



Province of Alberta

The 30th Legislature  
Second Session

# Alberta Hansard

Wednesday afternoon, October 28, 2020

Day 59

The Honourable Nathan M. Cooper, Speaker

# Legislative Assembly of Alberta The 30th Legislature

Second Session

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Barnes, Drew, Cypress-Medicine Hat (UCP)  
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Carson, Jonathon, Edmonton-West Henday (NDP)  
Ceci, Joe, Calgary-Buffalo (NDP)  
Copping, Hon. Jason C., Calgary-Varsity (UCP)  
Dach, Lorne, Edmonton-McClung (NDP)  
Dang, Thomas, Edmonton-South (NDP)  
Deol, Jasvir, Edmonton-Meadows (NDP)  
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Government Whip  
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Fir, Tanya, Calgary-Peigan (UCP)  
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Glasgo, Michaela L., Brooks-Medicine Hat (UCP)  
Glubish, Hon. Nate, Strathcona-Sherwood Park (UCP)  
Goehring, Nicole, Edmonton-Castle Downs (NDP)  
Goodridge, Laila, Fort McMurray-Lac La Biche (UCP)  
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Turton, Searle, Spruce Grove-Stony Plain (UCP)  
van Dijken, Glenn, Athabasca-Barrhead-Westlock (UCP)  
Walker, Jordan, Sherwood Park (UCP)  
Williams, Dan D.A., Peace River (UCP)  
Wilson, Hon. Rick D., Maskwacis-Wetaskiwin (UCP)  
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)  
Yaseen, Muhammad, Calgary-North (UCP)

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New Democrat: 24

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Deputy Chair: Mr. Getson

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Glasgo  
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Jones  
Phillips  
Singh  
Turton

### **Standing Committee on Alberta's Economic Future**

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Deputy Chair: Ms Goehring

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Barnes  
Bilous  
Dang  
Horner  
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Rosin  
Stephan  
Toor

### **Select Special Democratic Accountability Committee**

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Deputy Chair: Mr. Horner

Ceci  
Dang  
Fir  
Goodridge  
Nixon, Jeremy  
Pancholi  
Rutherford  
Sigurdson, R.J.  
Smith  
Sweet

### **Standing Committee on Families and Communities**

Chair: Ms Goodridge  
Deputy Chair: Ms Sigurdson

Amery  
Carson  
Glasgo  
Guthrie  
Neudorf  
Nixon, Jeremy  
Pancholi  
Rutherford  
Sabir  
Yao

### **Standing Committee on Legislative Offices**

Chair: Mr. Schow  
Deputy Chair: Mr. Sigurdson

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Lovely  
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Nixon, Jeremy  
Rutherford  
Shepherd  
Sweet  
van Dijken  
Walker

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Deputy Chair: Mr. Ellis

Dang  
Deol  
Goehring  
Goodridge  
Long  
Neudorf  
Sabir  
Walker  
Williams

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Glasgo  
Horner  
Irwin  
Neudorf  
Nielsen  
Nixon, Jeremy  
Sigurdson, L.  
Sigurdson, R.J.

### **Standing Committee on Privileges and Elections, Standing Orders and Printing**

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Armstrong-Homeniuk  
Deol  
Issik  
Jones  
Lovely  
Loyola  
Pancholi  
Rehn  
Reid  
Renaud  
Yao

### **Standing Committee on Public Accounts**

Chair: Ms Phillips  
Deputy Chair: Mr. Gotfried

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Dach  
Guthrie  
Reid  
Renaud  
Rosin  
Rowswell  
Schmidt  
Stephan  
Toor

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Chair: Mr. Hanson  
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Dach  
Feehan  
Fir  
Ganley  
Getson  
Loewen  
Rehn  
Singh  
Smith  
Yaseen

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, October 28, 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.

### Members' Statements

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

#### School Re-entry Plan

**Ms Fir:** Thank you, Mr. Speaker. The 2020-2021 Alberta school re-entry plan was strategically thought out with one goal in mind, student safety. The strategy was carefully crafted with four strong pillars to ensure the safe return of students across this province. These pillars were the safety of children, students, and staff; that student learning will continue; that provincial funding will still go to schools; and that school authorities have the ability to use their judgment to act on what is best for their community. Returning to in-person school has taken co-operation among students, teachers, schools, municipalities, and this government to ensure the safest conditions for our students. I am so proud of our Education minister for her tireless efforts and for always putting children first.

Mr. Speaker, the constant fear and smear that comes out of the mouths of the Official Opposition is unbelievable. For the Leader of the Official Opposition to call our school re-entry plan, quote, reckless, end quote, scaring families who already are uncertain during this challenging time, is completely shameful. It speaks to the lack of integrity of the Official Opposition and further proves Albertans made the right choice in the spring of 2019, when they rightfully removed them from their regime. This summer, while this government analyzed scenarios and carefully crafted the back-to-school re-entry strategy, the members opposite were out scaring Albertans and berating our back-to-school plan to simply gain political points through the NDP's favourite tactic, fear and smear.

**Mr. Yao:** Shame.

**Ms Fir:** Mr. Speaker, Albertans deserve better than fear and smear. Thankfully, Albertans know that this government was built on integrity. This government was elected by Albertans for Albertans. We will stand up for them and always act on what is best for this province, and we will always protect one of the province's biggest assets, young Albertans.

Thank you, Mr. Speaker.

**The Speaker:** I know that the hon. Member for Fort McMurray-Wood Buffalo knows the long-standing tradition of not interrupting or heckling or perhaps even encouraging during a member's statement, that they can do so uninterrupted, so I was surprised to hear him make a comment.

The hon. Member for Calgary-McCall is next.

### Public- and Private-sector Layoffs

**Mr. Sabir:** Thank you, Mr. Speaker. Since this fall session started, Albertans have been forced to watch this government brag about their record on job creation. Thousands of layoffs were announced yesterday from Cenovus after banking \$600 million from the UCP's \$4.7 billion corporate handout. If the UCP could look up from their talking points, they would see the total failure of their plan and the Albertans they have left behind: 20,000 education assistants laid off by tweet on a Saturday; 11,000 front-line health care workers fired in the middle of a pandemic; 3,600 job losses at our postsecondary institutions; thousands laid off from the Alberta energy sector; 1,000 public servants laid off, including support workers for Albertans with disabilities; and many, many more.

These are people who sent us to this place to represent them, and the UCP are failing to stand up for them. We know that 55,000 Albertans lost their jobs before this pandemic directly because of this government's failed policies and lack of interest in the well-being of Albertans. The UCP gave \$4.7 billion to profitable corporations and told Albertans it would create jobs. Instead, it has cost jobs.

Albertans are paying for this handout with higher property taxes, higher income taxes, higher school fees, higher insurance bills, higher power bills, and more. While the UCP are proud of their so-called job plan and even though the jobs minister is proud of the work he is doing, it's not helping Albertans who have lost their jobs and are paying more because of the actions and decisions of this government. Albertans deserve a real plan. They deserve to be listened to. They need jobs today.

Thank you, Mr. Speaker. [interjections]

**The Speaker:** Order.

The hon. Member for Peace River.

### Hong Kong

**Mr. Williams:** Thank you, Mr. Speaker. I rise today on a nonpartisan topic. Freedom is a precious thing. It's hard won and all too often faces too many foes. Unfortunately, for billions of people across our globe freedom is absent. It is something for which they still struggle, a birthright which they are denied by tyrants and oppressors.

For many decades one place that has stood as a beacon of freedom in the midst of tyranny is Hong Kong. The people of Hong Kong have enjoyed economic freedom that has allowed them to flourish and create unprecedented prosperity. They have enjoyed the freedom that is brought by the rule of law and a fair and impartial system of justice. They have enjoyed freedom of belief, serving as a bastion for oppressed minorities and people persecuted for their faith like the Dalai Lama in mainland China. They have enjoyed political freedom, the freedom to speak out against government, and freedom to elect representatives through a democratic process like we have here in this Chamber. Today all those freedoms are under threat for the people of Hong Kong.

Mr. Speaker, Alberta does not have a foreign policy, but we do have a voice and a conscience, and that conscience should inform our voice to speak in the defence of the people of Hong Kong. There are 300,000 Canadians living in Hong Kong today and countless Hong Kongers living here in the province of Alberta. They deserve our support. Taking a stand for freedom in Hong Kong is not new to Canadians. In December 1941 the Royal Rifles of Canada and the Winnipeg Grenadiers stood with Hong Kongers against a literal siege from the tyrannical power of that day.

Let me speak plainly, Mr. Speaker. The Chinese Communist Party seeks to impose its authoritarian will on the people of Hong Kong,

that same authoritarian power that's been used to oppress Tibetans and Uighurs along with millions of Buddhists, Muslims, and Christians and their faith across mainland China for generations. What happens to the people of Hong Kong will have repercussions for the cause of freedom the world over. When our future generations look back on us today, let them see that the people of Alberta stood at the side of freedom and stand with the people of Hong Kong today.

