on blocking pipelines, blocking our product from being able to get to market. Again, the leader of the NDP said she was against Northern Gateway. She said she was against Energy East. She said she was against Keystone.

Mr. Sabir: Point of order.

Mr. Jason Nixon: That's how we got in this spot. We're going to get it fixed.

The Speaker: Hon. members, a point of order was called at 2:12.

Ms Ganley: Given, as reported in its second quarter, that Cenovus banked \$658 million from the UCP's \$4.7 billion corporate handout and given that they are now laying off over 2,000 people, the majority of whom are Calgarians, and given that the UCP promised Albertans their corporate handout would create jobs, will the minister finally admit that her plan is working in reverse and scrap it, or did the UCP always plan to give profitable corporations a bonus while giving working Albertans the boot?

The Speaker: The hon. the Minister of Finance and President of Treasury Board.

Mr. Toews: Well, thank you, Mr. Speaker. Firstly, I too would like to acknowledge the hardship that many Albertans will face with these layoffs, both at Cenovus and elsewhere across the province, as our economy faces great challenges due to COVID-19. We're confident that the Alberta recovery plan will in fact create a very competitive business environment which will attract investment, create long-term, sustainable jobs and opportunities for Albertans.

PDD Direct Operations

Ms Renaud: Before coming into the Chamber, I was in front of the Legislature speaking to passionate Albertans who are protesting this government's choice to privatize disability supports. This government is rushing to privatize these services to save .0006 per cent of the social service budget and only consulted using a ridiculous seven-question survey. Why are you shoving these changes through during a pandemic without real consultation or evidence that supports the move? Families, guardians, and staff are asking for the consultation results. When will they be released?

Ms Schulz: Mr. Speaker, I think it's very important that we focus these public discussions on the vulnerable people who are being cared for in government-run facilities. We're hearing a lot of rhetoric from the opposition and their union allies that is creating fear and anxiety among the PDD community and other groups. I do want to be clear. There are no plans to move clients out of their current placement and no discussion about evicting people from their homes. The members opposite continue to deal in fear, chaos, and politics during a pandemic.

Ms Renaud: Given that Edmonton's most medically fragile disabled kids live at Rosecrest here in Edmonton and they receive wraparound supports that include respiratory therapy, physio, individualized on-site education, and, most of all, love – these kids get a lot of love – and given that most of the kids are indigenous and are in care of government and spent most of their young lives in hospital and given that these children are the most vulnerable human beings I've actually ever met and that privatizing means

they'll lose their staff and everything they currently rely on, can you please explain why you are doing this in the midst of a pandemic?

Ms Schulz: Mr. Speaker, the Minister of Community and Social Services has spent five months consulting with the Alberta Union of Provincial Employees, individuals and their families, guardians, and service providers to hear their feedback. Any decisions made will be done with compassion, respect, and dignity for these vulnerable people and their families. Also, 90 per cent of similar services are offered by community-based organizations, and I do believe that the member opposite, as I understand, worked for one of these organizations. We understand how important these services are for individuals receiving services and for their families.

Ms Renaud: Given that the minister is correct that 90 per cent are delivered by community, for-profit and nonprofit; the difference is that they are paid less. It costs less. They are less able to provide the care that the kids at Rosecrest receive.

My initial question was about consultation. I simply wanted to know: when will the consultation, that was really seven questions – do you like it or not? – be released? Answer the question.

Ms Schulz: Mr. Speaker, while the members opposite continue to deal in fear and chaos and politics in a pandemic, on this side of the House we deal in facts, not rumours. The fact is that no decision has been made about potential changes to direct operations such as Rosecrest, Michener, or other facilities. What a responsible government does is look at every single program and every single dollar to ensure that they are being used effectively and truly going to support those who need them most. Once again, we do understand how important these services are to individuals receiving these services and want to ensure they continue to receive appropriate care.

The Speaker: The hon. the Member for Calgary-Klein.

Homelessness Initiatives

Mr. Jeremy Nixon: Thank you, Mr. Speaker. It took minus 30 weather, actually colder when you factored in the wind chill, but eventually Mike would show up at the shelter. We saw Mike at dinners, but he very rarely stayed the night. There are many rough sleepers like Mike who choose to brave the cold over staying in shelters. We know that as it gets colder, the need to ensure there's space for guys like Mike in the shelter grows. To the minister: what is the government doing to help shelter the homeless of Alberta as the nights get colder and considering space restrictions due to COVID?

Ms Schulz: Mr. Speaker, I truly appreciate and respect the member across the aisle's experience as well as passion for supporting those most vulnerable, especially as the winter weather turns colder. We have substantially increased funding for homelessness during the pandemic in major centres right across the province. We've allocated more than \$73 million for additional spaces in all major centres, and this means that shelters can now offer services 24/7 instead of just overnight, ensuring that people have access to critical services like showers, laundries, meals, and day sleep. It also means additional temporary shelters are being added to provide a warm . . .

The Speaker: The hon. Member for Calgary-Klein.

Mr. Jeremy Nixon: Thank you, Mr. Speaker, and thank you to the minister for the thoughtful answer. Given that it's difficult to isolate in a shelter and ultimately our hope is still to help end people's experience of homelessness and given that we generally see an

increase in the availability of affordable housing during economic downturns as we see net migration go down in our cities, to the minister: what is our government doing to help people currently experiencing homelessness to be able to connect with housing?

The Speaker: The hon. the Minister of Children's Services.

Ms Schulz: Thank you, Mr. Speaker, and thank you again to the member for the question. We continue to work with organizations like Homeward Trust, Catholic Social Services, the Calgary Homeless Foundation, and community-based organizations in Red Deer, Grande Prairie, Medicine Hat, Lethbridge, and Fort McMurray to help people find appropriate housing solutions. Over the past month homeless shelters have helped more than 240 people who were experiencing homelessness move out of the shelter and into housing solutions.

The Speaker: The hon. member.

Mr. Jeremy Nixon: Thank you, Mr. Speaker. Given that the province placed a 59-person wet shelter in the middle of Crossroads, a residential community in Calgary-Klein, and given that when I talked to Alpha House, which is the service provider, their desire is to provide more transitional housing and housing supports for our most vulnerable and not just wet shelter and given that hundreds of people living in our shelters are battling the disease known as addiction, what is your ministry and the associate ministry of mental health and addictions doing to integrate a recovery-oriented strategy with our homeless system so that we are less reliant on wet shelters moving forward?

The Speaker: The Minister of Children's Services.

Ms Schulz: Thank you, Mr. Speaker. I appreciate the opportunity to respond on behalf of both the Minister of Community and Social Services as well as the Associate Minister of Mental Health and Addictions. People struggling with mental illness or substance-use issues or who are experiencing homelessness have been challenged to access the services and supports they rely on. That's why, through the Alberta recovery plan, we've committed \$25 million for five recovery communities to be built around the province. These communities are designed for people who face more barriers in their pursuit of recovery such as homelessness so that they have time to participate in holistic treatment and have more opportunity to enter recovery.

2:20 Municipal Property Tax Collection

Member Ceci: All Albertans have to pay their taxes, Mr. Speaker. They don't have a choice, but certain companies get a free pass. Right now there's \$173 million in unpaid taxes owed to municipalities, and the government is doing nothing about it. As a result, we're seeing homeowners' property taxes go up and services cut. It's a bitter pill to swallow right across rural Alberta. Typically this would go to the Minister of Municipal Affairs, but we hope she's back here next week and well. To maybe the former minister: when are you going to start making companies pay their taxes?

The Speaker: Even if there's good reason for a minister to not be here, perhaps public isolation, it would still be inappropriate to refer to the presence or the absence of a minister. We do wish her a speedy recovery.

Mr. Panda: We all do, Mr. Speaker.

The Minister of Municipal Affairs has been working so hard since she became the minister. She consulted more than 300

municipal leaders on this very subject, and she proposed a solution which is mostly accepted by both the industry representatives and the municipal leaders, so that's what we are doing, unlike what that Member for Calgary-Buffalo did when he was the Minister of Finance. He drove out investors, and the new minister is actually trying to bring them back.

Mr. Sabir: Point of order.

The Speaker: A point of order is called at 2:22.

Member Ceci: Given that Albertans have to pay their taxes or the government comes after them and given that Albertans who have unpaid taxes are treated like debtors by the taxman and they have nowhere to run and given that our system only works if everyone pays their fair share and given that we have companies who aren't paying taxes in their municipalities, to the minister. Regular working Albertans pay their taxes. Why are you letting your corporate friends off the hook?

Mr. Panda: Mr. Speaker, every day this is what Albertans are subjected to. You know, the members opposite misleading them every day about . . .

Mr. Sabir: Point of order.

Mr. Panda: . . . the corporate handout and things like that. The reality is that our minister and our government are working so hard to bring back those investors driven away by that very member. He has to just look into his own riding. All those towers in Calgary, Mr. Speaker? They're in his riding. I used to work there. He should just look at them and look at what you did.

Mr. Sabir: Point of order.

Mr. Panda: With this pandemic, we're trying to get those people . . .

The Speaker: Two points of order are noted during the minute of 2:23.

Member Ceci: Perhaps another one will come.

Given that over 20 per cent of Alberta home mortgages are in deferral and given that families are struggling to make ends meet and keep their homes and given that municipalities are being forced to raise property taxes on those homes because there's over \$170 million in unpaid corporate taxes to those same municipalities, to the minister: what do you have to say to working families who could lose their homes, who have to pay their taxes but see you giving your corporate friends a free ride?

Mr. Toews: Well, Mr. Speaker, the Minister of Municipal Affairs, I know, will be working with other municipal leaders across the province on these challenges, challenges brought on by very severe economic times faced by Albertans. But we're focused on recovery. That's why we've rolled out the Alberta economic recovery plan, which looks to position this province to disproportionately attract investment, create jobs and opportunities in the long term. The opposition would have us raise business taxes by 50 per cent, which would be disastrous. We will create the most competitive environment.

Health Care Workforce

(continued)

Member Irwin: "They don't care about us." "What did they think would happen?" "This isn't right." These are just some of the

comments I heard from front-line health care workers outside the Royal Alexandra hospital yesterday. These workers, many of whom are women, do work that so many would refuse to do. They clean up urine, vomit. They work in incredibly difficult environments, and they're doing that work in the middle of a pandemic. To the Minister of Health. These folks put their lives on the line to serve Albertans, and they deserve our respect and our dignity, not your government's constant attacks. What message do you have for these dedicated workers? They're listening.

The Speaker: The hon. the Minister of Health.

Mr. Shandro: Well, thank you, Mr. Speaker. I'm happy to answer this question again. As I said, this is pure hypocrisy from the NDP. We are doing exactly what the NDP did. They had 68 per cent of laundry jobs throughout the province contracted out in Calgary and Edmonton. We're going to continue to do what the NDP did. As well, we're going to – the 70 per cent of community labs that are contracted out under the NDP in the north: we're going to do exactly what the NDP did. The NDP is not fighting for patients. They're not fighting for the workers either. They're fighting for the six-figure salaries of their union bosses.

Member Irwin: Given that many of the women I spoke with yesterday came to Canada from countries all around this world in search of a better life and that these brave front-line heroes make all of our lives better by doing the work that is vital to keep our health care system going yet this government refuses to recognize that they are front-line workers, will the Minister of Health finally acknowledge that these workers are incredibly valuable and that they are indeed front line? If so, then why does he treat them as if they're disposable?

Mr. Shandro: Mr. Speaker, again this is the hypocrisy of the NDP. We are going to continue to do what they did for their four years in government. We're going to contract laundry, just like they did, contract out labs, just like they did. They're not fighting for workers. They're not fighting for patients. They're fighting for the union bosses, and we're going to continue to make sure that this is a system that's focused on patients.

Member Irwin: Since the man on that side of the House refused to acknowledge the contributions of these front-line health care workers, many of whom are racialized women, and any one of these UCP MLAs could learn so much by speaking with these workers and by hearing the stories of people who do so much for all of us in the face of ongoing attacks by this government, to the minister responsible for status of women – your turn – what message would you like me to convey to these front-line workers? How can you possibly justify how they've been treated?

Mrs. Aheer: Thank you very much for the question. I'm curious if the member across the way has gone after Gil McGowan for attacking private-sector women in this province, especially given the fact that 51 per cent of our population is women and given the fact that per capita, for every 100 men entrepreneurs that we have in this province, we have 84 women. [interjections] I'm just curious. On one hand, they're attacking this side, saying that we're not standing up for women, which we are, I might add. We are back to pre-COVID numbers for women the ages of 25 to 54. Thank you very much to all the ministers who worked very hard to get women back to work. We should . . . [interjections]

The Speaker: Order. I had no problem hearing the question. What I did have a problem hearing was the answer.

The hon. minister has about eight seconds remaining should she like to use them.

Mrs. Aheer: It's a disgusting hypocrisy and oozing arrogance that are coming from the opposition, and they need to actually stand up for women in this province. Stop pretending.

COVID-19 and Seniors

Ms Fir: Mr. Speaker, seniors built this province. They worked hard throughout their lives and built the foundation for the greatest middle class and prosperity not just in Canada but among the wealthiest jurisdictions in the world. COVID-19 has shown, not just in Alberta but everywhere in Canada and across the globe, how our parents and grandparents can be made vulnerable by a pandemic. It is our duty to support and protect them. To the Minister of Seniors and Housing: how is our government fulfilling this duty?

The Speaker: The hon. the Minister of Children's Services has risen.

Ms Schulz: Thank you, Mr. Speaker, and thank you to the member for the question. We've worked tirelessly to keep Alberta seniors safe and well during the COVID-19 pandemic. To date our government has invested more than \$170 million towards supporting staff and residents in lodges, designated living facilities, and long-term care facilities, for enhanced staffing, cleaning supplies, and PPE. We continue to work closely with the chief medical officer of health and partners to identify developing needs and implement the necessary health orders in support of the safety of seniors.

The Speaker: The hon. Member for Calgary-Peigan.

Ms Fir: Thank you, Mr. Speaker. As we see cases in seniors' care centres and recommendations to continue to stay home, especially for those who are most vulnerable, putting an undue burden on seniors and their families as they continue to work to ensure they get the groceries, medications, and other necessities they need, to the same minister: as we move through this pandemic, what supports continue to exist to help this valued sector of our population?

The Speaker: The hon. Minister of Children's Services.

Ms Schulz: Thank you, Mr. Speaker, and again thank you to the member for the question. I'd like to recognize the efforts of staff, volunteers, friends, and families in caring for seniors during these difficult times. Our government announced one-time \$30 million emergency funding to civil society organizations. We also increased flexibility for our aging well in community grant, and we continue to support seniors experiencing additional challenges during the pandemic.

2:30

Mr. Speaker, we supported the development of the CORE, collaborative resources and education, Alberta online knowledge hub in support of seniors' living organizations to co-ordinate efforts in support of seniors.

The Speaker: The hon. Member for Calgary-Peigan.

Ms Fir: Thank you, Mr. Speaker. This week we've seen an increase in cases throughout the province, especially in our large cities. Earlier this year the Premier stated the importance of building a wall of defence around our seniors in order to protect them from surges in cases and to ensure that they, whether at home or in care facilities, are safe. To the minister: how are we continually adapting

care processes in seniors' care facilities to protect them from this increase in cases?

The Speaker: The Minister of Health.

Mr. Shandro: Well, thank you, Mr. Speaker. Over the course of the pandemic we've invested an additional \$170 million for continuing care to help keep seniors and those who are at risk as safe as possible with more staff and broader roles for nurse practitioners. We have to consider the overall health and well-being of the residents and the risks of isolation. Ontario and Quebec are both more restricting than we are, but their outcomes are much worse. We will continue to monitor the situation throughout the fall and the winter and take additional steps as necessary to protect residents and staff at the continuing care facilities.

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

Affordable Housing

Ms Sigurdson: Thank you, Mr. Speaker. Many Albertans who depend on rent supplements have reached out to me in distress, asking about direct-to-tenants supports ending. I was sent a notice from a Drumheller housing provider stating that direct-to-tenant supports are ending in March 2021. Many are concerned that if this happens, they will be homeless. To the Minister of Seniors and Housing: is ending the rent supplement program part of your housing plan?

Ms Schulz: Mr. Speaker, we know access to affordable housing is a critical issue for Albertans. Demand continues to grow, and we're committed to creating a rental supplement program which is efficient and sustainable for Albertans. We're focusing our redesign on building capacity to serve more Albertans who need rental assistance.

Ms Sigurdson: Given that having shelter is a human right and a basic need and given that addressing poverty should be bigger than political and partisan divides and given that people need a home to self-isolate and physically distance and given that there is federal funding left on the table because the UCP won't match the dollars, Minister, how can any further cuts to rent supplements be justified during a pandemic?

Ms Schulz: Mr. Speaker, Alberta's government has continued to be open about the state of our province's finances. We simply can't continue to spend money we don't have. As part of our redesign we are working with the federal government to integrate our rental assistance program with the Canada housing benefit. We'll continue working with housing partners and other partners to identify innovative solutions for Albertans.

Ms Sigurdson: Given that back in April of this year there was supposed to be an agreement with the feds and still nothing and given that municipalities are taking bold actions to address homelessness and the Edmonton Chamber of Commerce is calling for investments in affordable housing as part of the economic recovery but given that the UCP's response to homelessness has been to close shelters such as the McCullough Centre, cut rent supplements, and cancel harm-reduction services, to the minister. People are being pushed out of their homes because of your policies. As the minister of housing why are you standing by while people lose their homes?

Ms Schulz: Mr. Speaker, my colleagues continue to work with partners at both the municipal and federal levels as well as

community-based organizations to address these issues. More so than ever low-income Albertans need a rental assistance program which is sustainable and has the capacity to support those who are most in need. We'll also be looking at the rental assistance program in the light of recommendations from the panel on affordable housing review, and I do want to thank the member opposite for these important questions.