### Automobile Insurance Premiums

**Mr. Carson:** Mr. Speaker, I was pleased to stand with the NDP leader and our Finance critic to call for an immediate freeze on insurance premiums earlier today. Albertans have been forced to pay skyrocketing insurance premiums due to the UCP government's willingness to side with corporate insiders rather than Albertans, whose wallets have been hit by this pandemic. The UCP removed the 5 per cent insurance cap after meeting with Nick Koolsbergen, the Premier's former chief of staff and former UCP campaign director. Maybe the UCP should take a moment and take the earplugs out and listen to Albertans instead of those insiders.

Brandon from Lethbridge reached out and told us about how a 40 per cent increase to his insurance is making it difficult for his young family to get around to make critical health appointments for their children. Kel from Calgary is now unemployed and cares for her elderly mother. She has been forced to pay a 55 per cent increase in insurance premiums. The insurance industry is set to make a billion dollars in profit this year while ordinary Albertans are worrying about how to make it by.

The UCP promised action in 2015, but all they did was announce a review. The findings of that review were supposed to be released months ago, but we've still heard nothing. While the UCP has been sitting around, Albertans are struggling, struggling to know how they are going to pay their rent, buy their groceries, or care for their loved ones. During these uncertain times they should have every shred of certainty that they will not be exploited by insurance companies simply trying to rake in every dollar that they can. In contrast, governments across Canada have been providing relief, but the UCP has done zero.

We are no longer calling for the 5 per cent cap to be reinstated, Mr. Speaker. Increases to insurance premiums must stop entirely as long as the pandemic continues. Anything short of that from the UCP will not be enough to match the harm that they've caused for regular Albertans.

**The Speaker:** The hon. Member for Camrose is rising.

### 1:40 PolyAg Recycling Facility in Bashaw

**Ms Lovely:** Well, thank you, Mr. Speaker. My constituency is home to many innovative businesses providing a vast array of services to the local economy. PolyAg Recycling Ltd. is a facility located in Bashaw that is dedicated to recycling waste agricultural plastics such as grain bags by processing into postconsumer resin, otherwise known as PCR.

Their process involves taking the rolled and baled feedstock and shredding the material into small flakes approximately 10 centimetres in size. After screening the flakes to remove the residual grain and dirt in an elaborate cleaning process, the flakes are dried, densified, and passed through a double extruder system which melts the plastic into strands. These strands are then water-cooled and cut into smaller PCR pellets. PolyAg operates 10,600 square feet of buildings on 3.2 acres and currently employs 10 individuals. They're open year-round, 24 hours a day, five days a week processing up to 7 million pounds, or 14,000 grain bags, annually.

Mr. Speaker, the vision for PolyAg started in April 2019. Today they are fully operational. Top-quality pellets are produced and shipped to manufacturers both near and far. The PCR pellets are sold into North American and global markets, and PolyAg is working with various manufacturers and organizations such as Cleanfarms and Berry Global to explore and promote uses for their recycled materials. Last week I had the privilege of touring the facility with the Minister of Agriculture and Forestry and the hon. Member for Spruce Grove-Stony Plain, where we experienced the recycling process. It was a remarkable experience and showed the power of local entrepreneurship. PolyAg presently has plans to expand its operation and create more jobs in my constituency.

Thank you, Mr. Speaker.

### School Reopening

**Ms Hoffman:** For teachers in classrooms across Alberta right now there is very little protection from the real threat of COVID-19. Every day teachers, principals, custodians, librarians, educational assistants – all school staff – are taking risks to support students and their learning.

COVID cases keep rising in Alberta schools. At least 440 schools have reported cases, including more than 80 outbreaks and 41 on the watch list with at least five active cases. In Calgary over 8,000 students and staff from public and Catholic school districts alone have been in isolation. It's been reported that there are regularly no supply teachers available when teachers need to isolate or stay home sick. Teachers are overwhelmed and overworked. A recent survey from the ATA shows that teachers are reporting extreme stress, fatigue, and anxiety.

Let me be clear. I wholeheartedly support students returning to school, but this government's lack of strategy and investment for school reopening is irresponsible. The UCP was more focused on cutting \$128 million from schools and laying off more than 20,000 education staff than on a safe school reopening. Why? Because they care more about giving \$4.7 billion away to large, profitable corporations than they do about safe learning and working conditions.

We've outlined real and achievable recommendations for the safe reopening of schools so that students and staff can feel and be safe. Reverse the cuts to education, hire additional teaching staff to fill the gaps caused by isolation needs, provide additional emergency funding so school authorities can use it to provide mental health supports for students and staff, use existing public spaces to facilitate physical distancing. The UCP is failing Alberta students, staff, and families. We in the NDP Official Opposition call on the government to step up and make schools safer, support students, and fund education properly.

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

### Energy Industry Opposition

**Mr. Smith:** Thank you, Mr. Speaker. Alberta's energy sector has been given an unwarranted reputation as being against clean energy. At times students in our province have been taught about our oil and gas industry in a less than balanced way, having received a one-sided, anti-oil case either in their class lessons or by groups invited into their schools. I've heard from many concerned parents who tell me that their children are being taught that our oil and gas sector is dirty. Education should be about the pursuit of truth, and in the case of Alberta's energy industry we need to ensure that our young people are presented with a balanced presentation of the facts and that we provide them with the skills and the capacity to weigh

those facts, consider different points of view, and have the capacity to make an informed decision.

Mr. Speaker, not only does Alberta have world-class regulations and some of the cleanest energy on a global scale, we are continually looking for ways to diversify our energy sector. Alberta is a global leader in clean energy, and in addition to the rigorous environmental standards our oil goes through, our recent introduction of geothermal legislation and exploration of hydrogen energy are prime examples of how Alberta is going to remain a diverse, environmentally responsible energy province.

Mr. Speaker, we continue to see an increase in damaging statements about our energy industry in Alberta from people that have access to a global platform such as Elizabeth May, who claims that oil is dead. Anyone with aspirations to lead our country should know better than to blindly condemn Alberta's energy industry. You cannot live in a modern, industrialized society with high standards of living without access to carbon-based energy and energy products. Ms May's criticism is both inaccurate, unbalanced, and unnecessarily divisive. We should be uniting as a country around our environmentally responsible oil industry. Alberta's energy industry is vital to Canada's economy, and if our federal government won't stand up for Alberta's oil and gas industry, then they are harming more than just our province and its industry workers. They are harming every single Canadian.

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

#### COVID-19 and Emotional Stress

**Ms Gray:** Thank you, Mr. Speaker. It's now been over seven months since the COVID-19 pandemic first affected our province. This is a very long time for Albertans to live day in and day out with the elevated stress levels this pandemic has brought. In a recent survey nearly three-quarters of Albertans are finding it very difficult to cope with stress and anxiety. Reports from doctors and dentists show significant rises in stress-related conditions like extreme headaches, upset stomachs, teeth grinding, tooth fractures, episodic hair loss, and even outbreaks of shingles.

To Albertans struggling with the higher stress load this year I want to say that the NDP Official Opposition sees you. We hear you. I hear you. You might be one of the almost 20 per cent of Alberta mortgage holders who's had to defer payments on your home. That's an incredibly scary position to be in. Or you might have an elderly loved one in a care facility and you're constantly worried about whether COVID-19 will appear there. Or perhaps you work for Cenovus or Husky and now you're wondering if you will be one of the 2,100 layoffs to come from the merger of those two corporations. My message to Albertans: it's very normal to feel emotionally exhausted right now. Take some time to investigate stress management techniques to find the ones that work for you.

To this UCP government: you are making things so much worse for countless Albertans. Your \$4.7 billion corporate giveaway is a no-jobs failure. Your relentless attack on the public health care system, that Albertans cherish, has led to short-staffing and workers who are mentally and emotionally drained, not to mention demoralized. Your decision to go after 11,000 health care heroes that make between \$17 and \$23 an hour doing a job very few would even consider normally, never mind during a pandemic, is very cruel and heartless. Albertans will not forget the countless ways in which you added stress to an already immensely difficult time. Find your hearts, learn empathy, learn compromise, and maybe, just maybe, learn to lead. Albertans desperately need you to.

**The Speaker:** Prior to moving to the last member's statement, I just might remind both House leaders that perhaps if you'd like to engage in debate, you could wait for your opportunity to do so.

#### Climate Change

**Mr. Rowsell:** Mr. Speaker, recently 500 scientists, engineers, professors from around the world signed a registered letter to the UN Secretary-General stating that there is no climate emergency, which I will be tabling later. Michael Shellenberger, famed environmental activist, argued against the alarmist rhetoric by the supposed experts. It is important to recognize that the dominant narrative is not the only narrative.