Agriculture and Forestry Ministry Layoffs

Mr. Dach: This government has \$4.7 billion for a corporate handout, Mr. Speaker, that rewards shareholders but nothing for hard-working Albertans and nothing to support innovation in our industries. In the Ministry of Agriculture and Forestry that's 247 more people out of work, many of them leading agriscience researchers who would have driven innovation within the sector had their jobs not been eliminated. With this UCP government it's all pain for the little guy and all reward for the big corporate friends. To the minister: why are you laying off 247 highly skilled people in the midst of a pandemic in a way that will only hurt your industry?

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

Mr. Dreesen: Thank you very much, Mr. Speaker. The question about innovation: I would welcome the member to – a couple of weeks ago we made a historic 10-year research funding announcement with RDAR, Results Driven Agriculture Research. That's an arm's-length government agency that's going to deal with research here in the province of Alberta for the next 10 years. Over a third of a billion dollars will be committed to this group. That was through consultations over the last year with industry to figure out how best to do agriculture research here in the province of Alberta, and that's for farmers to be able to set those research priorities.

Mr. Dach: Privatizing science, Mr. Speaker.

Now, given that farm safety is critical to protecting lives and livelihoods and given that too many Alberta farmers have been seriously injured while working on their farms and given that we should be doing everything to protect Albertans during this pandemic and not prioritizing the firing of people, to the minister of agriculture: why are you gutting farm safety programs to pay for your \$4.7 billion corporate handout that rewards foreign shareholders? How is that the right priority for Albertans?

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

Mr. Dreesen: Thank you, Mr. Speaker. All accidents are preventable, obviously, and that's something that we work and industry works on, to make sure that they can reduce those types of incidents on farms and ranches. But when it comes to the transformational changes at Agriculture and Forestry, like so many businesses, especially this year with the economic hardship, they have to focus on their core functions and their core responsibilities, and that's something that we as a department have looked at. We've reviewed all of our program spending, everything that we do as a department. We want to make sure that we're actually delivering core functions that Alberta agriculture and forestry sectors rely on.

Mr. Dach: If 247 very highly skilled scientific agriresearchers in the middle of the department are not a core function, I don't know what is, Mr. Speaker. These 247 people are being laid off at the height of a pandemic and a tough job market, and given that many of these same 247 people will be part of the 20 per cent of homeowners whose mortgages are in deferral and perhaps will be supporting an oil working family that does not even have a job and

given that those Albertans will struggle to pay their bills and might well lose their homes, to the minister: can you tell these 247 Albertans that you are firing why they are paying for your \$4.7 billion corporate tax cut and shovelling money . . .

The Speaker: The hon. minister of agriculture.

Mr. Dreeshen: Thank you very much, Mr. Speaker. Like I said, like so many businesses across this province, government has to make sure that they can offer their services in a very efficient manner. We did make the tough decisions to make sure that we could function on our core responsibilities.

But, Mr. Speaker, the agriculture sector and the forestry sector have seen an amazing year so far this year. We have a record crop that's being taken off right now and is almost complete here in the province. On the forestry side we have record numbers of timber dues coming into the province. Over \$350 million is projected to come in as royalties. That's about a third of our oil and gas royalties that we typically would get this year as well. So Agriculture and Forestry has been doing an amazing job, and the workers at Agriculture and Forestry are doing the same.

The Speaker: The hon. Member for West Yellowhead.

Caribou Protection

Mr. Long: Thank you, Mr. Speaker. While some governments have been known to sway to the extreme, we recognize the need to strike a balance between environmental protections and the needs of industry. In my riding we know that conservation along with the success of our industries is vital to the future well-being of our communities. While my constituents understand that caribou populations must be protected, they are also concerned about the effects of a federal environmental protection order. To the Minister of Environment and Parks: can you talk more about whether or not an environmental protection order is being considered?

Mr. Jason Nixon: Well, Mr. Speaker, I'm happy to report to the House that last week we signed a historical section 11 agreement with the federal government when it comes to caribou in our province. That agreement puts Alberta squarely in the driver's seat for managing our species at risk in this province. It's clear that we will be able to manage in such a way that helps protect our industry while making sure that we make sure that caribou survive within our province. We're excited about that. I can let the hon. member know that that stops the emergency protection order coming from the federal government and allows us to make a made-in-Alberta solution when it comes to caribou.

The Speaker: The hon. Member for West Yellowhead.

Mr. Long: Thank you, Mr. Speaker. Thank you, Minister. Given that an environmental protection order would impact thousands of jobs and virtually flatten the communities in my riding and given that this will not only impact the forestry sector and the energy sector but secondary jobs as well, which are vital to ensure the economic viability of my communities, and given that the potential job losses would devastate the countless families I represent across West Yellowhead, to the same minister: are you engaged in discussions with representatives of the industries that will be most impacted by a potential environmental protection order?

2:40

Mr. Jason Nixon: Yes, Mr. Speaker, we are engaged with industry, municipalities, indigenous groups, and environmental groups all across the north to make sure that we come up with made-in-Alberta

caribou solutions that allow our industry to be able to thrive at the same time as protecting caribou. We're doing that primarily through our three caribou task forces, which are working across northern Alberta to come up with solutions for this significant and complicated problem. I want to thank the hon. member for chairing one of those task forces, for his hard work. Again, I'm happy to report to the House that we now have an agreement that keeps the federal government and an emergency protection order out of northern Alberta and instead puts Alberta squarely in the driver's seat when it comes to our future in the north.

The Speaker: Hon. member.

Mr. Long: Thank you, Mr. Speaker, and thanks again, Minister. Given that our government recently signed a historic section 11 agreement with the federal government that will prevent a species at risk order and given that this agreement will focus on caribou preservation while considering multispecies management as well as socioeconomic impacts and given that this is a step in a positive direction towards finding the right balance for industry and the environment, to the minister: what steps are being taken now to ensure the continued viability of my communities and the forestry and energy sectors?

Mr. Jason Nixon: Well, Mr. Speaker, what we have agreed to is that socioeconomic issues will be considered first and foremost as we develop our plans. We believe that we can find a balance between our industrial needs and creating jobs at the same time as protecting species, and we believe that it's actually critical that we do that with industry, with the energy industry and with the forest industry. I'm happy to report that they're actively working at the table with us to come up with solutions long term. Again, that's why we're so excited to have an agreement that makes it so that Alberta can make solutions here in our province, done our way, that make sure that we can protect jobs and also make sure that caribou will be here for generations to come.

The Speaker: Hon. members, this concludes the time allotted for question period. In 30 seconds or less we will return to Members' Statements.

Members' Statements

(continued)

Support for Seniors

Ms Sigurdson: Mr. Speaker, there are over 600,000 seniors in Alberta. As we live longer and healthier lives, the number of seniors in our province will double in the next 15 years, so the question that this information evokes is: what is the UCP doing to serve our growing seniors population? The disturbing answer to this is: nothing. In fact, the UCP is taking us backwards. There are several examples of the UCP's lack of interest and concern regarding seniors.

An early policy change that directly impacted seniors was the UCP's elimination of dependants on the seniors' drug program. Seniors with a spouse or dependants younger than 65 no longer receive coverage for them. Seniors largely live in families just like the rest of Albertans. This cruel policy change means that seniors must pay out of pocket for expenses that were previously covered by the drug program. This change shows the UCP's lack of understanding of the life situation of seniors. Sadly, it shows how little the UCP care.

Now it is getting worse. In their AHS implementation plan the UCP wants to make life more expensive for seniors in continuing care. The UCP want to add \$718 annually for home care. They want

to add another \$2,000 to \$5,000 annually in accommodation fees for Albertans in designated supportive living and long-term care while also proposing new medication fees. The price that the UCP wants seniors to pay to cover the bill for their failed \$4.7 billion corporate handout is shameful.

Seniors built this province. They deserve dignity and respect. They deserve a government that will fight for them and advocate for them. As the former Minister of Seniors and Housing it is deeply saddening to me to see seniors being treated so poorly by their government. It is unacceptable, and I know Albertans share my concerns.

The Speaker: The hon. Member for Livingstone-Macleod is next.

Food Donations in Pincher Creek

Mr. Reid: Thank you, Mr. Speaker. If you grew up in a rural community like I did, you probably remember your grandparents and great-grandparents sharing stories of how the land was farmed in the old days. These stories often told the brutal nature of farming and how Mother Nature could change everything in a heartbeat, but these stories also told how communities stuck together during the hard times.

This year, just like many people who began to take up gardening during the pandemic, the staff and volunteers at Heritage Acres Farm Museum in Pincher Creek decided to plant their first victory garden. Victory Gardens were common back in the First and Second World War era as a way to supply additional food to troops overseas. Now you see them as a way for communities to help each other.

Mr. Speaker, I'm happy to report that the harvest has been a great success. Nearly 1,100 pounds of potatoes and 180 pounds of carrots were harvested, which will go to the new Pincher Creek community food centre, a local food bank. What's more amazing is that they used antique equipment to harvest the vegetables this year, a 1945 McCormick tractor and a nearly 120-year-old potato digger, to be exact.

Mr. Speaker, farming, by nature, is very hard work, and that's especially true when you work with antique equipment. Even with new equipment and technology it takes perseverance, determination, and patience, but those attributes are exactly what you can expect from the hard-working women and men of Livingstone-Macleod.

Mr. Speaker, I would like to thank the various associations and businesses that donated over 1,500 pounds of hamburger to the Pincher Creek community food centre. I'd also like to thank the residents of Pincher Creek who grew an extra row in their gardens to donate as well. Lastly, thank you to all the volunteers at the Heritage Acres Farm Museum who worked in the fields this summer to keep the local food bank full.

Mr. Speaker, taking care of each other is what Albertans do.

The Speaker: The hon. Member for Calgary-North.

Islamic Heritage Month

Mr. Yaseen: Well, thank you, Mr. Speaker. It is an honour and privilege for me to rise today as a Muslim to speak about Islamic Heritage Month, the month of October. Being able to practise one's religion freely in this great country and this great province is not something that everyone around the world is able to do. It is wonderful that we can celebrate our diversity and recognize the contributions that the Muslim community has made to our economy, society, and culture. It provides Canadians, Muslims and non-Muslims alike an opportunity to reach out and connect with one's neighbours.

I would like also to let you know that the Muslim community in itself is very diverse, and it consists of people from all walks of life. There are many contributions that have been made by Alberta Muslims to society at large such as Professor Naweed Syed from the University of Calgary, whose lab pioneered neuron chip interfacing technologies to monitor brain cell activities, and feminists Hilwie Hamdon and Lila Fahlman, who contributed much to Edmonton and now have schools named after them.

Muslims have achieved many firsts here in Alberta. Canada's first mosque was established in Alberta. Canada's first Muslim provincial cabinet minister and MLA was from Alberta. Canada's first Muslim MP is from Alberta. Canada's first Muslim mayor is from Alberta. Canada's first Muslim Lieutenant Governor now is from Alberta.

Mr. Speaker, Alberta is proud of its diversity, and as Albertans we recognize that our differences are our strength. Having the freedom to practise our religious beliefs and celebrating each others' cultural festivities are what make Alberta uniquely great. I am so proud of it.

May I ask all members of the House to join me in recognizing Islamic Heritage Month and the birthday of the Prophet Muhammad – peace be upon him – as we continue to work together to build bridges and relationships with one another. Thank you, Mr. Speaker.

Shad Canada Program Expansion

Mr. Walker: Mr. Speaker, the education, training, and skill development of students are critical to the future of our province. With today's ever-growing economy, charities such as Shad Canada become crucial in growing the leaders of tomorrow. Just recently we saw the Minister of Advanced Education and the Minister of Education announce a new partnership with Shad Canada to provide more opportunities for students. Students will have more hands-on learning in areas of science, technology, engineering, arts, and math.

Through a four-year, \$125,000 partnership, Shad Canada will expand its recruitment to more high schools across Alberta. With \$75,000 per year in bursaries and scholarships to students, Shad Canada will be partnering with 25 new high schools to increase the number of participating students by 40 per cent, expanding their program to reach more female, indigenous, and low-income students as well as students who live in rural and remote communities. This partnership will enable high school students in grades 10 and 11 with more access to STEAM programming, providing them with the skills and knowledge needed for today's modern economy. Our students are our future. This partnership will empower students from all walks of life to explore their passions and reach their full potential.

2:50

Shad Canada has provided world-class learning programs for high school students since 1981. Mr. Speaker, more than 85 per cent of Shad alumni have advanced to postsecondary studies in science, technology, engineering, and math. More than 90 per cent of alumni say that Shad has helped them think more like an entrepreneur. Alberta's government is setting up its youth for a bright future with Shad Canada in an ever-changing world.

Thank you.

The Speaker: Hon. members, it's almost like I heard a cellphone violation during Members' Statements today. I know that we're all hon. members. I didn't actually see whose phone it was, so it would be difficult for me to make an accusation from the chair, but I am

certain that they will come forth honourably and individually and make a donation to the charity of your choice as a result of such violation.

Tabling Returns and Reports

The Speaker: Is there anyone that has any tablings?

Seeing none, I do have a tabling. Hon. members, pursuant to the Child and Youth Advocate Act I have six of the requisite copies of the 2019-2020 annual report of the office of the Child and Youth Advocate, covering the period from April 1, 2019, to March 31, 2020.

Statement by the Speaker

Points of Order

The Speaker: Today during question period there were points of order called at 2:09, 2:12, 2:22, 2:23, and 2:23.

But prior to going to points of order, I might just provide some comments, and perhaps the Official Opposition deputy House leader will take a moment to pause. I brought this up yesterday, but I thought perhaps it might be useful to just bring to your attention *House of Commons Procedure and Practice*, third edition, 2017, where it says:

In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue, and as such, is a matter of debate and not a breach of . . . privilege [or a point of order].

Perhaps you might consider that before raising your points of order today.

The other thing that I might just point to, that I briefly mentioned but perhaps I'll read for the benefit of all members: it is *House of Commons*, 641, that a member may not use a point of order to prolong or continue debate.

With those comments made, I will turn to the Official Opposition deputy House leader to see if he might consider his points of order.

Point of Order

Allegations against a Member

Mr. Sabir: Thank you, Mr. Speaker. I will be really brief. I do understand the reference you made. I have actually looked that up as well since I'm still learning, so thank you for your guidance.

I think before 2:09 there was a point of order raised – and I think that's dealt with – where the Minister of Health persistently engaged in insults against the Member for Edmonton-City Centre. You asked him to withdraw and apologize, so we will consider that dealt with. That point of order . . .

The Speaker: Yes. The point of order was dealt with during question period, and I have considered it dealt with.

Mr. Sabir: Okay. Thank you, Mr. Speaker, for your interjection because the Minister of Health actually has engaged in persistent attacks on that member.

The Speaker: Hon. member, which was my point, which is why it was dealt with in question period, so it doesn't need to be relitigated.

Mr. Sabir: Okay. Then the second one was at 2:09, when the Member for Central Peace-Notley was asking a question. He referred to a video that was posted by the Leader of the Official Opposition, and then he persisted in something that is not factual.

He referred to her directly, that she's asking for a shutdown. Nothing can be further from the truth. That's not what she asked. She asked her question of the Minister of Health. There were different suggestions. I think the Minister of Health tried to answer them as well. It's not about debating facts, but it was that the member was accusing, under 23(h), against another member of this House that she is asking for a shutdown, which she has not. If the member was to talk about the policy of the Official Opposition, that would have been something different, but he was accusing directly based on some video that was posted by the Leader of the Official Opposition, which doesn't call for a shutdown whatsoever.

The second point of order I can also briefly touch on. That was at 2:12. Again, that's a matter of debate, what we did for pipelines, what this government did. We can say that we made progress on Kinder Morgan. But again accusing the Leader of the Official Opposition in a personal capacity is again within 23(h). I think that is making allegations against a member.

Then I can deal with the rest, three, really quickly after this.

The Speaker: I am even reluctant to allow the Government House Leader to respond given that I am fairly certain that this is a dispute of the facts, and what we're about to witness is the Government House Leader prolonging debate through a point of order which you've raised. But given the lengthy amount of time that you took, I think it's only fair and reasonable to allow him a moment.

Mr. Jason Nixon: Well, Mr. Speaker, I'll respect the chair and the process. You're correct. This does just lead straight to a debate, which is that this is a matter of debate, a dispute over the facts. I do think that given how long it took the deputy House leader to express what I think are two points of order now – I'm not sure; those following along at home may have a better chance – I'll just say this. His leader said last night that she called for, quote, limiting activity and reductions in activity. Clearly, from our perspective, she's calling for a shutdown. The hon. member asked the question to a member of the government in this place about how a government policy is different than the NDP's calls for a shutdown to the economy. That's a matter of debate. If they don't think their shutdowns are going to cause disasters, I think they will, and that's a matter of debate inside this Chamber. It's very concerning that the opposition continues to want to call points of order to prolong debate to try to protect their failed record when they were government.

The Speaker: I would agree. While I have a significant amount of patience for my good friend and colleague the hon. Member for Calgary-McCall, I did provide some significant citations about this.

Since we're here, I think it's fair to the hon. Member for Central Peace-Notley that his words are also taken in context. Albeit he did note a video, but then he went on to say this.

Mr. Speaker, given that the members [of the opposition] seem intent on producing every excuse to implement an NDP shutdown even if they won't say it directly and given that [the] NDP shutdown would have disastrous effects on Alberta's [economy and] recovery and would put hundreds of thousands of Albertans out of work . . .

And he goes on. But I think you get the point, that he, in fact, may have referred to the Leader of the Opposition's video – at no point in time did he make an accusation that she would do that, which could have possibly gotten us closer to a point of order but probably unlikely even at that point.

3:00

Both of these issues – again, the hon. the Government House Leader, moments prior to your point of order, said:

Again, it's very different than the former NDP government's plan. The former NDP government's plan was to focus on blocking pipelines, blocking our product from being able to get to market. Again, the leader of the NDP said she was against Northern Gateway. She said she was against Energy East. She said she was against Keystone.

These are the classic examples of a dispute of facts and not a point of order.

The Speaker takes no position on the position that the leader or the opposition or that the government takes, but it is very clear that those are a dispute of facts. Now, I consider both of those matters dealt with and concluded. I hope that we don't have more disputes of facts to come.

Point of Order

Allegations against a Member

Mr. Sabir: Thank you, Mr. Speaker. We won't. Like, there were three points of order raised, and I can briefly talk about one, and I think that was the consistent behaviour coming from the Minister of Infrastructure. At 2:23 he said, in response to the question from the Member for Calgary-Buffalo: look at the towers in his riding, what he has done to them. I think that was accusing the member personally. That's a point of order, and that's within the ambits of 23(h).

The Speaker: I will take from your comments that the other two points of order have been withdrawn, and we'll just deal with this one. Is that correct?

Mr. Sabir: Yes.

The Speaker: Excellent work.

If the Government House Leader would like to respond to this point of order, he'd be welcome to do so.

Mr. Jason Nixon: At this point the deputy House leader has jumped all over the map on his point of order, so I don't even know what minister he's referring to, what question he's referring to. I'm not really sure how to fully respond to it, Mr. Speaker. If you've been able to piece together from that rambling number of points of order at what time of question period we're speaking about at that moment, that may be helpful to me. At this point I'll refer to you, if you have the Blues, to let me know what the heck was taking place at that time.

The Speaker: Sure. I'll be happy to do so. Hon. members, at 2:23 the hon. the Member for Calgary-Buffalo had asked some questions with respect to taxes and other things. The hon. the Minister of Infrastructure had answered, and he made a number of statements. "Unlike what that Member for Calgary-Buffalo did when he was the Minister of Finance. He drove out investors." There was a point of order that was called. Later the hon. Minister of Infrastructure said: "Mr. Speaker, every day this is what Albertans are subjected to. You know, the members opposite misleading them every day." And then he went on to say: "They're in his riding. I used to work there . . . just look at them and look at what you did."

Now, hon. members, yesterday I provided some caution to speak through the chair to the Official Opposition leader, and I would provide the same caution to the hon. the Minister of Infrastructure. What I will ask is that today, given the context of the hon. Minister of Infrastructure speaking quite specifically about the Member for Calgary-Buffalo and while he did pivot to say, "You know, the members opposite misleading them every day," given that immediately prior he had referred specifically to the Member for

Calgary-Buffalo, I think it's reasonable that the hon. the Government House Leader withdraw and apologize on his behalf.

Mr. Jason Nixon: Absolutely, Mr. Speaker. Happy to withdraw and apologize.

The Speaker: Hon. members, that concludes the points of order. I consider them dealt with.

We are at Ordres du jour.

Orders of the Day

Government Bills and Orders

Second Reading

Bill 37

Builders' Lien (Prompt Payment)

Amendment Act, 2020

The Speaker: The hon. Minister of Service Alberta.

Mr. Glubish: Well, thank you, Mr. Speaker. I'm pleased to stand today and move second reading of Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020.

I'm very proud to have brought forward this legislation as an answer to the calls from the construction industry, who have been highlighting this as an issue for many, many years. In fact, the Builders' Lien Act has not been amended in nearly 20 years, so it was long overdue for government to open up this act and to address these growing problems.

The amendments that I'm proposing in this legislation will protect jobs in Alberta's construction industry by ensuring that construction companies are paid in a timely manner for the work that they have completed. This will also establish an effective adjudication system for payment disputes. It will also ensure that we increase the time frame within which liens can be filed for companies to protect their interests in the event of a dispute along with a number of other much-needed modernizations in the act.

[Mr. Milliken in the chair]

This bill is good news for Alberta and for Alberta's construction industry. You see, ever since I became minister and, in fact, Mr. Speaker, before I was even elected as an MLA, I've been hearing from construction companies all across this province that they are not getting paid in a timely manner for the work that they have completed. This is a significant problem. You can imagine that if you're not getting paid for the work that you're doing, then you can't pay others for the work they're doing for you. In construction, where you have general contractors and subcontractors and suppliers of many kinds working on often very large-scale projects over long periods of time, you can imagine that when one group does not pay in a timely manner, that has a cascading effect all the way through the system. Then you can imagine also that in a time of crisis like what we're facing now with the COVID-19 pandemic and the related global economic challenges that we have seen arise in the last nine months, which has caused a significant decrease in demand for oil and gas, which has caused significant challenges in Alberta's economy, the construction industry is hurting even more. That just exacerbates the problem from not being paid in a timely manner for work that one has completed.

I'll just reference a couple of examples of some real folks from here in Alberta who've commented on the work that I have done so far. I'll reference a recent letter to the editor in the *Edmonton Journal* from Mr. David Chomik, who wrote:

I've been involved in the construction industry in Alberta for more than 40 years. I've experienced first-hand the devastation and hardship caused to contractors and especially to subcontractors when payments for work they've completed are withheld or delayed due to nonsensical excuses, pay-when-paid policy, and many more creative, deliberate and deceitful tactics to postpone payments.

Another example, Mr. Speaker. A gentleman by the name of Sheldon, who works in a small construction company, wrote to me and said that being paid promptly is a problem. He wrote that it is regular for their company to go 100 days or longer without getting paid and said that for a company that operates on about \$450,000 a year, having \$160,000 in outstanding remittances is not fair. Another example. Bob Robinson of Westcor has said that he thinks that prompt payment has been an issue for 10-plus years and has gotten worse over the past five years, again, with the pandemic.

It's clear, Mr. Speaker, that there is a significant problem in the Alberta construction industry today. That's why many of these industry associations that represent the Albertans who work in the construction industry and many of the companies who operate in the construction industry have been working for many years to lobby the Alberta government, to encourage the Alberta government to take action on this. I'll give you an example. Terry Milot of the Alberta Trade Contractors Coalition has said that he and his team have been working on this issue for over seven years. Karen Rutherford of the Alberta Roofing Contractors Association has said that she had been working on this issue for about eight years.

Mr. Speaker, we've been hearing from so many folks who make their living in the construction industry that this is a problem. Over the past year I've ensured that my department held very extensive consultations with industry that included people from all throughout the construction industry, from general contractors to subcontractors, from project owners and designers and everybody in between, including trade associations, professional associations, folks from oil and gas to public works, from municipalities and many other groups, all of which would be affected by the proposed amendments.

This was a historical consultation process, Mr. Speaker. It was important that we do that so that we get this right. It was important that we do that so that we end up with legislation that will modernize our construction industry and bring about a prompt payment system to ensure, again, that everyone is playing by the same rules, everyone is aware of the rules, and everyone will get paid in a timely manner for the work that they have completed. I want to thank all of the many, many folks who dedicated countless hours of their time to work with me and my team to ensure that we landed in the right place with this legislation.

3:10

You know, you've heard many of the folks from Alberta's government, in the government caucus, talking a lot about the importance of doing whatever we can to protect lives and livelihoods. Well, Mr. Speaker, this legislation was something that I knew was inside of my control that I could take action on now to protect livelihoods. Given that the Alberta construction industry is such a significant part of Alberta's economy – in fact, it employs roughly 1 in 10 Albertans – in my mind this was a no-brainer. We absolutely had to take action here to protect the Albertans who work in this industry, to protect the businesses that operate in this industry so that we can move forward with a constructive payment system.

I'd like to take a couple of minutes just to talk about the key features of the bill and what this will actually accomplish in practice. First of all, we will be enforcing the payment, timely payment, within 28 days of a proper invoice. This will also require

the definition of key invoicing standards without ambiguity so that everyone in the construction industry knows: what do we mean by a proper invoice, and what do I mean by having received a proper invoice, which would then trigger the 28-day payment period? Furthermore, Mr. Speaker, a proper invoice may be revised or disputed, but undisputed amounts must be payable within 28 days.

Another key feature, Mr. Speaker, is that we will be prohibiting the use of pay-when-paid clauses. These pay-when-paid clauses are a tool that many construction companies have been using as a crutch to deal with the prompt payment problem, basically saying: I'm going to put it in my contract that I don't have to pay you, supplier, until I've been paid by the person that I did work for. Well, that's a sign of an unhealthy construction industry, it's a sign that things aren't working, and it has often been abused. It leads to unfair results, passing the risk down to the smallest of subcontractors, who often are least equipped to manage those risks. Furthermore, a pay-when-paid clause would be completely incompatible with a prompt payment system, so this legislation will prohibit the use of those terms.

Another big change, Mr. Speaker, is that we are increasing the time frame within which liens can be registered on a project, which is an existing tool today for contractors. If they have not been paid in a timely manner, they have a right to file a lien to secure their interest while they work on sorting out their dispute. But the problem is that right now the legislation only allows them 45 days to do that, and given that the average time frame for payment has escalated into this low 70-day range – and keep in mind that that's just the average; in many cases we are hearing of companies not getting paid for as long as six months – we needed to ensure that these companies had enough time to determine whether or not there was a problem and to still file their lien, so we are increasing the lien period time frame from 45 to 60 days for this purpose with one exception. The concrete industry will have up to 90 days to file their liens to respect the fact that concrete is a little bit unique. It takes up to 30 days for it to cure. In order to determine whether the specs have been met on their contract and whether their payment is in effect owed, they need extra time.

By increasing the lien period times, we will ensure that liens are only filed when they absolutely are needed so that folks aren't filing a lien proactively just because they're worried they might not get paid. This will reduce the burden on the courts, and by taking this together with the 28-day payment time frame and the elimination of pay-when-paid clauses, we are confident that this is going to lead to a much healthier environment for all of the folks working in the construction industry today.

Then the fourth major feature that I want to highlight right now is the introduction of an adjudication system to deal with disputes. Mr. Speaker, it's all well and good for us to say, "You must pay in a timely manner; you must pay within 28 days," but what happens when there's a disagreement? Well, we heard loud and clear that it was extremely important that we introduce an adjudication process that was a made-in-Alberta solution, that respects the nuances and unique nature of the construction industry, and that is why we are going to be setting up a dispute resolution process that manages to address those factors. This will allow us to settle disputes more quickly and in a cost-effective manner outside of the courts. This will allow for a less formal process at lower cost and less time consuming. It will ensure that there are binding decisions so that once a decision has been made in this process, payments must be adhered to.

Taken together, these four elements will go a long way to establishing a functional prompt payment system that will strengthen the industry, which is extremely important more now than ever, Mr. Speaker. Why is it so important? Well, ultimately, at

its core this is going to protect jobs in Alberta. This is going to ensure that every company in Alberta who works in the construction industry is going to have certainty about how the payment process is going to work. Everyone is going to know the rules. Everyone is going to be playing by the same rules. Everyone is going to have to respect timely payments for work that has been completed. When there are disagreements, everyone will have the same process to deal with disputes, and it will have a very defined time frame in order to guarantee that everyone will have answers, everyone will get results, and payments will flow as they ought to, given the circumstances and the facts of each individual situation.

What that means, when these companies have that certainty, is that they can invest for the future. It means they can bid on new work that otherwise they might have been hesitant to bid on because they didn't know if they were going to get paid and they didn't know if they'd have the working capital to go out and take on a new project or to go out and hire more folks to expand their business. This is going to protect jobs. It's going to create the conditions to ensure that these companies working in Alberta's construction industry can grow and add more jobs. This is so important in light of our need to move forward with Alberta's economic recovery.

I'll give you just a few examples of some of the stories I heard. I heard from Karen from the Alberta Roofing Contractors Association when she said – and she was very clear in saying that by instituting a prompt payment system, companies can bid on more projects and have more accurate bids.

Similarly, Terry Milot, who I quoted earlier, of the Alberta Trade Contractors Coalition has said that prompt payment helps with planning. When people know that they're going to get paid, they're able to submit tenders for other projects.

Bob Robinson of Westcor, again, has said that timely payments will enable companies to grow their business and hire more people because they'll have that financial security and certainty because they'll be able to pay both employees and suppliers.

Mr. Speaker, to sum up, I think I've outlined a pretty strong case for why this legislation is important, how big the problem is and how long it's persisted in Alberta, and why we needed to take action now to address this. I'm very proud to be bringing this forward. I'm very proud of all the hard work of my department and my officials at Service Alberta but also very proud of all the effort put in by the construction industry, all of the trade associations and professional associations and all of the companies and folks who work in this industry who participated in this extensive consultation process for giving of their time and helping to make sure that we were pointed in the right direction to ensure that this legislation will address these important problems.

I'm very pleased that we as a government, Mr. Speaker, have been able to take those concerns seriously and act so swiftly. Again, many of the folks that I quoted: you heard what they had to say. This has been a problem for many, many, many years, and no government before us has acted on this. I'm so proud of my team here who is helping me to take this action.

I'm really hoping – well, first of all, I'm looking forward to the debate on this bill, and I hope at the end of the day that I and the entire construction industry in Alberta can count on the support of all members of this Assembly to pass this important legislation.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. minister.

Are there any members looking to join debate? I see the hon. Member for Calgary-Mountain View, with 20 minutes.

Ms Ganley: Thank you very much, Mr. Speaker. I'd like to begin by saying that we are incredibly pleased to see this legislation. It's

important to see that workers are paid on time, and it's important to the economy to ensure that certainty that the minister just mentioned.

We're proud to have campaigned on this issue in 2019. I'm also incredibly proud to have served with the former Minister of Infrastructure, also the former Member for Edmonton-Highlands-Norwood, who was able to bring these sorts of clauses into government contracts to ensure that when Alberta Infrastructure was contracting, they had prompt payment. In fact, that minister – it's hard to do this without names – was able to introduce a 1-800 number that individuals were able to call in an instance in which they were not paid under an Alberta Infrastructure contract. I think that that was an incredible move by the minister at that time in 2016.

3:20

I am also proud to say that a review of this was undertaken. The work was not completed, so I'm glad to see that this government has taken it forward because I think that this is an incredibly important step on behalf of workers. That's definitely a move in the right direction.

That being said, I think that there are a number of areas in which this legislation does help out workers, especially in the construction industry, but I would like to see the government take additional steps to help out workers. Beyond ensuring that people are paid on time, we must also ensure that workers are paid fairly and that their rights are protected. As we saw just in the last session, the UCP moved forward to cut holiday and overtime pay, to cut the minimum wage for young workers, and they're now considering right-to-work – it's one of those ironically titled things – legislation. I'm glad to see this step forward. I would urge the government to do more to protect workers.

I think another thing worth noting – and there are multiple things worth noting on this. Historically in this place under our government but for years before us under Conservative governments as well it was the case that members would come to this place to debate legislation, and frequently, particularly at second reading, because the opposition, obviously, does not have the resources that government does – government ministries have thousands of individuals working for them, and we have, I think, five people on our hard-working policy team. So it has historically been the case, again, under us and previous Conservative governments, that members came to this place and asked questions at second reading about the legislation, and those questions were taken by communication staff in various departments and written down and answers are provided to the ministers.

Now, since the UCP government has been in power, at least with respect to the questions that I have asked – I can't speak to everyone else's questions although perhaps they've had the same experience as I have – a minister has never answered any of those questions, which I really think contributes pretty significantly to the polarization in this place. If we can't have a rational conversation about things where people ask questions, which aren't even meant in a political light, which are just simply questions about: "Hey, I noticed this thing in the legislation. How does that work?" If we can't get answers to those, I think it makes it difficult for everyone to have a rational discussion in this place. I'm going to swing and probably miss again, but I am hopeful that the minister will provide answers to the questions that I am asking in this instance.

The first question. Now, the minister referred to extensive and prolonged consultations. It would have been helpful if he had provided a list of those consulted, but I will prompt by asking those questions. One question is about municipalities. I know that when Ontario first introduced prompt payment legislation through a private member's bill, there were issues in terms of the impacts that that had on municipalities, so I would like to know whether they

were consulted and what their response was and how that was addressed.

I think the other question I have – and it was answered in part. The minister indicated that when a proper invoice is received, that triggers the 28-day period. I think the concern that I have is that invoicing – how do I describe this? Oftentimes what you have is sort of a master contractor who has contractors, contractors, subcontractors sort of on down the line, right? You can get a line of four or five different individuals working before you get to the subcontractor at the very end who's performed the work, so those invoices don't always sort of issue in a linear manner.

In the instance where, say, you've got four on down the line – the bottom one invoices; everyone sort of invoices all the way up the line – the first contractor has 28 days to pay. If that first contractor takes 27 days to pay, what happens to, you know, the individual that's fourth in line? Does that 28 days still apply to that person who hasn't yet received funds but is being expected to pay the next person in the line? I'd like to have a greater understanding of how that's intended to work. Certainly, it may need to be outlined in regulation, but I think a significant point is that it's not clear how it works when you've got a number of individuals in succession with respect to the 28 days because if the top person takes the maximum length of time, that doesn't leave very much time for everyone else, and banks being what they are, that can create challenges.

I'd also like to hear about any other issues that were brought up in these consultations with respect to the perspective of labour. The minister referenced extensive conversations with the building trades, so I'd love to hear if this was their top-line issue or if there were other issues related to this that they brought up.

Now, I have a number of questions with respect to the adjudication process. The first thing I'd like to start by saying is that I think it's good to have this adjudication process. I personally am a huge fan of administrative law. I guess that's a joke that probably nobody in the room gets. People hate taking administrative law sometimes at school, but I really enjoyed it. This sort of tribunal adjudication is considered a form of administrative law, i.e. outside of the courts. And I think that's really, really good because it's sort of a narrow scope potentially. However, there's definitely a framework laid out here, but a lot is left to the regulation, and I think one of the things that concerns me with respect to stuff that's been left to the regulation is with respect to the actual jurisdiction of the adjudicator – sorry. Let me check. Sometimes they call them different things. Okay. The nominating authority is the individual that gets to sort of qualify the adjudicators, and then the individuals themselves apply to be adjudicator.

The jurisdiction of the adjudicator is, I think, defined in section 33.4. "A party to a contract or subcontract may refer to adjudication a dispute with the other party to the contract or subcontract, as the case may be, respecting any prescribed matter."