In 2001 the government of Canada produced a pamphlet making several predictions ranging from sea level increases to prairie crop yield devastation. Mr. Speaker, it's been 20 years, and virtually all of these catastrophic predictions have proven not to be true. In fact, across the province we are reporting above-average or record-high yields. What has become more and more apparent is that there has been an attempt by extremist agitators and malcontents who stand against capitalism and free markets to undermine our great energy industry with fallacious claims. Access to fossil fuel derived energy has been one of if not the greatest thing that has happened to the human race. We need to expand the use of fossil fuels, not restrict them.

I'm proud that the Alberta government eliminated the oppressive carbon tax and continues to fight the federal government on this front. I'm proud to stand with the Associate Minister of Natural Gas and Electricity, who has worked to make Alberta a petrochemical powerhouse, presenting a bold plan that will help diversify our economy. [A cellphone rang] I am happy that Alberta's government has a Premier who stands up relentlessly for our oil and gas industry. As we look to recovery and getting Albertans back to work, Alberta's government knows that our energy industry means more than just short-term jobs; it is the future of this province as well.

Thank you.

**The Speaker:** It sounded almost like the hon. Member for Edmonton-Rutherford's phone went off during that member's statement. I'm certain that that's the second offence, so I look forward to him making a donation to the charity of my choice, which in this case will be Edmonton's Food Bank.

1:50

#### Oral Question Period

**The Speaker:** The hon. Member for Lethbridge-West.

#### Economic Recovery and Job Creation

**Ms Phillips:** Jobs, Economy and Innovation. They may have changed the name of the ministry, but here's what really needs to change: the jobs being lost, the shrinking economy, and the innovation being chased out of Alberta. Yesterday we heard more than 2,000 layoffs coming from Cenovus; before that, 2,000 at Suncor; before that, TC Energy; before that, Precision, EnCana, Husky. To the government. People are looking for a serious plan to address this jobs crisis. What is that plan?

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

**Mr. Toews:** Well, thank you, Mr. Speaker, and thank you to the member opposite for the question. We recognize that Alberta's economy has been hit hard by the COVID-19 pandemic, by a record collapse in energy prices, and by the largest contraction in the

global economy since the Great Depression. That's why our government rolled out the economic recovery plan early. Our recovery plan includes doubling down on creating the most competitive business environment possible. It includes a record infrastructure investment and a series of sector strategies.

**Ms Phillips:** Five thousand jobs lost in Calgary this month alone, and all we get are robotic talking points. There are tens of thousands of Albertans struggling. They're looking for work. They deserve a plan. The banks are saying that Alberta's economy will shrink the most in Canada, more than oil-and-gas Saskatchewan, more than forestry B.C. It is not the pandemic; it's the UCP. To the government: why is our recovery plan so much worse than the rest of Canada?

**Mr. Toews:** Mr. Speaker, Alberta's economy was hit disproportionately hard because of four years of mismanagement by the members opposite and the fact that we have an energy-driven economy. While there's much more to be done, we've seen 65 per cent of the province's jobs recovered, or 235,000 jobs restored, since the pandemic. There is much more to be done. That's why we've launched the Alberta economic recovery plan. We're committed to ensuring that we position the province for increased investment and job creation.

**Ms Phillips:** Mr. Speaker, the non answers and the distractions make the government look small. But you know what's not small? The stress and anxiety of losing your job, trying to pay your bills. Let's give the minister one more chance to explain why he cut diversification, chased investment out of the province, why he cut millions in training programs when Albertans needed him to have their backs the most, and what he will do, specifically, to stop making things worse for people in Calgary and across the province.

**Mr. Toews:** Mr. Speaker, a component of our economic recovery plan was the introduction of the innovation employment grant. This grant is a very unique grant across the country that will ensure that Alberta is the destination for capital for tech start-ups. I want to say this, an even more encouraging stat: this year Calgary broke the record for venture capital investment in 2020 at over \$200 million this year to date, and we're far from having the year completed. Our economic recovery plan is working.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview has a question.

### Economic Diversification

**Mr. Bilous:** Mr. Speaker, the layoffs we're seeing in Alberta's energy sector are devastating for families. We need to diversify, but this minister told Albertans that diversification is a luxury we cannot afford. The first thing this government did was turn away investment, told tech companies they aren't welcome, and cancelled every diversification program that was working. To the minister: will you finally stand up and apologize to Albertans for chasing away jobs and investment in Alberta's future?

**Mr. Toews:** Mr. Speaker, Alberta's economy is challenged, again, because of four years of mismanagement by the members opposite, members that actually discouraged pipeline development. They were against Northern Gateway. They were against Energy East. They stood against Keystone XL. That's what left this province very vulnerable to the COVID-19 pandemic. Our economic recovery plan is important to the future of the province. We rolled it out early, and it's beginning to work.

**Mr. Bilous:** Two years into their mandate and they're still making excuses and blaming the previous government.

Mr. Speaker, they said that companies couldn't wait to come to Alberta for their corporate handout, and look around; nobody came. Here's the truth. The UCP cancelled every tax credit we had, hurting investment capital and R and D. They cut artificial intelligence. They cancelled renewable energy. They cancelled digital media. They gutted Alberta Innovates. To the Minister of Treasury Board and Finance: why don't you pick one, any one, of these programs and restore the funding, or is diversification still a luxury that we cannot afford?

**Mr. Toews:** Mr. Speaker, our government cancelled a whole series of NDP programs that simply weren't working. We replaced those with broad initiatives that will position this province to be competitive in the future and attract investment and create job opportunities. Moreover, we're bringing individual sector strategies forward for the tech sector, for aviation, aerospace, for tourism, finance and fintech that will position those sectors for disproportionate growth and economic diversification.

**Mr. Bilous:** Clearly, the minister still doesn't get it. They weren't NDP programs. They were programs that came from industry that we implemented.

Mr. Speaker, in 2019 the government launched its corporate handout, claiming it would create 50,000 jobs. What actually happened is that Alberta lost 50,000 jobs. Major companies took their tax gift and spent it in other provinces. Any rational person would look at this failed policy and rethink it, but this government doubled down. Minister, your policy hasn't created a single job to date. Will you admit your corporate handout is a failure?

**Mr. Toews:** Mr. Speaker, if we want to talk failure, it's the members opposite mismanaging the province's economy for four years. Moreover, the NDP would suggest that reducing taxes constitutes a handout. Nothing could be further from the truth. In fact, the members opposite would have us increase business taxes by 50 per cent in the middle of an economic challenge. I cannot imagine what would be more disastrous in attracting investment.

**Mr. Yao:** You don't know finance, Forbes. Come on.

**The Speaker:** Order. Order. The hon. Member for Fort McMurray-Wood Buffalo will come to order. I was going to thank the Minister of Finance for such a full-bodied answer, because it would have been very difficult to hear him if it wasn't the case. I encourage members of the opposition to make sure the Speaker can hear the answer as well as the question.

The hon. Member for Edmonton-West Henday.

### Automobile Insurance Premiums

**Mr. Carson:** Mr. Speaker, today the Alberta NDP called for an immediate freeze to auto insurance premiums until the end of 2021. Enough is enough. Alberta is leading the country in insurance rate spikes, and it's entirely at the feet of this UCP government. We've seen an average increase of 24 per cent. That's hundreds of dollars more in expenses being piled onto families who already can't afford to make ends meet. Will you commit today to freezing auto insurance rates before more families go deeper into debt to keep their cars on the road?

**Mr. Toews:** No, Mr. Speaker, we will not commit today to another rate cap because a rate cap made a difficult situation much worse. The NDP, the members opposite, did not have the courage to fix the

broken automobile insurance system. I will be bringing forward reforms tomorrow that will ensure a sustainable auto insurance industry for Alberta.

**Mr. Carson:** We know the reason the minister isn't budging is because he's listening to the Premier's former campaign manager, who is now the insurance industry's number one lobbyist. You know who he isn't listening to? Kel Mills, a recently unemployed Calgarian who reached out after her insurance shot up 55 per cent. Kel hasn't had any claims for decades. Minister, explain why you sit there and do nothing as Kel's insurance goes up 55 per cent. In fact, explain to her why you have actually paved the way for insurance companies to subject her to blatant exploitation.

2:00

**Mr. Toews:** Mr. Speaker, the folks who did nothing were the members across the way when they did not deal with the systemic and fundamental issues that were driving up premiums in the province. I will be introducing reforms tomorrow that will provide fast relief for Albertans for their automobile insurance premiums.

**Mr. Carson:** Mr. Speaker, Brandon Rudics, a father in Lethbridge, told us that his premiums shot up 40 per cent right at the outset of the pandemic. What's more, his insurance provider wanted him to put a down payment on future months. This is under this UCP government. Brandon said that he was basically taken hostage by his insurance company and left with no choice but to hand over thousands of dollars that they didn't have. To the minister: explain to Brandon and other families dealing with skyrocketing insurance rates why you believe it's okay for insurance companies to take them hostage.