I'm trying to think of other instances in which this is used. I think the jurisdiction, which is pretty fundamental – like, what jurisdiction the arbitrator has in terms of what disputes they can consider and what matters they can rule on is fairly fundamental to the process. I think it's a bit odd to lay that out in regulation. I suspect I've seen it done once or twice, but I'd be interested to know sort of what at least the government's intention is with respect to this in terms of what the jurisdiction of the arbitrator is going to be and whether they think that putting that in regulation will have any effect when it comes to a judicial review of those decisions, particularly when that is taken on the basis of the adjudicator having lacked jurisdiction in that instance. That is an interesting piece.

Another thing I'd like to know about this is – so it appears that the adjudicators are private parties so that the nominating authority, which can be the minister or could be in the department, I would

suspect, qualifies the adjudicators, and then they go out and they render their decisions. They can be reviewed later by a court if someone applies to that, but this appears to be like a private arbitration, which can be problematic. The issue with a private arbitration is that in addition to paying your own counsel, both parties have to split the cost of the arbitrator, or in this case the adjudicator, and that can be very problematic because – I mean, we all know that when it comes to access to justice, parties can in fact abuse superior financial resources in order to essentially prevent someone from accessing the court or alternatively to drag someone through court and essentially make them give up something to which they are otherwise legally entitled in order to make the suit go away.

This is a thing we see all the time, and it's problematic. I actually think it's one of the fundamental issues that the court system will have to address, but this problem is made all the more difficult in the instance where you're talking about a private arbitrator or an adjudicator.

3:30

Now, in labour law it's one thing because unions have funds, right? It's multiple workers that are able to pool their funds together and essentially act collectively. That gives them the ability to sort of stave off this kind of superior power and money that the employer has. But in instances where you may be dealing with a private individual, it can be extremely difficult for that person to be able to come up with their half of the money, especially when these sort of private adjudicators, arbitrators will often require that you put money up front. Plus you're putting money up front for your lawyer. So I'm a little concerned about how that's going to work, what we expect the cost of it to be, and what we expect the impact of that to be, again, on the sort of smaller party who's trying to use this route to access their rights. That's a question I'd like to see an answer to.

Other questions that I have with respect to this. Again, I want to be clear that I do think it is a good thing to have this method of dispute resolution. I just think that there are still a few sort of details missing on this. Another thing that's left to be said on the regulations – and this one is not atypical – has to do with procedures that the arbitrator will set out in terms of how to apply and that sort of thing. I think it would be useful to have those laid out and to have a little bit more information about this.

Again, you know, when the government brings forward legislation, they sort of owe to the public an explanation for what they're intending to do, and it's perfectly normal to have a number of things set out in regulation in order to sort of be fluid – right? – especially when you're talking about something like procedures of an adjudicator. Sometimes you set it up one way, and it turns out it's imperfect. Those sort of procedural matters are more easily rectified, potentially, through regulation. So that makes sense. It's just that since we're here, since we're having the public debate, since the purpose of this place is the public conversation, it would be useful if the minister could provide to us some additional details in terms of how this is intended to work, what the timelines are intended to look like, that sort of thing.

Again, I think the jurisdiction of the arbitrator is fairly fundamental. I mean, I would guess, I would assume that this adjudicator is meant to adjudicate specifically issues around the invoice itself, whether or not it was, like, a proper invoice, as he outlined, or issues around whether or not payment was made, timing, that sort of thing. I'm hopeful that we can have a little bit more detail on that, and I'm hopeful, too, that there is some plan to deal with circumstances in which it is the sort of smallest party, the end individual, the actual plumber or electrician themselves who is

trying to seek the prompt payment and they don't have the sort of resources to lay down \$10,000 for their own counsel and another \$10,000 for the adjudicator. What's going to be done in those situations? The last thing we want is for money to become a barrier to justice. I'm not saying that isn't a problem that we have already, but I think we should probably not add to that problem as much as possible.

Other than that, I think it's worth saying again that we agree in principle with this legislation and with the government bringing forward this legislation. We disagree a lot in this place, and it is also the case that, generally, social media and the media generally, by which information is promulgated to the public about what occurs in this place, tends to thrive on controversy, shall we say. So even though we may not disagree on everything, it certainly appears to the public that we disagree on everything.

I think it's worth taking a moment to congratulate the minister and to say: this is something on which we agree. I'm glad to see this go forward. It's certainly something that we were working on. I'm glad that this government hasn't taken the fact that we were working on this as a reason to say: oh, it isn't worth while. That's really good. I'm glad to see that there is an outside-the-court sort of rapid adjudication system. I think we just need a few more details on that. I'm glad to hear that the minister feels that the consultation was very extensive. I would, however, like to hear a little bit more on what was heard from municipalities and building trades and whether anyone had concerns. We will, of course, continue to have those conversations, but as is typically the case in opposition, you know, you see the legislation, and then you have to go out and have those conversations, so they at this point continue to be ongoing.

The reason I think this is so important, again, is because it supports the smaller parties, and in particular it supports the workers. I think that is one of the big focuses we have to have in this province right now, the people of this province, because they are in an unprecedented, challenging time for a number of reasons. As we move forward, I do think it is the job of government to care about those people. I do think it is the job of government to be concerned about their welfare and their well-being. I do think, over and above just the economic measures, that the number of jobs themselves which are created or lost through any policy ought to be a relevant consideration.

Now, I know that the government disagrees rather vehemently with that last point and has done so on multiple occasions, but I actually think at the end of the day, that is the measure: working Albertans, their ability to get employed and to get employed in such a way that they can live their lives here in Alberta. We want young people to see a future here. We want young people to say: we want to move to Alberta, we want to get jobs in Alberta, we feel that there is a future, we feel that we'll be supported, and we feel that we can gain employment and not just employment but employment that allows people to purchase a house and raise a family and do all those things that maybe even 30 years ago were not considered absurd wishes and desires of the average worker.

Now, it seems now that we have a government who does consider it absurd that workers should expect that from their employment, but I don't. I think it's one of the things as a society that makes us thrive and function. It creates better civil society. It creates better democracy. It creates better government. It does a number of things. I have wandered now somewhat away from the topic of this legislation, but I think my point is that the thing that makes me so happy about this legislation – and I guess it's rare for us to be happy about government legislation, but this legislation is good – is that it is a step to protect workers. It is, I think, possibly the first step we have seen from this government to protect workers.

I hope that, much like they're sort of turning the corner on the issue of economic diversification, this represents a turning of a corner for this government, that this represents a change in direction, that, like diversification, it will go from calling it a ridiculous luxury to considering it something that's important for this province. People make wrong decisions in their lives, and, you know, nothing would make me happier than to see this government say: "Yes, we were wrong. We were wrong about thinking that diversification was something we shouldn't focus on, we were wrong when we thought that jobs and workers were things that we shouldn't be concerned about, and we're going to change course. We're going to do a better job of moving forward on that." I'm pleased to see this, and I hope it represents that change.

I'm extremely hopeful that I will hear answers to the questions that I have posed and that that would also represent a change, I suppose, in the way that we conduct business in this House because I do think that there is room for agreement.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members looking to join debate on this? I see the hon. Member for Calgary-Cross.

Mr. Amery: Thank you very much, Mr. Speaker. It's always a pleasure to rise in the House, and today certainly is no different as we discuss Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020. It's also refreshing to see that members of the opposition are speaking positively of this act because I truly believe that it is transformative and will revolutionize things for those people in the construction industry and certainly for many Albertans.

3:40

I can speak for all of my caucus members when I say that we believe that Albertans deserve to be paid for their hard work and their long hours. I'm sure that you, Mr. Speaker, would also agree with me that these hard-working Albertans should be able to count on getting paid for a job well done so they in turn can manage and grow their businesses as well. Right now far too many Albertans are simply trying to pay their bills and keep a roof over their heads. The uncertainty of getting paid or having a job is a reality for far too many people in this province, and that rings especially true for those in our construction industries. The uncertainty and stress around when or even if payment happens has caused unbearable strain on our small and medium-sized construction enterprises.

Mr. Speaker, this legislation is incredibly important for the sustainability of our construction industry. Contractors and subcontractors have made it clear that they are struggling largely in part because they are not being paid on time or at all, for that matter. The Minister of Service Alberta has brought forward a comprehensive bill, which I'll refer to as prompt payment legislation, to address the issues that we've heard from thousands of Albertans. This legislation, if passed, will help protect good, well-paying jobs that support Albertan families all across this province. While this bill will transform the entire way that contractors and subcontractors get paid in this province, I want to focus my time on a few important areas.

Bill 37 will mandate the payment of properly issued invoices to be made within 28 days to contractors or subcontractors. This means that hard-working Albertans will not have to wait endlessly to get paid for the work that they've done. In recent years the average time for payment in Alberta's construction industry has increased from 45 days to over 70 days. This is unacceptable. Mr.

Speaker, withholding payments has become far too common in this province in recent years.

Prior to being elected by the great people of Calgary-Cross, I worked as a lawyer in northeast Calgary, where I spent the majority of my time representing families and small businesses. In almost every instance where a construction dispute arose, the contract that I reviewed almost always included a term that required that these small businesses wait 45 days to get paid after the work was done, and this was done, in my opinion, by and large, to avoid being subject to builders' liens. Property owners and general contractors would impose a 45-day period whereby small and medium-sized businesses would have to wait after furnishing the work, after providing the labour, after providing the expertise before they could even contemplate getting paid. That was done to allow the period to expire, the 45-day period to expire, so that those small businesses could no longer put their liens in place. In many cases and especially today, where small construction businesses were struggling and are struggling to keep above water, they are forced to accept these terms or lose out on the desperately needed work that they require.

Mr. Speaker, the terms of these contracts are unconscionable. The disparity in bargaining between wealthy owners and general contractors and those subcontractors that are struggling to survive requires this government's attention, so we are doing exactly what we've heard by supporting this bill. The flagrant abuse by unscrupulous actors in the construction industry ends today. Bill 37 will do away with the practice of making hard-working subcontractors wait endlessly to get paid. This wait comes often at no penalty or cost to those who owe the money or those who have received the work. Bill 37 will do away with the practice of making subtrades wait until the lien period expires to start contemplating payment because it will disincentivize the practice of doing so.

Contractors and subcontractors who do the work will now have 90 days to file the lien, 62 days of clear notice after payment becomes due. What this means, Mr. Speaker, is that it does away with the 45-day period to wait because after 28 days we know whether somebody is going to get paid or not. These small businesses can then contemplate whether or not it is appropriate to place a lien, and they'll have 68 more days to do so. That's important.

Too often, Mr. Speaker, day 46 comes around and small businesses find that they haven't been paid, and they also find that they've got no more recourse to file a lien. So what does that leave them with? It leaves them with the option of abandoning their claim or proceeding through the courts. As you know, Mr. Speaker, all too well, proceeding in the courts is lengthy, time consuming, and incredibly expensive for these small businesses.

Bill 37 does away with the pay-when-paid clauses in contracts. For those of you who are unfamiliar with these clauses, this is one that rears its ugly head in many construction contracts. The idea here, Mr. Speaker, is that a contractor does not have to pay its subcontractors until they themselves are paid. This means that all of the risk of a project is shifted onto those small and medium-sized businesses, those businesses who must furnish their labour, those businesses who must furnish equipment, material, skills, and expertise and then hope that they get paid. They hope that those above them in the chain of command get paid so that they, in turn, can get paid as well.

Mr. Speaker, this government believes in small business. This government stands up for small business. Small business in this province makes up the fabric of our economy. Small business employs the vast majority of Albertans, and they are the engine that keeps our province moving forward. Bill 37, rightfully so, prohibits pay-when-paid clauses and prevents the shifting of risk to these

small businesses, small businesses who are, in fact, least equipped to handle these pressures.

Mr. Speaker, let me be clear. Nobody should be unsure about how or when they are getting paid or be forced to wait for others to be paid. That type of system leads to greater uncertainty in the entire construction sector and causes unnecessary financial hardships on Alberta construction workers and their families. During a pandemic this becomes even worse. When these disputes arise – and they will – the current options usually involve, as I mentioned earlier, lengthy and expensive court processes. In many cases, faced with not being paid and with mounting legal bills, these businesses have no choice but to close their doors forever. A timely and cost-effective dispute resolution service is needed more than ever.

Mr. Speaker, I heard some comments from the opposition – and I appreciate those comments – but I can say with absolute certainty that an informal arbitration process levels the playing field between those small businesses and the general contractors or owners that haven't paid. It allows individuals to represent themselves. It allows them to attend at a process that they're more familiar with. It allows them to avoid the legal fees that they don't necessarily have to incur anymore. Bill 37 accomplishes all of this by introducing a faster, more informal adjudication process that removes the stress and the anxiety of a normal court procedure. Those in the construction industry will have an easier, faster, and more affordable way to have their issues heard.

Mr. Speaker, this bill will support construction workers and companies all across this province, and it will play an instrumental role in supporting the economic recovery of this province. I'm very pleased to support this bill. I implore all members of this House to support this bill. It is incredibly important. It is incredibly timely.

Those are my submissions. Thank you.

The Acting Speaker: Thank you very much, hon. member.

Standing Order 29(2)(a) is available for short questions or comments.

Seeing none, are there any members looking to join debate? I see the hon. Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Mr. Speaker. I'm pleased to rise today to speak in second reading on Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020. I smiled a little bit at the end of my colleague the Member for Calgary-Cross's comments there as he indicated that those were his submissions. You can always identify another lawyer from across the room with those kinds of comments.

3:50

I will admit, also being a lawyer myself, that this is not an area that I practised in significantly, so I appreciate the comments from the Member for Calgary-Cross, having worked in this area and providing this insight. As well, I'm following another lawyer in our House today, Mr. Speaker, by following the Member for Calgary-Varsity – sorry; Calgary-Mountain View, who is also a lawyer, although I do believe the Member for Calgary-Varsity is also a lawyer. I think we actually have quite a few lawyers.

An Hon. Member: No, no. I don't think so.

Ms Pancholi: No? The Member for Calgary-Varsity? Yes, he is.

Member Ceci: And the Speaker as well.

Ms Pancholi: And the Speaker as well. Anyway, this is not supposed to be a lawyer lovefest right now, Mr. Speaker, but it ended up being one of those.

I am pleased to rise today to speak on Bill 37. Mostly, I have to say that I'm quite thrilled to see that there is so much consensus in this Chamber right now and on both sides of the House with respect to this bill. I think all of the comments that have been made by members on both sides of the House have been generally in agreement and in consensus on the necessity and value of bringing forward legislation such as this.

I would also like to offer my appreciation to the Minister of Service Alberta for bringing forward this legislation because it's much needed. It was needed even prior to the current economic recession that we are in, Mr. Speaker. There's been work that had been done under the former NDP government to work towards this objective, and we know that the Member for Edmonton-Ellerslie brought forward in the fall of 2019 a motion on the Order Paper. I don't believe we had an opportunity to debate it in that Legislature, but he did bring forward a motion that spoke to the need for prompt payment and addressing delays in the construction industry. It's a shared concern by all members in this House.

That was, of course, before the current economic downturn, and it's become even more important as we are focusing and as the government is focusing in particular on new construction projects as part of the economic recovery plan they have laid out. We know that that will be an important part of what this government is laying out for economic recovery. The construction industry does need to be supported, particularly with, as it's been laid out by a number of the speakers before me – and I think the Minister of Service Alberta said it quite well – the cascading effect. That is how we know that construction projects get completed. There are, you know, the general contractors, and it goes down to the specific subcontractors who are doing specific work on a project.

With any small to large project, there are going to be multiple contractors involved in that work, and waiting for prompt payment has become a huge issue. It has been for many years. We know that there are several lawyers who have probably done quite well off that kind of litigation in the past because there's such a need for it. Unfortunately, that doesn't serve the contractors, that doesn't serve the businesses who do this work, and it doesn't serve the people who benefit from those projects, whether they be private or public projects, from the benefit of that work if it's all tied up in litigation.

More importantly than ever, I absolutely agree with the Member for Calgary-Cross with respect to the importance of small businesses. It's been something that's been very important to our party as well and something that I'm very proud to do as a member representing Edmonton-Whitemud. Many, many of my constituents are small-business owners. I've spent a great deal of time speaking with them. I actually have a number of constituents who are also heavily involved in the construction industry, and I look forward to their comments and feedback as I'll be putting that out to them for their response.

I do take seriously that the Minister of Service Alberta has done a significant amount of consultation, but I would also like to hear from those constituents of mine who are involved in the construction industry to see what they think. I suspect, Mr. Speaker, given the general consensus in this Chamber thus far, that they will be very supportive, but I'm sure they have questions. That is the purpose of second reading of a bill, not to challenge in this case – we have general consensus, I believe, on the principles and the objects of this bill – but to ask questions about how it's being implemented and what will follow the implementation of this act to make sure that it is meeting those specific objectives that either emerged from consultation that was already done or that we hear from our constituents as we move forward. I look forward to hearing from those that I will be reaching out to to see what they

think about this and specifically around some of the timelines and pieces that are in here.

In my understanding, Mr. Speaker, Alberta is not the first jurisdiction to bring forward legislation such as this. Perhaps we can look to the experience of Ontario, which recently brought in prompt-payment legislation as well, to look to see if there are any lessons learned or any questions that emerge from that, to make sure that we bring forward the most effective legislation that we can. That's, of course, always our objective when we are in this House.

I note that the Member for Calgary-Mountain View brought forward a number of questions about the adjudication process. I want to be very clear. There seemed to be some question from the Member for Calgary-Cross as to whether or not the members on this side of the House were supportive of an adjudication process as opposed to going to court. I think I can say emphatically, especially after the comments from the Member for Calgary-Mountain View, that we are very much in support of an adjudication process as opposed to having to go through the courts for all the reasons that have been set out already, which include that it is less costly. It's incredibly time consuming to go through that process, so an adjudication process is important.

I think one of the things that we have to do is sort of, again, look at what other jurisdictions have done to see if there are perhaps some differences. My understanding, Mr. Speaker, of course, is that I would imagine the ministry staff who are developing this legislation probably looked to other jurisdictions and made some choices, as we do. Alberta is a very different environment than Ontario. I'm certainly not suggesting that we should have the same legislation, but there may be questions about: well, why were choices made there that we're making that are different here?

I think one of the questions, too, particularly when we look at this alternative adjudication process, is that, I understand, looking at Bill 37, a lot of it will be set out in regulation. That's not necessarily a problem. That's not a negative thing, but it does mean that regulations, as you know, Mr. Speaker, don't come before this House for debate. They don't come before this House for amendment. Those are processes that happen outside of this Chamber, so the public scrutiny that sometimes comes along with regulations does not occur. I think it's valuable to sort of get some clarity, because I imagine, too, that perhaps the minister has an idea of which way the regulations are going to go. If he would like to, even if it's not going to be in the legislation, speak to some of that, that would be useful.

Some of the questions that arose in my review of some of the discussion around prompt-payment legislation and adjudication, some of the things that we could look at, for example, are that right now, as set out in Bill 37, there are no specific timelines for adjudication, and presumably those will be set out in regulation. Again, I'm not saying that this is necessarily the best way to do it, but I would love to hear feedback from the minister as to why he didn't do what Ontario did, which is that they have set very tight timelines. I don't know, actually, if Ontario did that by statute or by regulation, but in Ontario there are very tight timelines to respond to the adjudication process. The commencement of an application, appointing an adjudicator, presenting documents: all of those things have to be done within 45 days, and the dispute must be heard within 45 days. I think that's probably a good thing, especially if the objective of an adjudication process is to move this along faster than what currently happens through the court system. I think that's probably a good thing.

I'd be interested to know if that's a similar type of timeline that the Minister of Service Alberta is considering. In developing that timeline, there are a lot of pieces that have to come about to make that tight timeline work, of course, which means making sure that you have the panels or the adjudicators set up. How will they be

qualified? How will they be appointed? Can that realistically be achieved in that time period? What are the time periods that the current minister is considering for regulation?

I note that in Bill 37, in the adjudication process, these decisions are supposed to be final and binding, again to provide some certainty to small businesses, medium-sized businesses, and even large businesses that are in the process of bringing forward a complaint. That contrasts, however, with Ontario's Construction Lien Act, which makes the adjudicator's decision only binding on an interim basis, and I think that's to try to determine how this process will work alongside the lien process and enforcement of lien rights. Again, just a question for the Minister of Service Alberta, if he's given some thought to that.

4:00

I also note, for example, Mr. Speaker, that the minister will have the ability under Bill 37 to appoint more than one adjudicating body. I would imagine it's somewhat like different panels that could hear adjudication issues. I understand that one possible objective of having multiple panels is to actually create a bit of a competitive system, so the parties to an adjudication would choose a panel – at least, that's what's implied – and I'm wondering if the minister can provide clarification on that, as to how these panels will be comprised. Is it set up to be that it is a bit of a competitive process: which panels can deal with the matters faster?

It also suggests to some extent that the parties might be choosing or shopping around for a panel that they think might be most supportive of their position. This, again, differs from what's in the Ontario act, so I'd be interested to hear a little bit about how the adjudicating bodies will be established, the purpose of having more than one set up, all things that are important.

You know, there are, again, other things that will be left for the regulations: the qualifications of the adjudicators, the powers, the remuneration to be paid. These are just questions that we ask only to have clarification, and I would love to be able to take some of that information back to some of my constituents who have an interest in this matter. I think it just provides some clarity as to how effective the adjudication process will be.

I want to reiterate again, Mr. Speaker, what the speakers to date have said, which is that we do support that. We do support an alternative process other than the court system because fundamentally it's about access to justice. At a time when our economic recovery depends upon business owners being able to pay the bills, being able to put food on the table, we can't have litigation and complaint processes dragging on the ability of Albertans to pay their bills and to get paid and to put food on the table. We need to make sure that things are happening as quickly as possible. That, again, was always the case, but it is true even more so now than ever for many, many Alberta businesses. This is a very good – as I said, we're very supportive of the concept behind this bill.

I do also want to highlight that, you know, I think there are a couple of other pieces that the minister spoke to about what this bill will do that contrast a little bit with what happens in Ontario. I note that the primary piece of this bill, part 3, which lays out the prompt payment pieces, actually sets out that 28-day timeline, that all payments must be made within 28 days. This is different than what happens in Ontario, which does allow for seven days for each subcontractor, which, again, creates that cascading effect that the Minister of Service Alberta referred to, which, actually I think I'm inclined to – I want to hear feedback from those that I'll be seeking consultation from, but it sounds to me that what's being done here might be better than what's going on in Ontario, where they do allow for that seven-day delay between subcontractors. The ability to actually enforce a flat 28-day rule for all contractors on a project

is probably a good thing and more certainty for those business owners. That's a good thing, I believe.

I also appreciated that there is clarity within part 3 about what a proper invoice would be because, of course, if we're going to enforce prompt payment timelines within this act and we're going to create a very clear timeline by which it must be made, we don't want to have disputes over whether or not an invoice was properly issued or not.

I actually think – when I first read the bill I wasn't entirely sure what the purpose of that section was, but then it became very clear that it's in order to make sure that there's no dispute about what is considered or not considered a proper invoice when the timelines kick in for prompt payments. I thought that was an important part of this bill.

I also appreciated seeing in this bill what's identified as – it will be section 32.5 of the newly named act. The act, of course, will now be named the prompt payment and construction lien act, instead of the Builders' Lien Act, which will probably cause a lot of work for lawyers, changing a lot of precedents and things that they have created already, but that's okay. I appreciated that the new section 32.5 . . .

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available, and I see the hon. Member for Calgary-McCall has risen.

Mr. Sabir: Thank you, Mr. Speaker, and thanks to the hon. member. She was just about to talk about a section that I was interested in knowing more about, so I will ask the member if she could expand on her comments.

The Acting Speaker: The hon. Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Mr. Speaker, and thank you to my colleague the Member for Calgary-McCall. Yes, I was going to reference what will be the new section 32.5 of the newly named act. It refers to no effect on wages, and that clearly states in the act that nothing with respect to prompt payment "in any way reduces, derogates from or alters the obligations of a contractor or subcontractor to pay wages to an employee as provided for by statute, contract or collective bargaining agreement."

I'm happy to see that provision because it is equally as important – business owners and their employees all have an interest in making sure that they can get paid on time and get food on the table, particularly in this time of economic uncertainty. It is equally as important when we're thinking about the business owners to also think about the employees who are dependent on their wages being paid.

To provide some certainty in this act that nothing that's been introduced as part of this bill will affect the rights of those workers to have their wages paid is very important, because I will say, Mr. Speaker, that, you know, we do have concerns about a number of provisions that have come forward from the government in this past year and a bit that we believe have undermined the rights of workers to get paid properly with respect to changes to overtime pay and holiday pay. Some recognition within this act that employees and workers are also entitled to get paid is very important.

I will continue, as I know my colleagues will, to stand up for employees, to make sure that they are getting paid properly because there is really no distinction – and I think that can't be highlighted more, Mr. Speaker, than when we're talking about small-business owners. You know, there are several small businesses in my community that I've spoken to in the last little while to see how they've been affected by the pandemic, who – really, there's just the business owner and there are one or two employees. At the end

of the day that business owner needs to put food on the table, and they recognize that so do their employees.

You know, we sometimes hear a lot of distinction drawn, particularly in this place, between workers and job creators as if they are separate people or separate beings, but they're all Albertans, and we all need to make sure that job creators, if that term is going to be used, employers, small-business owners, medium – they all need to get paid. So do their employees. So do their workers. I just wanted to comment on that, Mr. Speaker, that it is important that when we're talking about prompt payment employees and workers absolutely have the right to prompt payment as well as, I would argue, adequate payment.

I will look forward to an opportunity to speak to this bill further in, perhaps, Committee of the Whole, presuming that we pass this bill at second reading, because I do have some other comments that I'd like to make about potential changes or questions for the minister. I've noted in the past that the Minister of Service Alberta is often very co-operative to provide some back and forth and feedback on the bills he's had an opportunity to introduce in this Legislature so far, so I'm looking forward to that back and forth with the Minister of Service Alberta to just clarify that we have, going forward, the strongest and best legislation for prompt payment as I believe all members of this House have a commitment to doing.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

With about a minute and a half left on 29(2)(a) should there be any takers.

Seeing none, are there any members who would like to join debate? I see the hon. Member for . . .

Mr. Smith: Drayton Valley.

The Acting Speaker: . . . Drayton Valley-Devon.

Mr. Smith: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to rise and to speak to this bill, the builders' lien amendment act. This bill, obviously, as we've heard from others in this House, makes adjustments to take aim at reducing the need for liens on newly constructed buildings and projects. Alberta has not had any significant work done on this file for almost 20 years, so it's high time that we begin to cast a critical eye on how we can move forward, and I'm glad that the minister has chosen to do so now. Over that period of 20 years we've had several other jurisdictions in Canada that have already implemented the kinds of measures that we see in this bill, and I'm pleased to see Alberta moving in the same direction. Many within the construction industry have been asking for this for some time, so this piece of legislation is really a movement by our government to address a need that has been identified within the industry.

4:10

Contractors need to know when they will be paid. This isn't rocket science. If you're running a business, you have expenses, and you need to know when you're going to get paid in order to cover those expenses. This bill is vital to helping them to pay their debts for the goods that they've purchased, for the services that they've rendered, and, most importantly, for the employees that they need to pay. This is vital, Mr. Speaker. The construction industry employs tens of thousands of people across this province. They build the homes that we live in and the offices that we work in. In fact, we can see them doing a lot of work on the building that we're debating in today. All of these are important and will be affected by this bill.

This bill is going to put an effective end to the pay-when-paid concept or practice that has left many struggling with uncollected debts. The new requirement for invoices to be paid within 28 days of issue is going to create more certainty for the contractors that are involved in the building industry. Notwithstanding that, some, we've heard, have voiced some concern that this could affect small businesses in being unable to pay their bills until they get paid and could therefore put them in jeopardy. While this is a valid concern, rest assured that not only has it worked out in other jurisdictions as they passed similar legislation, but the parties in question are still able, in this case with this legislation, to work out their own terms. They can work out between themselves, between the parties, when invoices will be sent out or can be sent out, allowing for an agreed upon flexibility so that this type of issue does not occur.

Of course, there will still be, obviously, in the real world, some disputes on payment, and there will still be payment issues that occur as contractors are involved in business. But these things will happen, and this is where the other part of this bill is going to come in.

Previously the courts were there to try and help resolve these kinds of disputes. As everyone knows, our court system is under stress. It's quite backlogged with a variety of issues at this time. You know, I don't have to look any further than my constituency, as in many others across this province, to realize that there's an issue of rural crime, and in some cases we've even had situations where serious offenders are being let go because the courts cannot hear the cases in a timely fashion. So anything that we can do that is going to address this problem for the courts and make it easier for them to address the serious issues, we need to consider. Of course, this bill actually addresses some of those concerns.

While we are working on many solutions to the justice system issues with their caseload, this bill will take some of the pressure off in that case. If passed, this bill will create an adjudication system. Authorized nominating authorities will appoint qualified third-party adjudicators to resolve the payment disputes, and these resolutions that will be seen as a result of these adjudicators will be considered binding. In order to cover the costs of this adjudication process, a reasonable fee will be required, similar to the costs of filing a lawsuit and creating a self-sustaining model without undue taxpayer burden.

Businesses will still have the option, if necessary, to find enforcement through the courts and file a lien with the land titles office if that is appropriate. However, what we've seen in other jurisdictions when they have passed similar legislation is that this will largely be unnecessary, thereby lessening the burden on our court system as the adjudicators begin to use this process to find solutions to the issues under dispute.

Now, as we leave these courts free to deal with those matters that are more serious and of a criminal nature, it means then that constituencies like mine, that have struggled with rural crime, will be able to better protect their communities. We see a spinoff that comes out of this bill that's going to help not only the contractors in our province and perhaps the oil and gas industry in our province, but it's also going to help the core system and create a safer society within the rural areas, with Drayton Valley being one of those areas in this province.

Along with this the deadline to file for liens will be extended to allow the adjudication process time to work. These may now be filed within 60 days instead of the previous 30 days. If anybody has had any conversations with some of the smaller service companies in the oil and gas industry, you know that this period of time has been a real problem for these companies as they've often given up rights to be able to put liens on if they wait too long. So liens may

now be filed within 60 days instead of the previous 30 days, and the oil and gas sector will now have 90 days.

The minimum amount owing to file for a lien will also change from \$300 to \$700. We're providing these businesses with a little more flexibility in the area of time in order to be able to adjust and to deal with some of these payment issues that they're facing.

Now, modernizations of holdbacks will also be introduced. Traditionally we have required a 10 per cent payment as a holdback in order to help ensure against liens, and these holdbacks have traditionally been released 45 days after the work is completed, but they are often held longer. This again creates a fiscal burden on the industry. What is now being proposed will allow for these holdbacks to be released over a period of time, specifically in the case of projects that span over multiple years of time. As projects hit preset milestones and their risk of liens being filed begins to decrease, the holdbacks will be released in proportion.

Mr. Speaker, this is a good bill. As an MLA in an area of the province that is seeing increased investment and has major potential for growth in the years to come – the changes made here will be a welcome help to many who need their invoices paid in a timely manner to run their businesses and to pay their bills, particularly in the energy sector, which dominates my constituency, and particularly in many of the projects that are beginning to start to take shape in my constituency.

I want to thank the Minister of Service Alberta for bringing this bill forward, and I would encourage everyone to vote in favour of this bill. Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, are there any hon. members looking to join debate? I see the hon. Member for Calgary-Falconridge.

Mr. Toor: Thank you, Mr. Speaker. It's my honour to speak about this important piece of legislation. I represent Calgary-Falconridge. Calgary-Falconridge is a home to people who are involved in this trade, in the construction trade, thousands of people who are involved in this trade. During COVID-19 in Alberta we're proud that the construction industry was open. Those construction workers put their lives at risk. They took risks, but they kept going. In Calgary's northeast the construction industry kept booming. I'm so proud to represent this.

But at the same time, I heard different stories from different construction workers, can be small tradesmen, of a few thousand dollars to millions of dollars that they would not get paid. Here's an important question for those tradespeople: when and how will they get paid? I have some friends in the construction industry. They told me that even after putting the flooring in the house, after even a few years they didn't get paid, and when you look at this whole cycle – there is an owner, contractor, subcontractor, and the supplies that are involved – there was a loophole. Payments wouldn't get paid, or paid if you get paid. There were a lot of loopholes.

4:20

Before me I think there were a few members who were legal counsels, and they can have legal opinions. What I can tell you is that the system is so unclear that a lot of people are suffering from this. I can give you an example. If you're a general contractor working for a construction project, you might have a lot of different trades like electrician, plumber, structural trades, and other trades working for you. If the electrician does their work, there was a clause for 45 days, that you would get it in 45 days, but at the same time the construction project is still going on, so I don't know how the subcontractor could put a lien for 45 days.

So I am proud that the minister of services brought this important piece of legislation. This industry is a part of economic activity and is a major employer. Those employees working in this industry are not asking for raises. They're not asking for other features which we heard every day, but they're looking for getting paid for their own work. I think it's unacceptable when workers are not paid for their labour, and we must do everything we can, using all legal and regulatory rules, to ensure that construction industry workers, tradespeople, who are the small-business owners – and they employ a lot of people – should get paid. There's no excuse for not receiving the agreed-upon compensation when work is done.

I heard from different speakers. I think I can see that it's kind of unanimous consent, that the members from the opposite side understand that there is a problem in the construction industry. When we have this Alberta recovery plan coming, there will be a lot of construction projects going on, even public-sector jobs, private-sector jobs. But the important thing is that the people who are involved in the construction industry should get paid, and we are bringing the regulatory procedure. It can be a 28-day period when the original invoice is issued. It's just a right step in the right direction. It might not be the perfect solution, but this is the right step. Put regulatory steps, put the regulation so workers, when they wake up early in the morning and before they go to work, should have peace of mind that they will get paid. There is a lot of confusion, and also the workers are not happy with the way that this industry is working.

So I fully support this, and I'm very proud that this is the bill that the minister of services brought up – I see this every day – and the Assembly can take to ensure that individuals, that many small-business industries are paid. This is the right step, and I request members from both sides to support this important piece of legislation.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available should anybody wish to – I see the hon. Member for Calgary-McCall has risen on 29(2)(a).

Mr. Sabir: Thank you, Mr. Speaker. I'm glad to see that this important piece of legislation has been brought forward. As my colleague the MLA for Calgary-Falconridge and other colleagues in this Legislature have mentioned, it's an important piece of legislation. It's something that we can all agree on in this House, that this is a piece of legislation that should move forward, because we all believe that when entrepreneurs, workers in Alberta are doing some work, they have every right to be paid on time and in a reasonable time.

My colleagues have previously mentioned that that was part of our 2019 election campaign, and actually we worked on it when we were in government. Then minister Brian Mason, when he was Minister of Infrastructure, actually added some provisions within government contracts that will ensure that workers and contractors can be paid on time and promptly. Seeing this bill come forward certainly is a good step. It's a step in the right direction.

I think there are some questions that have been raised in debate by my colleagues on this side of the House, and those questions relate to certain consultations, consultations with municipalities. I understand that minister has mentioned that he has consulted on it, and I have no doubt that he has.

We just want to know what the consultations have been with the municipalities because I understand that similar legislation was brought forward in Ontario through a private member's bill. Again, the intention of that legislation was really good and the same, to make sure that workers can be paid promptly, but there were certain

issues that were raised. There were certain unintended consequences. So what I would really like to hear from the minister is: has the minister considered that particular legislation? Has the minister considered other prompt payment legislation across the country? Has he looked into the issues that have been commonly raised after the implementation of such legislation, and if so, what steps has the minister taken within the legislation or does he intend to take through regulation to make sure that we don't face similar issues, that other municipalities and other jurisdictions have identified?