**Mr. Toews:** Mr. Speaker, as I've said previously, it was four years of inaction by the members opposite that have left our automobile insurance industry in disarray. We are taking action. I will be introducing reforms tomorrow that will deal with the cost pressures that are driving insurance premiums up in the province. They will assist in ensuring that we will have a sustainable automobile insurance system in the future.

### School Class Size

**Ms Hoffman:** The rate of COVID-19 in Alberta schools continues to rise. Each confirmed case pushes students, staff, and families into isolation, disrupting their learning and their ability to go to work. The more close contacts a person has, the more burden is placed on an overwhelmed contact tracking and testing system. Will the minister admit that picking a \$4.7 billion corporate handout over capping class sizes was a huge mistake?

**The Speaker:** The hon. Minister of Children's Services has risen to answer.

**Ms Schulz:** Thank you very much, Mr. Speaker. It is unfortunate that the NDP and their allies continue to use this pandemic as an avenue to continue pushing for unrealistic targets for class sizes. This isn't about money. It's not possible to cap class sizes at 15 students. To do so would require an additional 13,000 teachers and 13,000 additional classrooms, neither of which are readily available. Our school re-entry plan was based on the recommendations of the chief medical officer of health and is working very well.

**Ms Hoffman:** Calgary Catholic schools have seen their COVID case count triple over the past week. St. Francis high school has cancelled its fall athletics program. The chief superintendent calls it: an explosion of cases. Twenty-four hundred students and staff

have been forced into isolation due to contact with a confirmed case of COVID in a Calgary Catholic school alone. How many working parents have been forced to stay home because the minister continues to fail to fund class size limits at Calgary Catholic schools?

**Ms Schulz:** Mr. Speaker, every school authority in the province is seeing an increase in funding, roughly \$120 million across the province of Alberta. Our school re-entry plan was developed, again, based on the expert advice of Alberta's chief medical officer of health and in consultation with education system partners. To date less than half a per cent of students and staff have tested positive for COVID-19, which suggests that this plan is working. And many of these cases were contracted outside of a school setting.

**Ms Hoffman:** Calgary public reports another 6,000 students and staff have been forced to isolate due to exposure of a confirmed case of COVID-19. That's more than 8,000 people in Calgary alone. Daily case counts are rising. Dr. Hinshaw has already banned social gatherings of more than 15. More COVID cases in the community means more COVID cases in schools. Our economic recovery depends on keeping schools open safely. When will the minister stop with excuses, get proactive about keeping schools safe and our economy open, and actually cap class sizes at 15?

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

**Ms Schulz:** Thank you, Mr. Speaker. I've answered already that final question, about why it really isn't feasible to cap class sizes at those levels: because we don't have the staffing and we don't have the space. As a parent of a child in the school system I can say that school systems, administrators, and educators are following the expert advice of the chief medical officer of health. Unlike the NDP, who continue to disrespect the advice of medical experts, we'll continue to work with Alberta's education partners, put aside the chaos and fear being stoked by the members opposite, and adapt our plan and guidance as required.

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

### Investing in Canada Infrastructure Program

**Mr. Horner:** Thank you, Mr. Speaker. I was grateful to see some long-awaited projects throughout my riding finally receive funding this summer, projects like in the village of Consort, where their pool is getting much-needed renovation. The community has spent a great deal of time and effort working hard and fund raising locally for their new outdoor pool and are so excited to be receiving both provincial and federal support. Can the Minister of Infrastructure tell this House about the investing in Canada infrastructure program and about the projects he announced this summer?

**Mr. Panda:** Consort will be getting a new pool, and the lifeguards are certainly happy to hear it. This is just one of the 70 projects in every corner of the province and more than 4,000 jobs that will be created as a result. Alberta is getting some of the money back, the money that it sends to Ottawa, with these infrastructure investments. It's excellent news to Consort as well as Acadia Valley, which will be getting a new community hall, and Provost, which will be getting water treatment plant upgrades. Let's not forget about Rochon Sands, which will see a new waterline. Mr. Speaker, these are the projects in the member's riding.

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

**Mr. Horner:** Thank you, Mr. Speaker. This is certainly welcome news in my riding of Drumheller-Stettler.

Given that the government of Canada announced that they would be creating a new COVID-19 stream for ICIP funds and given that despite the four projects that were funded in my riding, many others weren't, can the minister tell the Assembly what the COVID-19 stream means for Alberta when it comes to the investing in Canada infrastructure program?

**Mr. Panda:** Mr. Speaker, the government of Canada did announce a new COVID-19 funding stream this summer. But let's be clear. This is not new money from the federal government. The COVID-19 stream allows us to move some of the funds from other streams into the COVID-19 stream meant for shovel-ready projects to get people to work. The government of Alberta had already allocated the vast majority of its money in ICIP, and the remaining money will be used in the COVID-19 stream on capital maintenance and renewal projects to get people back to work in constituencies like the member's.

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

**Mr. Horner:** Thank you, Mr. Speaker. Given that many communities in my riding are dealing with a decline in population, making infrastructure maintenance and renewal extremely challenging, and given that this exodus of people puts extra pressure on these communities when it comes to ensuring that they not only have a tax base to maintain their viability but have the infrastructure amenities to attract new families, to the Minister of Infrastructure: can you tell this House how the investing in Canada infrastructure program enhances the long-term viability of small communities?

**Mr. Panda:** Mr. Speaker, smaller communities do face unique challenges retaining their population. An outdoor pool in Consort or a community hall in Acadia Valley are not major projects like public transit in Calgary or Edmonton; however, these projects are just as vital. They make life better for residents and make these communities desirable places to live. Every time we make public investments, they're made with an eye to attracting private investment, and that is particularly true in smaller communities, where these projects make all the difference.

### Public Inquiry into Anti-Alberta Energy Campaigns

**Ms Ganley:** This past weekend we learned from the Premier that once again Steve Allen will fail to complete the work on his so-called investigation into foreign-funded influence in the oil and gas sector. The work was originally supposed to be completed in July, then October. It is late, over budget. Its rules have changed twice, and apparently it won't even determine if the claims are fact based. The inquiry was supposed to defend Alberta and bring back jobs to this province, but job losses in the sector have only increased. Can the Minister of Energy point to a single outcome from this \$3.5 million debacle: a job, a finding, anything?

**Mr. Jason Nixon:** Mr. Speaker, we're going to continue to do the important work to protect our energy industry, the exact opposite of what that member did when she was the Justice minister of this province and sat with a governing party, who did things like appoint Tzeporah Berman, the antipipeline, anti oil sands activist, to be in charge of the oil sands. This government will not be lectured by the NDP when it comes to defending the energy industry. That would be letting the fox into the henhouse. That's not going to happen at all. What I find interesting is that that hon. member – actually, I'll have more to say in just a few moments about what's going on with that hon. member.

2:10

**Ms Ganley:** Given that Mr. Allen's inquiry is not just wasting time, that it's also wasting money – it's burned through \$2.5 million plus another million that they got – and given that it still can't afford to check any facts, which leaves us wondering what it's actually doing, Minister, will you commit not to sink any more money into this bottomless money pit until you have some indication it has found anything credible, or is this like your \$4.7 billion no-jobs handout?

**Mr. Jason Nixon:** Only the NDP would think it's a waste of money to defend the largest employer in this province, Mr. Speaker, who's been under a sustained attack by the NDP's close allies. It's completely and utterly disappointing. It's just like today, when they supported their boss, Gil McGowan, and the AFL to call for illegal strikes. That member still has not condemned that action. The Leader of the Official Opposition still has not condemned that the membership of their own leadership of their party are calling on Albertans to do illegal things. Let's start with that. Will the member stand up for her third question and condemn Gil McGowan? Yes or no?

**Ms Ganley:** Given that Mr. Allen apparently presented an interim report as early as January and given that the government somehow seems to know about a further delay even though it has not been publicly announced and given that the inquiry will not be based on facts and is apparently going to be released at some mystery future time, Minister, your government could already win the most secretive in history. Albertans deserve to know what is going on. Will you commit to release all communications between the inquiry and the government?

**Mr. Jason Nixon:** Mr. Speaker, what Albertans deserve to know is where the NDP stand with the fact that their boss, Gil McGowan, the head of the AFL, who holds a leadership role in the NDP – where do they stand with his actions to call Alberta parents religious nutbars, where do they stand with his actions to diminish the Holocaust, where do they stand with his actions to make a blacklist of Alberta businesses and call for them not to receive any customers? Shame on them. Most importantly, where do they stand with Gil McGowan's calls for illegal strikes? Are the NDP on the side of illegal strikes, or do they believe in following the law in the province of Alberta?

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

### Educational Curriculum Review

**Mr. Feehan:** Thank you, Mr. Speaker. The proposed curriculum changes from this government's hand-picked panel of advisers removes all mention of residential schools from kindergarten to grade 4. A member of that hand-picked panel, Chris Champion, has written that including First Nations perspective in schools is a fad. Is it a fad for the families and communities of the 150,000 indigenous children that were abducted from their homes and forced into these schools? To the Minister of Indigenous Relations: will you and your government unequivocally reject this racist advice from your hand-picked panel?

**The Speaker:** The hon. Minister of Indigenous Relations.

**Mr. Wilson:** Well, thank you, Mr. Speaker. I had the opportunity last Friday to sit and chat with Dr. Wilton Littlechild. He was the past grand chief of Treaty 6. He spent a lot of time in residential schools, so he knows first-hand what they're all about. When we talked about it, we chatted with the Minister of Education about

this. She has committed that the full history of Canada, including First Nations, Inuit, and Métis history, which includes residential schools, will be taught, and she said: that is nonnegotiable. So I can assure the member that that will be part of the educational curriculum.

**Mr. Feehan:** You know, you could really just fire the racist.

Given that yesterday I stood with Nicole Robertson, an indigenous mother and advocate, and given that she said that, quote, when indigenous people's historical facts are taught in the education system, we're helping to build a stronger and just society and that our children should know the truth about Canada's past in order to make change for their future, that this begins with reconciling the education system, end quote, to the minister: what do you have to say to her about your regressive changes to the curriculum?

**The Speaker:** The hon. the Minister of Indigenous Relations.

**Mr. Wilson:** Well, thank you again, Mr. Speaker. It is an honour to stand and talk about the curriculum and the work that's being done there. The curriculum now is just going to the panel, an amazing panel made up of hundreds of teachers. Literally hundreds of teachers will be on this panel, working teachers that work in the system, that will be putting the curriculum together, and it will include, of course, the history. It's important to remember our history. Some of it isn't that great with residential schools, but it's important to learn from it and keep that alive.

**Mr. Feehan:** Just one racist. Fire one racist.

Given that yesterday I also stood with . . .

#### **Speaker's Ruling**

#### **Allegations against a Nonmember**

**The Speaker:** Order. Order. The hon. member knows that the use of a preamble after question 4 is inappropriate. Although we have absolute immunity in free speech, it doesn't mean that it doesn't come with any responsibility. I encourage members of the House to use the words that they choose, when making allegations about people who are not in the House to defend themselves, with some caution. I just suggest some caution. I'm not saying anything other than that.

Hon. Member for Edmonton-Rutherford, you can go from the top. You have 35 seconds remaining in your question.

#### **Educational Curriculum Review**

*(continued)*

**Mr. Feehan:** Thank you, Mr. Speaker. Given that yesterday I also stood with Adam McRae, a social studies teacher, and given that he said that these proposals, quote, completely disregard the last 20 years of educational theory and research and completely ignore the professional opinions of hundreds of educators from around the province and limit the potential of our students, end quote, to the minister: what do you have to say to Adam and to all teachers and all parents and all indigenous people in the province of Alberta?

**Mr. Wilson:** Well, Mr. Speaker, can I just take the opportunity to thank you? The other day I had our working panel in that is working on the murdered and missing indigenous women. We still have the dress displayed in the Federal Building, and they were so proud to see that that display is there just to remind people of the injustices that were done and the ongoing work that's going on to help the murdered and missing indigenous women panel. Thank you for that. That's an ongoing issue that we're continuing to work on. I work with other ministries, culture and Justice, and that's

something that we'll be continuing to work on. I just wanted to take the opportunity to thank you for that.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### **Natural Gas Industry**

**Ms Issik:** Thank you, Mr. Speaker. Our province's natural gas industry is one of the key pillars of Alberta's natural resource sector. With growing global demand for clean and sustainable energy it has never been more important to support our natural gas sector and position our province as a postpandemic powerhouse for responsible energy development. To the Associate Minister of Natural Gas and Electricity: how will the natural gas vision and strategy help position our province's economy for a strong recovery?

**The Speaker:** The hon. the Associate Minister of Natural Gas and Electricity.

**Mr. Nally:** Thank you, Mr. Speaker. Do you know who Gil McGowan is? Gil McGowan is the NDP affiliate that has nothing better to do than to call for illegal wildcat strikes. Well, while the NDP and their affiliate Gil McGowan are waging a war on our economy, on this side we're working towards recovery. My department recently released a natural gas strategy and vision that is part of our Alberta recovery plan. It's going to look at how we can utilize natural gas to promote industrial consumption in this province.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Ms Issik:** Thank you, Mr. Speaker. Given that the growing demand for clean hydrogen is providing Alberta with a prime opportunity to grow and expand its production and given that hydrogen is coming to play an important role in our province's economic recovery, to the Associate Minister of Natural Gas and Electricity: how will the use of hydrogen, which can be used to fuel public transit buses and lower emissions in the oil sands, fit into Alberta's economic future?

**The Speaker:** The associate minister.

**Mr. Nally:** Thank you, Mr. Speaker. The NDP recently released a hydrogen strategy masquerading as economic development. Now, I recently had an opportunity to review their hydrogen strategy, and I was quite perplexed because they want to utilize green hydrogen. In case you didn't know, green hydrogen: you need water to produce hydrogen. Now, I guess they might have spent four years in government, but they didn't learn anything about water rights because if they did, they would know that we don't have the water capacity in this province to utilize green hydrogen unless they're planning on using bottled water.

**Ms Issik:** Through you, Mr. Speaker, to the same minister: given that Alberta's petrochemical industry makes food safe to eat, makes health care delivery possible, and serves as a linchpin for a number of products we use every day and given that increasing low-carbon petrochemical and hydrocarbon petrochemical manufacturing improves the quality of life for people around the world and is a catalyst for economic activity, how is this government going to do things differently to continue growing our petrochemical sector?

**The Speaker:** The Associate Minister of Natural Gas and Electricity.

**Mr. Nally:** Thank you, Mr. Speaker. The NDP and their Liberal friend Justin Trudeau have waged a war on plastic straws. Well, on

this side of the House we know that plastic straws are not the problem. In fact, plastic is not the problem; the problem is waste. What we're going to do on this side of the House is that we're going to create a circular economy, and that circular economy is going to take those single-use plastics and all plastics, for that matter, and, using advanced recycling techniques, use that to form another feedstock for more polypropylene. In fact, we're so committed to this that we have an Alberta petrochemicals incentive program incentive that is coming out very shortly.

**The Speaker:** The hon. Member for Calgary-McCall.

## 2:20 COVID-19 Outbreaks in Correctional Facilities

**Mr. Sabir:** Thank you, Mr. Speaker. Over the weekend an outbreak of COVID-19 was declared at the Calgary correctional facility. One-quarter of the inmates and five staff are infected. This is the third outbreak at a correctional facility in our province in a month. To the Minister of Justice: what action have you taken or will take to handle outbreaks in correctional facilities? Please be specific.

**The Speaker:** The hon. the Minister of Justice and the Solicitor General.

**Mr. Madu:** Thank you so much, Mr. Speaker, and thank you to the Member for Calgary-McCall for that question. I am so proud of our response to the COVID-19 pandemic. I will inform the House that until the recent outbreak at the Calgary correctional facility, we did not have a single inmate-led exposure. While we now have this particular outbreak, we've always said that the most important thing is: how do we respond to an outbreak once there is one? I'm so proud that we are working so close with the chief medical officer to make sure that we contain this outbreak.

**Mr. Sabir:** Given a statement from the minister's office referring to outbreaks in jail as expected and given that prisoners' advocates have been sounding the alarm on the threat of COVID outbreaks in correctional facilities since the pandemic began and given that this government owes a duty of care to inmates in Alberta, to the same minister: how did you let the situation deteriorate to this point? Please give some specifics on what you will do to fix your failure in leadership.

**Mr. Madu:** Mr. Speaker, the government of Alberta continues to respond to the challenges of the COVID-19 pandemic. As we continue to ensure the health and safety and security of all our corrections staff and inmates, our partnership with Alberta Health Services has led to a few changes in our correctional facilities. Some of these changes can include adjusted routines, such as when an inmate is out of the space and the timing of meals, phone access, and laundry. I mean, again, we are doing everything we can to make sure that we keep our inmates and staff safe at our correctional facilities.

**Mr. Sabir:** Given that inmates are being held in inhumane conditions, including unjustified use of solitary confinement and doubling up cells, with some sleeping on the floor, and given that the cells have broken toilets and the movement of inmates, including transfers, admissions, and releases, is restricted and given that these conditions amount to cruel and unusual punishment under the Mandela rules, to the same minister: does this government care about the lives of inmates?

**Mr. Madu:** Mr. Speaker, you know, the one thing that I will not allow is to allow the NDP to once again play politics with the lives of our inmates. We have worked very closely with the chief medical

officer of health to come up with a plan to ensure that we keep our inmates and our staff safe within our correctional facilities. [A cellphone rang] That is our focus, and that's what this government is doing. I am proud of the measures that we have kept in place, and the outbreak at the Calgary correctional facilities has been contained.