The second thing is that I think there is a 28-day period for the whole construction period for everyone to be paid, from contractor to subcontractor. I think that differs from other prompt payment legislation, and what will contractors do who are being paid really close to that 28-day period and need to pay subcontractors and so on or need to receive invoices and so on and so forth? The question in regard to that is what the minister has considered, who he has talked to, what feedback he got on how that 28-day period will work in practice.

Other things. As the minister mentioned, he has consulted extensively on this piece of legislation. I think we would be interested in hearing what other labour issues have been brought up and if there will be . . .

The Acting Speaker: Thank you, hon. member.

We are back on second reading of Bill 37. Are there any hon. members looking to join debate?

Mr. Nally: I thank the hon. Member for Calgary-McCall. You have no idea how much we appreciated you speaking to that.

With that, I would like to move that we adjourn debate.

The Acting Speaker: Thank you, Deputy Government House Leader.

[Motion to adjourn debate carried]

4:30

Bill 40

Forests (Growing Alberta's Forest Sector) Amendment Act, 2020

The Acting Speaker: I see the hon. Minister of Agriculture and Forestry.

Mr. Dreeshen: Well, thank you very much, Mr. Speaker, and I'd also like to thank our Deputy Government House Leader for doing such an amazing job keeping this place running on time.

With that, Mr. Speaker, I'm happy to rise and move second reading of Bill 40, Forests (Growing Alberta's Forest Sector) Amendment Act, 2020.

This piece of legislation ultimately comes from months working with the forestry sector, consulting with them, trying to figure out barriers and things that the government does or doesn't do that actually impede them from having confidence in investing here in the province of Alberta, of creating new jobs in the forestry sector, and ultimately keeping our forests that we have here within the province of Alberta healthy.

Mr. Speaker, there's no doubt that this year has been very challenging for all Albertans. The impacts of COVID-19 have been proven to be unrelenting, resulting in record-high unemployment at a time when Albertans were already struggling, but our forest sector continues to serve as a beacon of economic strength within the province. Faced with the harsh realities of the pandemic, foresters have shown their resilience. They continue to push forward, prioritizing the safety of Albertans but still ensure that Albertans

have access to high-quality forest products that they rely on every day. Recognizing the importance of this industry, our government moved quickly to declare our forestry sector an essential service. This decision ensured that our forest sector could continue to have access to equipment, to trade corridors, and everything that they needed to be able to function at a high level.

Obviously, Mr. Speaker, that now leads into Alberta's economic recovery plan. This year alone Alberta's forest sector is projected to pay the province of Alberta in timber dues over \$350 million in royalties. To put that into perspective, that's about a third of the royalties that we expected to get from Alberta's oil and gas resource sector. Obviously, this is important not just to the taxpayers of the province of Alberta but also for the 40-plus thousand people that work directly in the forest sector and also for the Minister of Finance and our government coffers as well. That is why we must do everything that we can to support this province's economic recovery and to promote our natural resource sectors. I strongly believe that investment will continue to come here to the province of Alberta – that we've seen even this last year – and will continue to help grow our economy, especially in the forestry sector.

To ensure that we are meeting the needs of our forest sector through the proposed changes, as I mentioned, we did rigorous consultation with our Alberta foresters. But this isn't a new thing for our government. In Agriculture and Forestry, just in the ministry alone, we continue to show Albertans how important their thoughts and ideas are. That's why we consult with them. We consulted before repealing the NDP's disastrous Bill 6. We consulted on how best to achieve farmer-led research and develop a 10-year agreement, that we signed last year, to have \$370 million of agriculture research that will be led by farmers, setting the priorities of where those funds would go through Results Driven Agriculture Research. Also, we consulted on a recovery strategy before investing \$815 million into irrigation, creating four new off-stream reservoirs in southern Alberta and also 56 modernization projects that will convert open-canal water into pipelines, again, creating over 200,000 new irrigated acres in the province, putting that to about 2 million that Alberta has in irrigation.

Obviously, Bill 40 was no different. It's something that we wanted to consult on first and then act second. These amendments will help drive our growth in our forest sector by getting out of the way of job creators and creating an environment that attracts investment. Our outdated Forests Act, the previous piece of legislation, had not been significantly changed for about 50 years, and it was hampering the development of our forest sector. With these amendments in this bill, Bill 40, we are creating an environment that will drive growth in our forest sector for generations to come, and we are giving them the flexibility they require so that they can react and respond to changing conditions.

Mr. Speaker, we continue to see the need for this change as we fight against the mountain pine beetle, which threatens about \$11 billion worth of fibre here in Alberta, as well as wildfire that always is a perennial issue here in the province of Alberta. When you look at last year, 2 million acres of Alberta forests burned in one of the worst fire years. Contrast that to this year: about 8,000 acres burned. Again, I just wanted to give a shout-out to our brave men and women in Alberta Wildfire that did a tremendous job annihilating or extinguishing 700 fires this year. About, I think it was, 99.4 per cent of fires were put out by 10 a.m. the next day, which is an amazing record that they achieved this year. Obviously, the forestry industry is a key partner in this fight on the mountain pine beetle and on fighting forest fires, and we would not be winning on these two very major impacts to our forest sector without industry support. We value their contribution to Alberta and their relentless advocacy for the health and safety and sustainability of our forests.

We as a government developed our forest jobs action plan and have been committed to reduce red tape on our job creators. Again, something that our Associate Minister of Red Tape Reduction has done an amazing job of: also consulting, working with the forestry sector, setting up forestry round-tables as well to, again, gather the information that foresters would say is slowing down their economic growth here in the province. Ultimately, with all of that taken into consideration, that is exactly what this bill, Bill 40, seeks to do, if passed.

Now, I know the members opposite struggle to believe that economic growth and our natural resource sectors and protecting the environment can be achieved at the same time, but, Mr. Speaker, I'd like to inform them that they can. They can actually go hand in hand to have economic growth and to have our environment protected through the development of our natural resources. We also believe in our foresters and that they're committed to a sustainable forest management practice. Ultimately, all the foresters have to develop a 200-year management plan. They have areas within the province that for every tree they cut, they plant two more. They ultimately have an extreme vested interest to make sure that our forests continue for centuries into the future because that's how they do what they do.

Also, Mr. Speaker, this year Alberta forest companies actually planted over 100 million trees. I know that's a tremendous amount of work, and it's a lot – and it's an amazing environmental story. It's something that, you know, left wing, the green left can talk a big game, and NGOs can have their protests, but it actually takes a lot of time, energy, money, blood, sweat, and tears to actually plant 100 million trees, and that was done by industry. That was done by our foresters here in Alberta. Because of this commitment to sustainable forest practices, Albertans, we are the proud owner of 87 million acres of forests across our beautiful province. Maintaining our healthy forests and a healthy forest sector also means finding additional opportunities for increasing fibre access, whether that's through efficiencies or new timber allocations.

Another goal that we had in our forestry sector, Mr. Speaker, was to increase fibre access by 33 per cent, so it increased the amount of trees that are available to our harvesters, and when you look at that, the question was: what are government rules and regulations that are actually stopping the protection and the sustainability of our forests? We identified 13 per cent of that 33 per cent is something that we've already achieved. We've already increased that annual allowable cut by 13 per cent here in the province without any new allocations. That's a good step, but we still have 20 per cent more to go, and that's working with other provincial departments as well as the federal government to really look at how we can properly manage a healthy forest without having redundant rules or regulations that impede that.

As part of the forest jobs action plan we will continue to look for new opportunities for growth and to work with industry moving forward. However, with our forest sector expanding, we need to find new markets to get our products shipped around the world.

Again, Mr. Speaker, when you just compare and contrast us with our neighbours to the west, they've seen their annual allowable cuts plummet, they've seen investment flee British Columbia, they've seen mill closures, they've seen job losses, and that's all due to government overregulation and reaching into an industry that really relies on that annual allowable cut and that access to timber.

Another major initiative within this bill is to make the timber dues that we charge as a province to the foresters more transparent, something that, with the ongoing softwood lumber dispute that has been raging on for 100-plus years with our friends to the south, is one of their biggest issues and criticisms throughout the endless, it seems like at times, litigation – yeah, I won't get into how good

lawyers are; sorry, Mr. Speaker – that our formula for our timber due calculations is not public. That is something that this piece of legislation does allow, our timber dues that we collect from foresters to actually be public and something that we can then point to through the next round of litigations and dealing with lawyers to say that we now have a defensive argument, to say that we have now done something that – it wasn't a big state secret, but it was something that we can now say: this is how we calculate our timber dues that we charge our foresters.

4:40

Through this act we're also demonstrating our commitment to timber security for the forest industry, as I mentioned, and supporting Alberta's position as a top jurisdiction for forest companies to want to do business here, to want to invest here, and to want to create jobs here in Alberta. Mr. Speaker, a strong forest sector means Albertans would continue to enjoy our public forests for generations to come while receiving a fair value for the use of our public resource.

Mr. Speaker, with this in mind I'm so honoured to move second reading of Bill 40, the Forests (Growing Alberta's Forest Sector) Amendment Act, 2020, and to see through these important changes that would enhance sector competitiveness, increase economic activity, and show the industry that government knows the importance of fibre security.

So with that, thank you, Mr. Speaker. I look forward to the debate on this important economic piece of legislation.

The Acting Speaker: Thank you very much, Minister. It seems like lawyers are taking some heat today.

Are there any hon. members wishing to join debate on second reading of Bill 40? I see the hon. Member for Edmonton-City Centre has risen, with 20 minutes.

Mr. Shepherd: Thank you, Mr. Speaker. I appreciate the opportunity to stand and speak to Bill 40, the Forests (Growing Alberta's Forest Sector) Amendment Act, 2020. Now, admittedly, there's not a lot of commercial logging happening in the constituency of Edmonton-City Centre. They have been trimming some of the trees, and certainly we're trimming a few branches out on the trees along the avenue in front of my home. But to the best of my knowledge, those weren't going to any international markets.

That said, I recognize that the forestry industry is one that remains important in the province of Alberta, and indeed part of the natural resources sector, which our government, when we were in, and certainly our party now has always recognized is an important part of the economic mix here in the province of Alberta. Quite contrary to what the minister was just remarking on – certainly, amongst his many remarks on the bill there was a fair amount of speculative fiction but in his remarks in particular about the natural resource industry and how economic growth in natural resources and environmental protection can indeed work together: those two things can go hand in hand, something which the minister seemed to be of the opinion that we did not in fact believe and that we had not in fact supported as a government. Nothing could be further from the truth, Mr. Speaker.

Indeed, I think that is precisely what the Leader of the Official Opposition in her time as Premier said likely hundreds of times as she spoke about the need to precisely balance our work to continue to grow the natural resource industry, in particular our oil and gas industry, in the province of Alberta while also taking appropriate steps to protect the environment and to demonstrate our environmental responsibility, something that the Premier himself has recently come to finally acknowledge, is essential if we are going

to continue to bring capital for oil and gas to the province of Alberta. I can appreciate that the minister perhaps disagrees with what level of environmental protection and what actions should be taken to demonstrate our environmental responsibility, but he can in no way claim that our government did not recognize that those two things were essential for the Alberta economy.

That aside, we certainly support modernizing this act and taking real action to create jobs in Alberta. Absolutely, Mr. Speaker. That is absolutely essential. And we've spoken many times in this House about the proposals we're putting forward as part of Alberta's future plan at albertasfuture.ca. We encourage Albertans, anyone that's watching now, as I'm sure there are hundreds of thousands of Albertans tuning in for this scintillating debate this afternoon, to check out that website and check out many of the things we're discussing.

We recognize, of course, that forestry is an important part of that economic mix and is going to contribute to that diversity in the province of Alberta, and it makes sense that we would want to modernize our legislation that oversees how that work takes place. Indeed, in general we would agree with the government in wanting to take action to remove unnecessary barriers or regulations that may be of issue to allow that work to take place.

The minister spoke quite a bit about his intentions with this act. He talked about their forest jobs action plan. He talked about getting out of the way of job creators, allowing them to create jobs through forestry in the province of Alberta. Indeed, it's right there in the title of the act, Growing Alberta's Forest Sector. He talked about reducing red tape. But, Mr. Speaker, in the technical briefing which our caucus received through our critic, we had the opportunity to ask – and I do recall, from when we were in government, how often, countless numbers of times, members of the then opposition now sitting as government members would call for economic impact studies. They would want to see data backing up claims for anything that the government was doing.

But, in this case, when at that technical briefing we asked the representatives of the ministry what analysis they had to show that this act and these decisions that were being made and these changes in regulation or legislation would actually create more jobs and increase investment in the province of Alberta in the area of forestry, they told us they had none. No analysis, Mr. Speaker, demonstrating that the actions that this government is planning to take or the regulations it's planning to change or the red tape that it's planning to remove will actually create a single job or bring an additional dollar of investment into the province of Alberta.

[Mr. Amery in the chair]

Now, I raise this, Mr. Speaker, because this has been a bit of an issue for this government. For example, with their \$4.7 billion corporate giveaway there have been a number of claims about how that would benefit the province of Alberta, but we have yet to see a single dollar of additional investment in the province after they've given these dollars and shovelled them out the door. We've yet to see a single job created. Indeed, we've seen precisely the opposite.

Indeed, I think, Mr. Speaker, of the recent claims from the Minister of Health that eliminating 11,000 front-line health care jobs at AHS was going to save money, but the fact is that when you look very closely at what they've put forward, they cannot actually give us a figure on what they will actually save by eliminating those positions and privatizing those services. They say: well, we'll figure that out once the contract is released.

So when we are talking here about this act and the government's claim that their actions here are going to create jobs and attract investment in the forestry sector and when we ask for the analysis

that demonstrates this and we find out that there is, in fact, none in existence, I think Albertans, then, and certainly we as the Official Opposition in our work representing them have good reason to be skeptical.

Going on further with the remarks from the minister, the minister spoke at great length about how robust his consultation was in preparing this legislation and indeed cast no small amount of shade through his opinions on consultations our government undertook on some previous legislation and on who may have been left out or who, he felt, was not heard in the consultations that we undertook. Now, I have no doubt that the minister was very thorough in his consultations with industry, speaking with the companies and the individuals that are out doing this work. I would imagine he probably even spoke with some municipal partners and folks who are municipal leaders and hold other positions in the areas where much of this work may take place and, of course, would be impacted by the industry there.

4:50

But it is my understanding, Mr. Speaker, that one group that was not consulted as part of this was indigenous communities. Now, that seems strange. We all recognize that we are indeed treaty people, we all recognize that we live on treaty land, and we certainly recognize that any work that is being done in regard to natural resources in the province of Alberta should always involve consultation with indigenous communities and First Nations. Indeed, this is a government which has gone to great lengths to try to show themselves to be partners of indigenous communities in the province of Alberta and to claim that they indeed respect indigenous communities in the province of Alberta. Now, of course, that seems to belie somewhat some of the revelations we've seen recently about changes they want to make to the Alberta curriculum and certainly some of the individuals that they choose to serve as advisers and speech writers and staff.

But, that aside, speaking solely here about this minister's consultation – he, again, took great pains to talk about how robust it was and to use that as a point of criticism of previous governments – for him to have neglected consultation with indigenous communities: I'm sorry, Mr. Speaker, but I fail to see how that could just be an oversight, that that was simply something that was forgotten. If so, that would indicate, I'd say, a fairly high degree of incompetence on the part of a minister of the Crown. I'm happy to be corrected if I am incorrect here. If indeed there were consultations with the indigenous community, then I would be happy to hear about that from the minister, but if not, then again that either represents an incompetence and a misunderstanding, I believe, of treaty rights and certainly how those things should be operating and best practices as part of the government of Alberta, or that was a deliberate decision.

But either way, Mr. Speaker, I would find it very troubling if indeed we are bringing forward legislation in this House which makes serious changes – indeed, as the minister himself noted, this is the first time in an extremely long time that this legislation has been reviewed and updated. Let me be clear. We have come a long way in terms of our understanding of how we interact and work with indigenous communities and First Nations and indeed with the level of respect in which governments generally do so and are expected to do so from when this legislation was written. It would seem to me that if we are indeed modernizing the act and taking stock of the modern realities of the province of Alberta, indigenous communities should have been front and centre in being included in this consultation.

Indeed, Mr. Speaker, again, I would be happy to hear from the minister if I am, in fact, incorrect on this or perhaps from the

Minister of Indigenous Relations if he would like to speak to this bill and explain. Perhaps he held those consultations in place of the Minister of Agriculture and Forestry. I would certainly welcome hearing from him about the work that he did on behalf of his colleague. But if that was not done by the Minister of Agriculture and Forestry or the Minister of Indigenous Relations, then I think there are serious concerns with this legislation being brought forward and being considered complete.

With that said, I do appreciate the remarks the minister made around some other areas. Certainly, we recognize the importance of finding new markets for our products around the world. Certainly, that was work that our government undertook when we were in government on many other fronts. I know I have spoken with many companies who've operated out of my constituency and other areas about the assistance they had in moving into other markets around the world. I think of the trade missions indeed that our Minister of Agriculture and Forestry undertook to parts of Asia, looking for new markets for Alberta beef, pulses, grains. Certainly, that is good and important work. To the extent that this legislation would increase that opportunity and provide that growth for those working in the forestry industry in the province of Alberta, I would certainly be supportive.

The minister also spoke of making timber dues more transparent. Indeed, he spoke of U.S. trade litigation. Indeed, I have many memories over the years of ongoing softwood lumber disputes between Canada and the United States. I remember hearing about that often. Certainly, by taking this step, making timber dues more transparent, making that formula public, if that will indeed reduce that friction between us and one of our largest trading partners, then I would be in support of that move. That seems to be a reasonable and prudent step, and I would support the minister in that.