**The Speaker:** Man, it's a rough day for the hon. Member for Edmonton-Rutherford. He's going to owe charities hundreds of dollars with the use of that phone in here.

The hon. Member for Edmonton-South has the call.

## Calgary Cancer Centre Safety Standards

**Mr. Dang:** Thank you, Mr. Speaker. The Calgary cancer centre is one of the most expensive and important pieces of infrastructure ever built in Alberta. When complete, it will welcome tens of thousands of patients and their families annually, so I was very disturbed to hear reports that corners are being cut in the construction of the centre, that some of the contractors installing fire safety systems are not trained to the level required in the specifications. Is the minister aware of these reports, and what has he done in response?

**Mr. Panda:** I'm happy to answer on behalf of my colleague the Minister of Transportation. When it comes to toll roads, actually, what he's doing, unlike what the NDP did, is consult Albertans. When he consulted, they asked for toll roads, including the First Nations, so . . . [interjections] Is that the question? [interjections] All right. Mr. Speaker, I apologize, and I'll answer in the supplementals.

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

**Mr. Dang:** Thank you, Mr. Speaker. Given that the Calgary cancer centre is subject to specification 1.7.2.4, which requires that the contractor, quote, use a fire-stopping subcontractor that has completed the Underwriters Laboratories of Canada qualified fire stop contractor program, end quote, and given that many of the contractors on the site of the Calgary cancer centre do not have this qualification, will the minister commit to giving this issue his personal attention and ensuring that the people installing fire safety systems in the Calgary cancer centre have completed all the training required?

**Mr. Panda:** I'd like to thank the member opposite for that important question about the safety standards, and I'll definitely look into that. I'll talk to the general contractor in this case and get you an answer in due course.

Thank you.

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

**Mr. Dang:** Thank you, Mr. Speaker. I think that's actually a very good answer from the minister.

Given that the ULC fire stop training qualification is a high standard, and rightly so, and given that Albertans deserve the highest level in safety construction, especially in these world-class health care facilities, will the minister today also commit that he won't be adjusting or lowering the specification to allow less-qualified contractors to install fire safety systems, if it is indeed the case?

**Mr. Panda:** Mr. Speaker, as I said before, we are all for safety. I'll definitely look into that, but at the same time the general policy of Infrastructure is not to overbuild but to build it safe and to make it

fit for the purpose. I'll definitely take the input from the member opposite, and I'll keep him updated.

Thank you.

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

### Driver's Licence Road Tests

**Mr. Hanson:** Thank you very much, Mr. Speaker. Having a driver's licence is a sign of freedom for Albertans, regardless of their age. However, getting a licence in Alberta has been more difficult this past year. That is because in March 2019 the previous government nationalized the driver exam system, effectively reducing the number of examiners from 150 to 77, resulting in longer wait times. Given that access to driving tests is fundamental for Albertans that travel on the roads, can the Minister of Transportation tell this House what steps have been taken to reduce wait times for Albertans?

**Mr. Panda:** Thank you to the hon. member for that important question. Getting a driver's licence is a rite of passage and an economic necessity. Last week we announced that we are privatizing passenger road tests to make it quicker and easier for Albertans to access them. Starting December 1, Albertans can book tests with their registries starting from January 5. We have also recruited more driver examiners, licensed private examiners from outside of the government, and extended their hours. We are adding approximately 1,000 additional tests each week, and we're clearing the NDP mess.

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

**Mr. Hanson:** Thank you very much, Mr. Speaker. Given that testing centres were shut down across the province this year from March until late June and given that many Albertans needed road tests during that time and more Albertans will continue to need road tests in the coming months, to the same minister: how is our government going to ensure that testing centres meet the increased demand for road tests while avoiding long-term increases to wait times?

**The Speaker:** The Minister of Infrastructure.

**Mr. Panda:** Thank you, Mr. Speaker. Albertans expect a timely delivery of road tests. Under the new privatized model for passenger tests registry agents will directly employ provincially licensed driver examiners, and this will reduce wait times since examiners can work outside regular government hours to meet the demand. We are also enabling Albertans to book their road test directly with their local registry if they choose, something Albertans have wanted repeatedly since the NDP nationalized the test. Our changes will also improve the integrity of the system with electronic monitoring of each road test.

**The Speaker:** The hon. Member for Edmonton-Castle Downs.

Oh, my sincerest apologies to the hon. Member for Bonnyville-Cold Lake-St. Paul. He has a second supplemental remaining.

**Mr. Hanson:** Second supplemental. Thank you very much, Mr. Speaker. Given that in order to correctly judge a road test, the tester has to physically be in the car with the driver and given that drivers and examiners cannot maintain six feet of social distancing, are in the same confined space, and both parties are communicating back and forth, to the same minister: how is our government ensuring that proper health protocols are enforced during tests in a way that does not hurt the integrity of the test?

**The Speaker:** The hon. minister.

**Mr. Panda:** Thank you, Mr. Speaker. When Alberta became the first province in Canada to relaunch road tests, on June 30, we needed to protect the health and safety of both drivers and examiners. This has included following protocols. Before the tests begin, examiners will conduct health screening questions with drivers. Both drivers and examiners need to wear PPE like masks, and drivers are required to sanitize their vehicles before and after tests. These protocols have added 30 minutes to each test, but they make sure Albertans are safe.

Thank you.

2:30

**The Speaker:** We've had some significant discussion about props this week inside the Assembly. I can't imagine the Minister of Infrastructure lifting a mask as if it was a prop. That would be wildly inappropriate.

### Arts Programming and Funding

**Ms Goehring:** Mr. Speaker, every day I hear from people across the province who are struggling: families, individuals, and sectors like the arts that include performers, technicians, and artists that support their families and the economy through their work. Given that this industry contributes over \$5 billion to the economy annually, to the Minister of Culture, Multiculturalism and Status of Women: how are you utilizing the arts sector to diversify the economy, and what supports should they expect through your jobs plan? Please be specific.

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

**Mrs. Aheer:** Thank you, Mr. Speaker, and thank you for the excellent question. We're actually working on sector-specific strategies right now with all of the different sectors. As you know, they were the first ones to be cut out and will be the last ones to come back as a result of protocols and lots of different things that are happening. One of the things I'd like to talk about is that, especially with the Jubilee auditoria, we were able to do a 100-person concert before the newest protocols were coming in. One of the things is that we have to make sure that folks are safe. We have to make sure that people who are coming in to do performances, whether that's in sports organizations or in arts organizations, are safe and that those protocols are being followed.

**Ms Goehring:** Given that all we get from this government is empty platitudes and given that real people – yes, people in the arts sector are people – are struggling to make ends meet and given that this same member said that they are asking people across the province, "How can we help you?" to the same minister: how have you been reaching out to individuals in the arts sector, what have they told you they need, and to be clear, will you give it to them? Yes or no?

**Mrs. Aheer:** We always start off on such a good foot, Mr. Speaker.

The thing is that the arts sector – what the member fails to recognize is that the arts sector is one of the most adaptive and flexible groups of people ever. If you've ever met with an artist, they've been through their share of interesting things in order for them to be able to make their jobs be viable under normal circumstances. In terms of innovation and availability it has been this sector that is actually leading the way along with the conversations that we've had with them. I'm super honoured to work with these people. They've actually contributed in amazing

ways not only to their sector but several other sectors and sector strategies. We're looking forward to bringing those forward.

**Ms Goehring:** Given that a member opposite last night said that "dignified, self-employed, working individuals" only want an "opportunity to . . . create entertainment and beauty" in the province and given that I constantly hear from people in the arts community struggling day to day and given that the arts community has lost jobs, venues, and opportunities due to the pandemic and given that the cuts to the sector and community organizations have only made this worse, to the same minister: will you admit here and now that you haven't done a thing to create entertainment, support entertainment, or support the people working in entertainment?

**Mrs. Aheer:** Well, in order to create entertainment, people need only look at the opposition and the questions they're asking right now.

In fact, the sector themselves has done an incredible job in creating entertainment along with partnerships not only in the communities but along with government partnerships. The funding that goes out to organizations to keep organizations' heads above water right now is probably one of the most important things that we can do. I'm very grateful to the Minister of Finance, who is working with me right now on sector-specific things in order to be able to help the sector come back. It has never been more important. As the member pointed out, it is a viable, incredible industry that contributes to the GDP.

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

#### **Ministers' Attendance at Public Accounts Committee Meetings**

**Mr. Dang:** Thank you, Mr. Speaker. We're going to try something different today. Every year ministries attend Public Accounts to speak to their annual report. This is a core feature of our Westminster system of government. Depending on the circumstances, sometimes ministers attend and sometimes they send their deputies. My first question is to the Minister of Culture, Multiculturalism and Status of Women. Your ministry is scheduled to attend PAC at 8 a.m. on Tuesday, November 3. Will you agree to attend personally to discuss your annual report with members from both the Official Opposition and government caucuses?

**Mrs. Aheer:** I'm so honoured to have a question from this member on Culture, Multiculturalism and Status of Women. It's a huge privilege to be able to present. I'm looking really forward to hearing from all people from all sides about what's going on within the sector. Again, questions are always very, very gratefully accepted on this side. The sector themselves has presented some incredible opportunities for us to be able to understand how to help the sector. Looking forward to hearing the discussions.

**Mr. Dang:** Mr. Speaker, given that we didn't hear a yes there and given that opposition and government members did not have sufficient time to reasonably discuss ministry business plans with ministers because of the pandemic this year in a legislative context and given that we've now figured out how to operate safely at committees of the Legislature so that we can now hear from ministries about their activities over the past year, to the Minister of Indigenous Relations. Your ministry is set to appear at 8 a.m. on November 24 at Public Accounts. Will you agree to attend this meeting personally to discuss your annual report with members from both the government and opposition caucuses?

**Mr. Jason Nixon:** Mr. Speaker, it's outrageous, this line of questioning, because the fact is that we know the NDP did not send ministers to Public Accounts. Of course, the ministries will be there to present. I think that this is just the Official Opposition's way of trying to draw attention away from the fact that their leader, their union boss, Gil McGowan, the head of the AFL, is calling for illegal wildcat strikes all across the province, and the NDP can't condemn that illegal behaviour, even though Albertans are certainly upset with them for not condemning it, because Gil McGowan is the boss of the NDP.

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

**Mr. Dang:** Thank you, Mr. Speaker. Given that that should have been a simple yes from every single minister and given that sometimes ministers' schedules, I understand, are packed so they need a lot of advance notice to attend these meetings and given that the Minister of Community and Social Services isn't scheduled to appear at Public Accounts to discuss her annual report until December 1 and given that that meeting is at 8 a.m., which would not normally conflict with major meetings, to the Minister of Community and Social Services: will you agree to personally attend Public Accounts on December 1 to discuss your annual report with members of both the Official Opposition and government caucus?

**Mr. Jason Nixon:** Mr. Speaker, what I would really like to see is the NDP agree to stop asking silly questions inside the Chamber, but I don't think that's going to happen. Again, this is the hon. member's way of distracting from the real issue of the day, and that's the behaviour of their union boss, top official within the NDP. In fact, Gil McGowan's financial VP is also the VP of finance for the NDP. Shockingly, follow the money. One of the things that Gil McGowan said was that Alberta parents are religious nutbars. I've been trying to get an answer from the hon. member and all of the NDP. Do they support calling Alberta parents religious nutbars? Let's start with that. Do you support that? Yes or no?

**The Speaker:** The hon. Member for Cypress-Medicine Hat is the one with the question.

#### **Fair Deal Panel Report**

**Mr. Barnes:** Thank you, Mr. Speaker. It was a privilege to work on the Fair Deal Panel as we examined ways for Alberta to become stronger and finally receive a fair deal in Confederation. Understandably, COVID-19 resulted in delays with the report coming out. However, with the work on the Fair Deal Panel's report completed and business starting to resume, I believe it's time, time to refocus our attention on Alberta's position. To the Premier: when can we expect decisions to be made in regard to the topics outlined and recommended in the fair deal report?

**The Speaker:** The hon. Government House Leader.

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker, and thank you to the hon. member for the question and for participating in the Fair Deal Panel. It was a lot of work and certainly appreciated by all of government and Albertans. The answer is simple. The Fair Deal Panel has been presented, has been released, and work is being undertaken on many issues within the Fair Deal Panel. I'm going to talk about a few of them in the supplemental questions, but I'd like to focus on one right away, which is the fight against the NDP carbon tax, which, as the hon. member knows, we're proud this government was able to repeal, and we were able to win the court

case in the Alberta Court of Appeal. We're working it through the Supreme Court as we speak.

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

**Mr. Barnes:** Thank you. Given that Alberta's situation with COVID-19 and the oil price war deteriorated our finances further than we expected when the work on the Fair Deal Panel began initially and that some of the recommendations in the report may increase costs but will certainly still be leveraged for all Albertans, again to the Premier: do you feel potential increase in costs for some of these recommendations could be warranted given the potential advantage and leverage they will have for Alberta?

**The Speaker:** The hon. Government House Leader.

**Mr. Jason Nixon:** Yes, Mr. Speaker. As the hon. member knows, the government is committed to investing and protecting this province against federal intrusion. Many of the recommendations inside the fair deal report are exactly that. There's currently work going on right now to examine an Alberta pension plan, for example, work on examining a provincial police force. There has been work that just happened right now to be able to appoint Alberta's own chief firearms officer and get Ottawa's Chief Firearms Officer out of this province. There's a significant amount of work taking place on that. We'll examine the costs. We'll make decisions in partnership with Albertans for what is best for Alberta.

2:40

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

**Mr. Barnes:** Thank you, Mr. Speaker. Given that Alberta needs a fair deal in Confederation now more than ever and that some of the recommendations would put our province in a position to insulate ourselves from harmful or wasteful policies from Ottawa and given that Quebec received its preferential treatment with credible threats, again to the Premier: how far are we willing to go? How far are we willing to go to make sure that Alberta families and Albertans get the deal that they deserve as part of this federation?

**Mr. Jason Nixon:** Mr. Speaker, we are going to continue to fight for Alberta's place in Confederation and make sure provincial rights are respected, and we are willing to take significant steps to be able to defend our provincial rights, including some of the ones that I have already listed today. One of the biggest ones, though, I would like to talk to in this question is the fact that the government is moving through the Legislature at a rapid rate, through both the committee and the legislative process, citizen referendum, as we've promised, because these issues need to be dealt with with the leadership of all Albertans, not just by 87 politicians inside this room. We're going to fulfill our promise to be able to make sure Albertans can bring forward referenda to make decisions for their province.

**The Speaker:** Hon. members, in 30 seconds or less we will continue with the daily Routine.

### Notices of Motions

**The Speaker:** The hon. Government House Leader.

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker. I rise to give oral notice of Bill 41, Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020, sponsored by the hon. the President of Treasury Board and Minister of Finance.

### Introduction of Bills

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

#### Bill 39

#### Child Care Licensing (Early Learning and Child Care) Amendment Act, 2020

**Ms Schulz:** Thank you, Mr. Speaker. I rise today to request leave to introduce Bill 39, Child Care Licensing (Early Learning and Child Care) Amendment Act, 2020.

Proposed amendments centre on quality child care; protecting the health and safety of children; increasing transparency, accessibility, and flexibility; reducing red tape; and modernizing this act.

Mr. Speaker, I'm grateful for the input provided by parents, caregivers, early childhood educators, child care, out of school care and preschool operators and directors, day home providers, as well as all Albertans with an interest in child care to this act.

Mr. Speaker, this legislation is a major step towards a stronger, safer, more flexible system that will better meet the needs of Alberta's children, families, and ensure that child care plays an important role in Alberta's recovery.

Thank you very much, Mr. Speaker, and with that, I move first reading of Bill 39.

[Motion carried; Bill 39 read a first time]

**The Speaker:** Order. Order.

The hon. Member for Cypress-Medicine Hat.

#### Bill 206

#### Property Rights Statutes Amendment Act, 2020

**Mr. Barnes:** Thank you, Mr. Speaker. Today I rise to request leave to introduce Bill 206, Property Rights Statutes Amendment Act, 2020.

This bill aims to restore property rights to landowners that were removed over a decade ago by, among other things, allowing for judicial review and full and fair compensation for expropriated land. Mr. Speaker, property rights are one of the foundations of wealth creation and prosperity. This is one of the reasons I first ran as an MLA, and I'm pleased to bring this forward.

Mr. Speaker, I encourage all members to support it. Thank you.

[Motion carried; Bill 206 read a first time]

### Tabling Returns and Reports

**The Speaker:** Are there tablings? Do you have a tabling?

**Mr. Turton:** Yeah.

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

**Mr. Turton:** Yes. Thank you, Mr. Speaker. I rise to table the requisite number of copies of the four letters of support that I received regarding my private member's Motion 510. The letters of support are from Cleanfarms, Alberta Recycling, the Canadian Stewardship Services Alliance, the Chemistry Industry Association of Canada, and the Alberta Urban Municipalities Association.

**The Speaker:** Are there other tablings? The hon. Member for Edmonton-Meadows.

Just to remind all members that once you've tabled your document, you can place it in the tabling tables on your own.

**Mr. Deol:** Thank you, Mr. Speaker. I'm tabling the requisite number of copies of the article that I referred to last night during my speech, the article published in the Center for American Progress, an article called Trickle-Down Tax Cuts Don't Create Jobs.

Thank you.

**The Speaker:** Are there other tablings?

Seeing none, hon. members, it's everyone's favourite time of day, Ordres du jour.