Now, I don't believe I heard the minister touch on this piece, but admittedly I do tend to at times multitask, so it's possible the minister mentioned this and I missed it. But I will just comment quickly and say that, of course, we did see this government just recently, I believe just last Friday, sign a new deal with Ottawa, with the federal government, to protect the woodland caribou herds. I believe that probably a number of Albertans and indeed members of our caucus would be interested in hearing more on how the Ministry of Agriculture and Forestry, of course, I imagine, in co-operation with his colleagues in the Ministry of Environment and Parks, has balanced species at risk and considerations with economic development, which would certainly include the forestry industry. Certainly, I'd be interested to hear from the minister, if he has the opportunity to share, how there may be pieces of this legislation that may be interacting with and enabling parts of that agreement which was recently signed.

As I noted, Mr. Speaker, again, the minister has talked about wanting to grow this industry and grow the number of jobs, and as I said, of course, we have not seen any specifics about how this legislation is going to do so. Indeed, when we asked the ministry at the technical briefing for any analysis they might have that would suggest that that would be the case, they did not have any and were unable to provide that. We recognize that at present Alberta has a smaller forestry sector than B.C., than Ontario and Quebec. Now, certainly, I would be very happy to see the Alberta industry grow and be more competitive and to work towards approaching the size of these sectors in other provinces across Canada, but I do not see so far, from this legislation, specifically what pieces are going to be there to accomplish that. We've heard some vague comments about reducing red tape and changes to regulations but not a lot of clarity about the specifics. I would be interested to hear a bit more about that from the ministry.

Along similar lines, with the minister speaking of the need for natural resources and environmental protection to go hand in hand, as our government often said when we were in office and as we continue to say from our position in the opposition now, in the preamble, which the minister has added to this bill, it states that "access to a sustainable timber supply is the basis of the forest industry's ability to contribute to Alberta's economic prosperity." Now, of course, as I noted, we agree with that statement. We agreed with that statement, I think, when we were in government. We agree with that statement now from our position in the opposition. But at present that is simply just a statement in the preamble.

I would be interested to hear from the minister or from another member of his caucus a bit more about: how do they define a sustainable timber supply? What are the details of that? How do they consider that to be? How much fibre per year, for example, are we talking about? We would welcome the opportunity. Of course, we are early in debate. At this point these are not necessarily criticisms but just opportunities to indicate areas that I think we would be interested in exploring through the time that we have to debate this legislation.

5:00

Going back to the topic of consultation, Mr. Speaker, again, we are aware that the minister consulted industry. He's made that very clear, and we were able to get information on that at the technical briefing. Again, the question remains about consultations with indigenous communities and First Nations, and I look forward to hearing more from the minister on that front. But what we also heard in our technical briefing on this legislation – my colleague the Member for Edmonton-McClung, the critic for Agriculture and Forestry . . .

The Acting Speaker: Hon. members, do I have any other speakers for Bill 40? I see the hon. Member for Drumheller-Stettler.

Mr. Horner: Thank you, Mr. Speaker. It's an honour to rise today and speak in support of Bill 40, the Forests (Growing Alberta's Forest Sector) Amendment Act, 2020, although, much like for the Member for Edmonton-City Centre, there's not a lot of commercial logging in my part of the world either. In fact, trees are important navigational features, as in: keep driving until you see one, and then turn left or right. So they're very important to us. They're very important to Alberta as part of Alberta's recovery plan to bring back investment and create jobs.

Since being sworn in, our government has been working towards reinvesting in Alberta's key industries such as agriculture, energy, and forestry. I know the minister brought up the key investment in irrigation that's going to be so important in the south and will pay Alberta dividends for years to come. In the years leading up to the 2019 election, the regulatory burden and high taxes caused many businesses to turn their backs on Alberta. While we were on the right track to restore investor confidence following Budget 2020, the COVID pandemic has reversed a lot of the economic gains for many businesses.

Bill 40, growing Alberta's forest sector, is an example of the kind of legislation our province needs to put our economy on the right path and enhance competitiveness in the forest industry. This legislation is the first in a series of changes to the Forests Act aimed at increased economic activity and showing the industry that our government believes in the importance of timber supply. I can attest that if you've been to the lumber store and tried to buy two-by-fours lately, that should be important to everybody.

Changes to the act will support and ensure reliable and consistent access to lumber. One of the biggest issues that industry faces in

our province is the red tape and overbearing regulation that stifles innovation and kills growth. This bill aims to enable more timely updates to the timber dues collected from our forest companies while protecting the value of our province's natural resources for the benefit of all. By being open about timber dues calculations through making them publicly available in legislation, we're strengthening Alberta's softwood lumber case by increasing transparency around how these dues are calculated. This is also coupled with providing Agriculture and Forestry with the authority to prescribe all fees so that efficiencies can be found in the administrative process, which promotes timely responsiveness to changing economic conditions.

Being flexible is exactly what the forest industry needs. They need government to be flexible, but they also need to be allowed to be flexible themselves. In cases such as a pine beetle infestation or a forest fire, forestry companies need to be allowed to respond to such emergencies without the government tying their hands. Forest fire management is a prime example of the need for flexibility, and flexibility is more than just freeing industry from unnecessary burdens. It's about safety, and it is about protecting property, lives, and the economy. Under Bill 40 the red tape reduction amendments provide for that flexibility for companies by reducing the regulatory burden in our forest tenure system. The forest industry is freed from unnecessary licensing. To be clear, Alberta's government remains committed to sustainable forest management. These amendments don't change that, but they do remove the redundant requirements in order to increase approval efficiency for both government and industry.

A timber quota will eliminate the need for operators to acquire a timber licence and a quota certificate. This will, again, do away with the need for industry to jump through regulatory hoops or having to obtain and pay for something they don't really need. Timber licences currently provide for a holder of the licence to harvest a certain area within a certain time frame. Like I said, this ties the hands of industry from responding to pine beetle infestations, forest fires, or other emergencies. In contrast, the current quota certificates allow the allowed amount of timber supply available to the operator.

Timber licences have also become redundant. Today's modern forest management plans already assign acres and volumes each operator is able to harvest. There are some 170 active licences in our province today. By eliminating the licensing approval process, industry will be able to save on fees and more while the government will only have to pay to maintain one process rather than two.

Similar to the old way of licensing, the current five-year harvest period has placed a burden on industry when market, environmental, or mill capacity constraints hamper industry's ability to satisfy its allowable annual allocations. The forest sector is already facing the reality of tariffs from the U.S. and an affordability issue as it is not profitable to harvest lumber with the fees being so high. Add on top of that the forest fires, pine beetle damage, and other impacts on forests the industry has been allocated to harvest, and it becomes almost impossible to be competitive or create jobs. In the NAFTA 2 era it is vital that our forest industry remain flexible, competitive, and viable.

We're already facing a supply deficit for wood. We cannot afford to continue choking the industry with red tape and bureaucracy. Offering a 10-year harvest period provides flexibility to industry to deal with damaged areas immediately so as to encourage forest regeneration sooner. Modernizing legislation paves the way for future regulatory changes that will have significant impacts on the way forest companies do business and enable the sector to be a key economic driver in Alberta's recovery.

The Forests Act was last thoroughly updated in 1971. One or two things have changed since then, and it's imperative that after almost 50 years the act reflects the current realities of Alberta's forest industry. One of the modernizations that will be integral in reducing red tape is the amendment moving standard clauses in the act into regulation. Alberta's 20 forest management agreements each take about a year to negotiate. These are already common clauses that industry must comply with in order to operate in our province. Bringing these common clauses into regulation decreases the number of items under negotiation, saving both taxpayers and industry time and money. This flexibility also allows government to focus on unique clauses in order to strengthen industry practices.

Other points of modernization include allowing manuals to be adopted and incorporated into regulation, substituting listings of tenure types with timber disposition, and repealing outdated clauses referencing the Workers' Compensation Act.

A strong forestry sector means Albertans will continue to enjoy Crown forests for generations, and industry will fairly compensate the province for the use of this public resource. We can achieve this through the reduction of red tape and the flexibility generated by this legislation. Economic recovery in Alberta cannot be limited to a few industries. Forestry is a reliable sector that Albertans know and trust.

I urge all members of the House to support this bill and help ease the government pressure on this important industry.

The Acting Speaker: Hon. members, Standing Order 29(2)(a) is available. Does anyone have a brief comment or question for the member?

Seeing none, any other members want to speak to Bill 40? I see the hon. Member for Calgary-Mountain View.

Ms Ganley: Thank you very much, Mr. Speaker. I'm pleased to rise and speak to Bill 40. I think the first thing that ought to be said about this bill is that it modernizes the act. Modernization is in general positive. I think that's a good thing.

People don't necessarily know this, but there are a lot of acts throughout government, many of which haven't been updated in quite a very long time, and there is some, I think, political history to that in the sense that we had one government for a very long time in Alberta. I think that most governments, shall we say, struggle a little to keep up on this sort of work, so it's always good to see this sort of thing coming forward because, yeah, acts become outdated. The way that people operate, the way that businesses operate changes over time, and the act sort of no longer serves its purpose, so this is important work to do.

5:10

That being said, I'm not convinced that it will have the level of benefit that the government seems to purport it will. The title of the bill is the Forests (Growing Alberta's Forest Sector) Amendment Act, 2020. Now, certainly, again, any industry is happy to have the act that governs it updated to sort of come into line with modern business processes. That's definitely not a bad thing. I think my concern is that this government has a long history of talking about jobs but not so much generating jobs. My concern here is that, again, we have a minister sort of talking about the creation of jobs, but I think the proof will ultimately be in the outcome, shall we say.

Now, one of the reasons I'm concerned about that is because, when asked, the ministry could not provide economic analysis on the cost reduction to the sector because of this legislation. I feel that if the government is going to step forward, you know, that they are going to create jobs, that ought to be based on something, right? In this case, they're saying that it's based on, quote, unquote, red tape

reduction. Red tape reduction is sort of a basket term, shall we say, that refers to a number of things, some of which are helpful and some of which tend to be unhelpful. The problem is that it's not specific enough to be sort of generally understandable. When you say "red tape reduction," one ought to be able to provide an analysis on that, on how it's going to impact the industry, to say: this will save X number of dollars to the industry, and we expect them to reinvest those dollars in jobs for the following reasons.

That second part: I think the importance of it cannot be overstated, Mr. Speaker. Again, we've seen this government hand \$4.7 billion over to profitable corporations, and that didn't create jobs. It was billed as something that would create jobs, but it hasn't. Now, I'm not going to do, I think, what the now government did when they were in opposition and suggest that the economic impact of the pandemic is in some way the government's fault. Of course it isn't. Those are extraneous forces having to do with the market. However, I think it is worth noting that in advance of the hitting of the pandemic, we'd already seen 50,000 jobs lost.

I think the concern is – well, it's my opinion that that policy was never going to work, that trickle-down economics has not been demonstrated to work, really, anywhere ever. The limited instances that were provided in support of it were always due to other factors, and the failure to sort of consider those other factors was what led to anyone ever concluding that it was sort of a useful mechanism. Now, that isn't to say that it's impossible for strategic changes to a tax regime to have an impact on the economy. Of course that's possible. I think the concern is that in the current world market, in the current situation which Alberta is facing and the time, honestly, that it was facing in 2019, this was never going to have that impact. So I think that that is a big concern.

I think we should care about the impact on jobs. Economic activity is important, obviously. It is economic activity that primarily tends to be a driver behind jobs, but if all we ask is, "What will the bottom-line impact be on total GDP?" we're not asking anything about the distribution, we're not asking anything about jobs, and I think those are important measures. I think we can't be overly simplistic about these things, and that's why I am concerned about the lack of analysis in terms of what the cost reduction to industry will be and ultimately how we expect that to be used, because my concern and, I think, the concern of most members in this place is about Albertans. It's about Albertans. It is about the lives of Albertans, the livelihoods of Albertans, their ability to get a job, to raise a family, to buy a house, those sorts of things. So the lack of analysis to suggest that this would create any jobs is a concern.

Now, if the government wants to just come forward and say, "Well, we're just modernizing the act," then, good; that sounds like a good thing in principle. But I think that perhaps the claims are a bit overblown, or if they're not overblown, then the government ought to come forward and provide the analysis that would support those claims.

The other big question I have about this has to do with consultation. Now, the minister obviously talked a lot about consultation, and we understand that there's been extensive consultation with industry, and that's good. It's good to consult with industry, but this has a huge impact on indigenous people in this province, and I haven't heard, really, anything about that consultation. I think that that is a major concern because I certainly recall that there were a number of First Nations that were very concerned.

Now, you never want to generalize that to an entire industry, right? There were a number of First Nations that were concerned about the way the industry was regulated or concerned about the impact that specific programs, specific companies, specific projects were having on their rights. A lot of this has to do with – it's not

occurring on-reserve, right? It's occurring in the traditional territory of that particular First Nation, and that means there may be traditional hunting sites there. There may be traditional sites for gathering medicine there. There are any number of ways in which this can create problems, and I think that creates not just a moral obligation to consult but, in my opinion, it creates a legal one as well.

I think I'm concerned about not having heard about that consultation because a lot of the concerns that First Nations have, and a lot of them are very, very justified, are not – they'll have concerns about a specific project, but it's not just that project; it's the fact that the process, the regulatory process that surrounds the individual project is not set up in such a way as to enable them to bring forward those concerns. They have concerns, legitimate concerns, which will essentially go unrecognized by the legal process as it currently exists, and that's a problem. I think the idea that we would move forward and modernize this act absent that consultation is a huge concern.

Now, I would be more concerned about this if we knew for sure that it hadn't happened. There's no – the minister didn't mention it, but that doesn't mean it hasn't occurred. I mean, it may be the case that the minister will get up at the end of second reading and say, "Oh, yes; I ought to have mentioned," or that the Minister of Indigenous Relations will stand up and reference significant consultation with indigenous people. I don't know. But at this stage we haven't heard anything about it, and I think the importance of that can't be overstated.

I think we understand, as we move forward as a nation, that our relationship has been damaged. Our relationship with the indigenous people of this province, of this country has been damaged, and governments need to act to repair that. It is our duty. We need to do a better job. If that has occurred, I'm happy to hear about it, and if it hasn't, then I am deeply concerned about this bill moving forward.

I think there are a number of other questions that I have about this bill and this area generally. Obviously, there's a significant amount of movement having to do with the ongoing softwood lumber dispute with the U.S.A. That's a huge trading partner for us, so, I mean, that's going to be a problem.

5:20

I hope that this bill will help to modernize the act and, hopefully, help to – if it does, as the minister suggests, take sufficient burden off industry that we'll see job creation, then I hope that some of that will counteract some of the negative impacts, but there's nothing in here to me that jumps out and suggests that this is a bill that's going to create a lot of jobs, so to me that is a huge concern.

I'd like to know a little more as well about what it is that we mean when the minister says that the bill will increase or enhance the timber supply. I would like a better understanding of exactly how that's going to move forward. I think that's reasonable in light of the act. Again, we're only at second reading here, so having not yet performed a thorough analysis of the act, yeah, I would just be interested to know what that means because it isn't, in my view, immediately clear on its face. That would certainly be good to hear about.

That's a lot of questions. I guess it is second reading. That's sort of the point of this. There are a lot of other aspects of this. Now, I assume that if the consultation with industry was extensive, then industry has sort of approved of some of these provisions. I mean, it's not totally uncommon to say that an agreement needs to deal with certain terms or an agreement needs to deal with certain situations, which this act does. It's not totally uncommon to have standard clauses that are deemed to be included in every agreement. I would like to know with certainty that industry was supportive of

those clauses. The challenge is, of course, that the sort of deemed inclusion clauses are not set out in the legislation. It may be that in the minister's consultation with industry, industry knows what those clauses are or industry will later propose those clauses. It's not totally clear to me, but I think it would be helpful in my analysis of the bill to know what those clauses are and to know sort of what the comments were on those standard clauses that will be inserted into sort of every forestry agreement in the province.

I think, aside from that, there are, I would say, more questions than answers on this bill, but, again, I don't want to suggest that that's atypical at this stage. You know, the opposition has read the bill recently, so we're in a position of saying that, like, overall it looks okay, but the big flags, again, that I have are whether there was sufficient consultation with the First Nations in this province. With that said, I will wrap up my remarks. That is the big question, I think, that remains open. There are a lot of little questions, but the big question is about consultation with indigenous people because this will have an impact on treaty rights, so that is an important consultation to undertake.

Other than that, I think modernization is good. I do have concerns that we haven't been provided with economic analysis to support the idea that this is going to result in job growth. I certainly hope it does. That would be delightful for the people of Alberta, but I'm not sure that that statement is supported.

With that, I would say thank you very much.

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

Mr. Sabir: Thank you, Mr. Speaker, and thank you to my hon. colleague from Calgary-Mountain View. I think I want to begin by saying that I do have a farming background lest I say something and be noted as not supporting agriculture or forestry. I do have that background. I do understand what that entails, and we will always be supporting anything that supports our farmers, that supports our forestry industry.

As my colleague noted, with some other pieces of legislation, which have similar names to growing Alberta's forestry sector, we have seen some other pieces of legislation; for instance, the job-creation tax cut. That piece of legislation suggested that somehow by the introduction of that piece of legislation jobs will return to Alberta, jobs will be created, and that was a substantial amount of money that went out with that job-creation tax cut, \$4.7 billion. Especially from a Calgary standpoint, being a Calgary MLA, the result of that job-creation statute was that we lost jobs in Calgary, left, right, and centre. There were so many layoffs in Calgary. Even today Cenovus announced that there will be further layoffs, and downtown Calgary is 30 per cent vacant. So when we name these pieces of legislation in such a manner, I think the first thing we look for is: okay; how many jobs will this piece of legislation or changes that are contained in this piece of legislation create?

[Mr. Milliken in the chair]

Certainly, this legislation has not been updated for a long time, and it's not a bad thing, at all, to look at different pieces of legislation from time to time and make sure that they are relevant and they are responding to the needs of Albertans and they are responding to the needs of industry. In that sense, it's a good step.

Also, I heard in the minister's comment that now his ministry, Agriculture and Forestry, I believe – he quoted that it's bringing one-third of oil and gas royalties. What I was thinking: whether in recent times those royalties have gone up, or is it just because the royalties from oil and gas have come down significantly, and that's why now we can compare agriculture and forestry, that they are

bringing in one-third of what oil and gas brings? I do understand that oil and gas royalties used to be way more. They dropped in 2015, but they picked up again, and they were quite decent, I think, by the time we left. They may be impacted again because of the decrease in the commodity price and slowing markets because of COVID-19 and other factors, but that royalty used to be quite high.

As my colleagues have indicated, we are in support of anything that modernizes pieces of legislation, but we do have a number of questions that need to be addressed. For instance, this . . .

The Acting Speaker: Thank you, hon. member.

We are on second reading of Bill 40. I see the hon. Member for Athabasca-Barrhead-Westlock has risen.

Mr. van Dijken: Good. Thank you, Mr. Speaker. It is my privilege to speak today to Bill 40, Forests (Growing Alberta's Forest Sector) Amendment Act, 2020. It's our government's plan to help grow Alberta's forestry sector. The forestry sector in Alberta is the second-largest renewable industry, next only to agriculture. That being said, it's a renewable sector that will be around for many generations to come.

5:30

Mr. Speaker, the forestry sector is one of the largest industries in my riding. For decades now the people of Athabasca-Barrhead-Westlock have shared in the benefits that the forestry industry brings to our local economies and the jobs it provides. Therefore, I am very proud to support this bill. It enhances efficiency in our forestry sector, reduces outdated red tape that is a burden to both the workers and companies, and gets government out of the way of this industry while still ensuring safe business practices and responsible land use. After extensive consultation Bill 40 provides a series of changes to the Forests Act that will enhance sector competitiveness, increase economic activity, and show our valuable forestry industry that this Alberta government knows the importance of timber supply.

Mr. Speaker, in my first term as an MLA, it was a period of time when industry was uncertain of their future. It was a period of time where the previous government was moving in a direction of more control over timber supply. During the time that the Castle area was shut down to the forestry sector, I learned that industry plans and makes plans out 100 years and even up to 200 years into the future. This is the type of security that they need to be able to ensure that they have adequate timber supply.

Now, the previous NDP government increasingly restricted timber access with costly policies that threatened long-term timber supply. When the previous government unilaterally shut down timber access in the Castle area, it sent ripples of instability throughout the forestry sector. To have stronger competition in our forestry sector, we need to have modern regulations, requirements, and restrictions that match today's economic climate. The last time the Forests Act was substantially updated like this was in 1971. It is not realistic to hold such an important industry to outdated mandates. The changes brought forward in this bill will update the outdated Forests Act to enable a transition to a more modern, resilient, legislative, and regulatory system that works with our forest sector, not against it.

At the same time we are maintaining Alberta's commitment to sustainable forestry practices. In the past, expanding this industry could have come at the expense of sustainability, but today, with modern practices and regulations, we do not have to pick one or the other. Bill 40 will support a competitive forest sector by ensuring reliable and consistent access to trees. We are giving forest companies more flexibility to make strategic business decisions that benefit them and our forests.

As the wood supply and demand for wood products change throughout their harvesting time frames, companies will now have an increased and more flexible harvest period that will optimize their operations and protect forest health. The extended harvest period allows for more sustainable harvesting over time and more responsible cutting as there will be less pressure on these companies to meet their demand over a shorter period of time.

Through this legislation the harvest control period will increase from five years to 10 years. Again, this is done to allow more flexibility to these companies to adequately and responsibly respond to fluctuating market and environmental concerns. At the same time offering a 10-year harvest period provides more opportunities to companies to deal with damaged areas immediately. In turn, this will lead to faster forest regeneration. It also reduces the number of carry-over requests, saving both the forest industry and the government time and money.

Our government is continuing to reduce red tape in our forest 10-year system to help this sector grow. While renewing our commitment to Alberta's sustainable forest management system, the amendments in this bill will remove redundant regulatory requirements and increase approval efficiency for both the government and the forest industry. For example, by only requiring a timber quota, we eliminate the need for operators to acquire a timber licence as well as a quota certificate. This will save the forest industry from having to obtain and pay for a licence, and, in turn, it will also save the government from having to approve and process unnecessary licences.

Currently timber licences provide the authority for the holder to harvest a certain area within a certain time frame. In other words, these certificates designate the allowable amount of timber supply available to the operator. Mr. Speaker, by today's standards timber licences are redundant as modern forest management plans explicitly assign specific areas and control the overall amount each operator is entitled to harvest. Today there are roughly 170 active licences in our province. Eliminating these licences will streamline approval processes and could save the forest industry around \$2,000 per year in fees as well as save on administrative costs for both the government and the forestry industry.

We are also reducing red tape at the negotiating table by moving standard clauses into regulation. Our province's 20 forestry management agreements, on average, take about a year to negotiate. Many of these negotiations and agreements contain common clauses that the industry must comply with in order to operate in Alberta. By bringing common clauses into regulation, the number of items under negotiation will decrease, ultimately saving both taxpayers and the forest industry time and money in reduced negotiation. It will also allow our government and industry to focus on unique clauses and strengthen their overall practices, ultimately contributing to the red tape reduction count by bringing individual requirements under a single regulation.

Mr. Speaker, our forest industry directly employs close to 20,000 workers and supports more than 25,000 additional jobs in Alberta. Altogether this contributes about \$1.7 billion in salary and wages. Forestry contributed \$2 billion to the provincial GDP last year. From these numbers alone growing our forest sector will help strengthen our economy, increase jobs, and allow for more self-sufficient and sustainable practices in the forest sector.

I should note that the minister did highlight the increased revenue from this industry to the government, the \$350 million, and the previous speaker talked about: well, is that because of increases in the royalties paid, or is it relative to the energy sector because energy sector royalties are lower? I would say that it's both. We only need to take a look at B.C. under the NDP government and what's happening within their forestry sector there to understand

that security of supply is a key driver in being able to drive industry into productivity and security and continue to thrive and survive.

A strong forest sector means that Albertans will continue to enjoy our amazing forests for many generations while also being appropriately compensated for the use of this public resource. The modernized legislation included in this bill will pave the way for future regulatory changes that will have a significant impact on the way forest companies do business and will make the forest sector a key economic driver in Alberta's recovery plan. I am incredibly proud of the long and successful history of responsible and sustainable forestry practices in all of Alberta, including my own riding. With our government moving out of the way by creating modern, realistic, and supportive legislation for our forestry sector, Albertans will continue to share in this long history and will share in even more benefits in the future.

Our government is proud to work with our forest industry to ensure safe business practices and responsible land stewardship. It is our goal to ensure the longevity of Alberta's forests by working with the forest industry to help maintain the roughly 87 million acres of forests in our province. By working together, we are strengthening our economy, aiding Alberta's recovery, ending outdated business practices, and modernizing one of our key industries. Bill 40 enhances the efficiency of the forest industry by reducing red tape to eliminate over-the-top regulations that work against the industry. It is legislation like this that keeps Alberta self-sufficient, a key player in our national economy and a world-wide leader in safe, successful, and supportive business practices.

Mr. Speaker, Bill 40 is a step in the right direction to ensure that the forestry industry knows that this government has their back and that timber supply, the seed stock to their business, can be secure for the future.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available for questions and comments. I see the hon. Member for Edmonton-South.

5:40

Mr. Dang: Thank you, Mr. Speaker. It's always a pleasure to rise in this place and provide questions and comments to my hon. colleagues, particularly when my colleagues from the government side are giving input to some of these bills. I mean, it's not every day that that happens.

It's interesting because the member opposite, I feel, was a little bit unfair at the beginning. I thought that this debate was going fairly collaboratively and members of the opposition had acted and asked reasonable questions and tried to understand how this bill was going to help grow Alberta's forestry sector and was going to have impacts that would be positive overall. Of course, we think that many of these changes are technical or relatively minor in nature, and that's why some of those clarifications were sought. But, instead, the member opposite chose to immediately enter into a partisan attack over a previous record. I think that's pretty disappointing, right off the bat. It's pretty disappointing that that's the tone the government wishes to set in this place and that government members wish to take in this place.

Of course, I mean, I think for a government that's given \$4.7 billion away to wealthy corporations already, it's something that's not unusual. We see here, of course, legislation that's titled the growing Alberta's forest sector amendment act, but indeed when my colleagues here have asked what economic analysis was done on the cost reduction to the sector and what estimates were made in determining what type of growth would be seen in the sector, the government had many opportunities here to either reply during

29(2)(a) or to reply through one of their private members' speeches here, or a member of the government could have risen and spoken as well. Unfortunately, it appears as though the government has no answer.

The member opposite who just spoke before me, that I'm commenting on here, also had no actual analysis done and no actual work done, so it appears that the government wants to tout their success here, and, of course, I mean, it's nothing small to modernize an act. I mean, it's something that we need to be doing regularly, as my lawyer colleagues here will remind us quite often. It's pretty disappointing that the government isn't actually doing their homework when it comes to this. It's pretty disappointing that the government will say with one breath that they've done this amazing thing and accomplished all these amazing goals and there's going to be this rapid growth and expansion, and then on the other hand, they can't even answer simple questions. They can't provide simple evidence. They can't provide ministerial analysis or bureaucratic analysis that would have been done in the drafting of this bill or should have been done in the drafting of this bill.

Private members then get up and tout the same talking points, after having been asked these questions, and are also unable to provide any critical thinking or critical analysis of the bill. I mean, that's something that I think is fundamentally pretty disappointing about the way the government has decided to operate in this Chamber. When asked about things like what type of consultations were done, the government said that, yeah, they consulted with industry, but they completely neglected to consult with indigenous groups. Or maybe they have, and they just don't think it's important enough to tell people about.

I think that's something that's becoming a pattern again and again with this government, that they think that their wealthy friends and corporations are the only people they need to talk to, right? Giving \$4.7 billion away to these wealthy corporations is their number one priority. Then we look at legislation like this, and they say: "We've done so much. We're going to grow the forestry sector." Then we look at it, and we actually see that of the companies they consulted with on this actual bill, there were some parts of the industry that actually said: well, the changes are going to be so minor, it's not even worth opening the act for. That was actually in the minister's own consultations.

Then we see private members and we see the government minister get up in this place and say: "Wow. We've done such an amazing job. We're going to grow the sector so much. And then we're not going to provide any evidence. Members of the industry that we consulted with actually said that they were very minor technical changes, but we're doing such a great job." That's basically what the minister and the private member that just spoke are purporting in this place.

Mr. Speaker, I think that's pretty disappointing because, yes, we do have to do this work. Yes, it is essential that we make sure legislation is modern and that we make sure that the legislation reflects the latest practices and procedures in industry. It's important that we do renew acts because, really, Mr. Speaker, some of this legislation, including this one, hasn't been renewed in decades. That's something that we should be commending. We should be commending that we bring these things back to the House and we have these types of discussions in this place.

What is disappointing is that the government, when they do it, basically acts as though they have created this whole new economy around it. Mr. Speaker, it's simply not true. It's not true because if it was true, the minister would have proved it. The minister would have shown the calculations, would have shown their work, and the private member would have been able to tout the numbers, and

indeed the simple questions that the opposition is asking in a collaborative framework would have been answered.

Mr. Speaker, we know that the forestry industry is huge in Alberta – right? – and we know that the impacts that we're going to be seeing from things like the softwood lumber dispute are massive, and it's disappointing the government . . .

The Acting Speaker: Thank you, hon. member.

Are there any other hon. members looking to join debate? I see the hon. Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Mr. Speaker, for the opportunity to join for the first time debate on Bill 40, Forests (Growing Alberta's Forest Sector) Amendment Act, 2020. I appreciate the minister getting up and sharing some of his views with regard to this bill and also note that it is a positive thing when members of the government benches get up and explain what impact this bill will have on their areas, whether they come from southeastern Alberta and have no trees to speak of or if they come from the western part of the province and see the significant impact that the forest industry makes in their local community with mills, with a number of corollary businesses involved in the harvesting of trees. That's a good thing, to listen and hear and understand what impact the industry has in our province, and \$350 million is no small amount in terms of royalties or fees to the government last year, recognizing, you know, that we need about \$50 billion to make this province and all of its programs go. The \$24.2 billion deficit this year is significant, and that \$350 million, while important, is not a great deal relative to the needs of this provincial government.

Nonetheless, there is a 50-year-old, outdated act that's before us, and this legislation purports to modernize that act. It has been for decades not touched, and as my colleague from Edmonton just talked about, while a significant part of the industry that was consulted believes that it should be updated and modernized, there are some in the industry, roughly 10 per cent – I understand from the briefing that was given by officials to the loyal opposition members that took part in that – of those representatives were opposed. They didn't believe that the size of changes that were being proposed in Bill 40 were – you know, they are relatively small, and they didn't see the point of opening up the act for those things. Of course, second reading is all about asking questions and, hopefully, getting some answers down the road, and one that comes to mind with regard to that understanding of members of the industry who weren't supportive of the changes is: why did the minister go ahead and not address their concerns, not address their needs as he apparently has addressed others?

I was reading the bill a couple of times, and it was useful to hear the minister talk about the threat of pine beetles to the fibre in this province, a quantity of an \$11 billion concern to this province. That is something we should all be concerned about. Ensuring that the spread of pine beetles does not go beyond where it currently is and threaten that \$11 billion of fibre is something that, obviously, does probably occupy the minister's thoughts a lot. So that we can continue to have a sustainable forest industry in this province, we need to arrest the threat of pine beetles throughout our forests in this province.

5:50

I just wanted to address something I heard from a member across the way with regard to, you know, the prepared notes that he was reading. He talked about the economic gains that were charging along prior to the pandemic in this province and how the pandemic has knocked us back and has had a significant impact on our

economic GDP in this province, contracting the GDP approximately 8 per cent. But before the pandemic, Mr. Speaker, we weren't charging along in this province. As we know, since this government took control of government in April of '19, there has been a 55,000-person contraction in employment, jobs lost, as a result of this government's policies and activities before the pandemic, and then the pandemic layered on a significant number, 200,000 – more than 200,000 – additional job losses. So the growth in this province was not robust, and economists will tell you that it was not robust in 2019. This government did not spur the economy after taking control of government, after the NDP government was unelected.

The economy when we were in government, in '16 and '17, grew faster than in any other province, and that was as a result of our investment in infrastructure and the advice that we got from David Dodge, the former Bank of Canada governor, who said that countercyclical investment is necessary at this time if you're going to mitigate the drop in the economy as a result of the drop in world oil prices that happened in the winter of '14 and the spring of '15.

I just want to also talk a little bit about something else I heard, and then, of course, I want to address other aspects of this bill. Something else I heard from the minister is kind of taking a knock at the NDP government in saying that we gave preference to the environment over industry and we knocked industry back as a result of that. As my colleague from Edmonton-City Centre reminded everybody, the now Leader of the Official Opposition and then Premier said hundreds and hundreds of times that we can have both. We can have both a robust industrial plant in this province, and we can have a sustainable economy. That was the work of our entire cabinet and government when we were in government, Mr. Speaker, and it was the work, of course, of the Environment and Parks minister at the time.

That person, the Minister of Environment and Parks, did a great deal to ensure that the Castle area could be protected and did not shut down things in the Castle area. What we did was that we negotiated with companies that had timber leases in the Castle area. I can remember sitting around cabinet tables talking about that many, many, many times, where we compensated and negotiated with companies that were impacted as a result of the desire to formulate parks in a region that was identified by the Minister of Environment and Parks as important for Alberta.

The other thing I wanted to say is with respect to the views of both, you know, the Leader of the Official Opposition and the loyal opposition and the Minister of Environment and Parks around: we can have both the environment and robust industries and an oil and gas industry, forest industries in this province.

The other thing I wanted to say about that is that, you know, when I was back recently in Calgary talking with people about a recent

policy decision by the government to allow coal mining, open-pit coal mining, southwest of Calgary in the front range of the foothills, I can tell you that the views of the people I talked to were that this government has not balanced correctly the environment and industry going forward, that they have given preference in that case to open-pit coal mining, which will be something that is not a positive thing for our environment and for the views of everybody who will see what a beautiful and pristine environment is being changed to allow industry to go into an area where that should not happen.

I wanted to start with those comments, and I wanted to go back to some questions that have occurred to me with regard to reviewing this legislation and to agree that we need to look at legislation, ensure that it's modernized from time to time so that it addresses the current needs. I was very interested to hear that companies – forestry companies, wood companies – look 100 to 200 years into the future for their quotas and to ensure that they can expand – not expand necessarily, but that they have the available fibre to keep their companies going.

I remember, when I was Minister of Finance, going up to the Grande Prairie area and visiting a company that was south of the city and being toured around their plant, their cogen situation that they had there, and listening to them about their practices. I was very impressed with the things that they told me, both how they use surplus materials from creating lumber and try not to waste and to use that surplus material in the heating of their plant and the creation of energy. I believe that those are the kinds of industry players that we have in this province, and I'm gratified that I had that opportunity.

But the questions that I have and that my colleagues have are about consultation beyond the industry players. I certainly hope to hear from our Indigenous Relations critic, maybe even the Indigenous Relations minister, with regard to consultation the First Nation communities have had with regard to the updating of this act and what their views are. As my colleague from Calgary-Mountain View has so clearly laid out, you know, there are important reasons to ensure that First Nation communities have had the opportunity to examine work that is being done here and not to presume that their agreement is part and parcel of the bill coming forward unless they've been consulted.

So, Mr. Speaker . . .

The Acting Speaker: I hesitate to interrupt the hon. member, but taking a look at the time, by my watch it looks like it is 6 o'clock. We are adjourned until 7:30 tonight.

[The Assembly adjourned at 6 p.m.]

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