## Orders of the Day

### Government Bills and Orders

#### Second Reading

#### Bill 37

#### Builders' Lien (Prompt Payment) Amendment Act, 2020

[Adjourned debate October 27: Mr. Nally]

**The Speaker:** Hon. members, is there anyone else wishing to join in the debate? The hon. Member for Edmonton-West Henday, followed by the hon. Member for Fort Saskatchewan-Vegreville.

**Mr. Carson:** Well, that worked. Thank you, Mr. Speaker. It is an honour to rise this afternoon to speak to Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020. I've had the opportunity to listen to a lot of the discussion, as much as I could, through the second reading of this debate. I appreciate, first of all, the minister for bringing this important piece of legislation forward as well as some of the comments from both the opposition here on our side as well as the comments from the government side. I know that some members have dealt in this industry before, specifically in, you know, dealing with lawsuits around this type of issue, and I appreciate hearing those comments whenever possible.

I would just start off by saying that I do, from what I can tell, believe I will be supporting this piece of legislation. It seems pretty straightforward. We see similar pieces of legislation in many other provinces, and the idea of prompt payment is incredibly important, now more than ever. In the middle of a pandemic we must ensure that workers, whether they be contractors, subcontractors, or any level of worker, be paid promptly, so I appreciate that that is what is happening and being proposed through this legislation.

As many of my colleagues in the NDP caucus have already stated, this was a campaign commitment that we had made in the 2019 election, so we are happy to see it moving forward. I know that the Member for Edmonton-Ellerslie for many years had pushed and had discussions with industry and consultations with stakeholders about this very important issue, and it was something that was brought forward many, many times in my first term in government. Once again, I appreciate that the Minister of Service Alberta has brought this forward.

I would also recognize, as many members on this side have, that the previous Minister of Infrastructure, the previous Member for Edmonton-Highlands-Norwood – oh, am I getting that backwards? Anyway, I can say his name now; he's not here anymore. The hon. Brian Mason took action to ensure that this was something that was included in government contracts as those were processed, and that was very important, to make sure that, while we didn't have the opportunity within our four years to make sure that it was happening industry-wide, we ensured that any contracts that were coming through the government followed the idea of prompt payment. That was very important to that minister and all of us.

2:50

Once again, as has been discussed, we also created a 1-800 number to bring complaints forward if people weren't being paid in the private sector in a timely manner. I appreciate that this conversation has been going for a long time, and it's good to see it finally moving forward.

You know, just looking at some of the things that are proposed in here, there is a 28-day period for the whole construction period for everyone to be paid. When I think about it and compare it to some of the decisions of other provinces, we, once again, see here 28 days no matter how many people are in the ladder of subcontractors and contractors whereas in other provinces we see that as the payment goes through, each level is provided an extra seven days of time to make sure that that payment goes through.

I can appreciate that we need to ensure that those payments are prompt. We've had members on this side of the House raise not necessarily a concern but just wanting to find out how we fell at that 28 days and what it means for subcontractors that potentially come several rings down the list. If the first contractor on that list takes 27 days, what happens in that instance? I'm not sure. As far as I know, that wasn't answered by the minister, but maybe somebody from the government can answer that question for me if indeed it has been answered. Once again, while I do question that decision that was made, I think that even with the decisions that we see here, I'm happy to support it.

I've seen some of the discussion papers that happened through this consultation process even back to our time in government, I believe, and it was interesting to see on a province-by-province level that Alberta actually, you know, is leading, not in a good way, in terms of the delay in pay or the lack of prompt payment across the industry, so in Alberta more than anywhere it's important that we move forward on this legislation. I would be interested to find out how payments have been affected, if there have been further delays – I imagine so – through the pandemic and how industry has rectified that, or what consequences have come from that.

Of course, this legislation, if passed, will not be implemented for quite some time, still into the new year, so it's important that we get the regulations right, and I can appreciate that, but I'd be interested to find out: how many companies have potentially been forced to close because of lack of prompt-payment legislation or just prompt payment in general, yeah, and how much money maybe is outstanding from the inability of companies that have foreclosed to pay people even if those corporations who are owed money or subcontractors who are owed money continue to work? How much money is outstanding across the industry – they're very important questions – and what can we do, if anything, to rectify the fact that there is money that should be paid to these workers that is impossible to collect, potentially?

I think back to my own work within the industry, in the construction industry as a labourer and as an electrician, before being elected. You know, I had experiences that weren't good. While I wasn't a subcontractor or a contractor for some of the companies that I worked at, one in particular that I think of: very well known not only within our own workforce of under a hundred people across the work site but across the industry, quite well known, for not being able to pay their bills on time. Of course, these are things that happen in the industry. You buy your products, and then you have to finish whatever you're building. Then you sell it, and you get your money back, and you go and start paying your contractors or the suppliers that you're buying these products from.

I saw first-hand the damage that this can cause to the industry. Obviously, that's potentially, you know, a different issue, when corporations or companies aren't necessarily paying their suppliers

on time, but I would also be interested to see how that fits in this picture as well, if there's any opportunity to ensure prompt payment on that level. Maybe that's not something that the industry wants. It's an important part of the conversation as well. But I saw firsthand the damage that it can have to the workers as well at those corporations or companies when potentially they're not getting paid on time.

While this is focused on contractors and subcontractors, we need only to reflect on legislation that this government brought forward earlier in this session. On one hand, we see this legislation in front of us, Bill 37, the Builder's Lien (Prompt Payment) Amendment Act, 2020, ensuring that we're paying contractors and subcontractors on time, but we reflect on legislation that this UCP government has brought forward earlier this session, once again, and they have extended the pay period or the amount of time that's given to companies to pay out workers, specifically in the instance that that worker has lost their job. Many of our caucus members on this side of the House have raised those concerns, especially in a pandemic, that we need to ensure prompt payment to workers. It's peculiar to see, on one hand, this government wanting to ensure prompt payment to subcontractors and contractors within the industry but not willing to give the same benefit to workers who are working under an employer or a corporation. I have to question why that decision was made. It's very contradictory, in my opinion, Mr. Speaker.

[Mr. Hanson in the chair]

Once again, I appreciate that we're seeing this legislation. I think it's timely. I think that we've talked about this as an industry, as a government, and as an opposition long enough, over several years, and it's time to move forward on this. I know some of the validators that stood in support of Bill 37 with the minister, and I appreciate that this has been an important issue for them. I remember being at the Electrical Contractors Association of Alberta president's ball for several years in a row and them raising this as one of their biggest concerns within the industry, prompt payment being very important to them.

Once again, I appreciate that there are many people out there who want to ensure that they be paid on time. At the end of the day, it just ensures that money will be paid back, and that money could be reinvested in our economy, in new projects. So that's very important.

In my initial comments about this legislation I was very clear that I supported this though, once again, when we look at legislation that this government has brought forward, a tax on overtime pay specifically but a tax on holiday pay, with all of these decisions that this government has made to undercut the value that we place on our workers, to undercut the value that we place on their time and their commitment to a workplace, it is very unfortunate. I really question how we got to this place, when a subcontractor and a contractor is a worker just the same as somebody working under a corporation is. It's very frustrating for me to see that, you know, we take with one hand and give with the other. It's quite unbelievable, in my opinion, Mr. Speaker.

Once again I would just like to comment on the work of the Member for Edmonton-Ellerslie, who had a motion I believe in fall 2019.

Be it resolved that [we] urge the government to commission a third party review of existing legislation that impacts the construction industry to address the issue of delayed payments to ensure prompt payment [is indeed in place].

I appreciate all of the work that he put into that. I know that over his first four years it was something that was very, very important to him, once again, working with all industry stakeholders, whether

they be labourers, employees, employers. It just all around is the right decision to make.

While we do have more questions – of course, we're only in second reading of this legislation – I appreciate the time that the minister has taken already to address the House and speak to some of the consultation that he's done and some of the reasons why the industry felt it was valuable and why the UCP eventually brought it forward. There are still questions, I believe, that have gone unanswered, and I hope that the minister can address some of those.

Once again, we look at the adjudication process being set up through regulations. You know, we see several pieces that are very important to this legislation that will come through regulation, and that is sometimes par for the course, but when we're talking about things as important as ensuring that payment is going through and when we're talking about fines or levies that may be placed against somebody for not ensuring that payment was prompt, not paying within that 28 days, it's very important that we answer these questions before this legislation goes forward.

3:00

Once again, my biggest question would be that what we do see in other jurisdictions such as Ontario is that while there is a 28-day period, like we see in this legislation, every level that we go down in contractors is afforded an extra seven days. I would be interested to hear from the minister why that decision was made. What stakeholders in the consultation process were saying that they didn't necessarily think that that was a concern, that the seven days didn't have to be afforded? Other than that, Mr. Speaker, honestly, I think that it's a good decision. You know, once in a while I can agree with what this government is doing, which doesn't really happen very often. I appreciate that in a time when we need to come together as a government and an opposition, I finally have found something that I can support from this government.

With that being said, I think – I'm not sure how much time I have left, Mr. Speaker. One minute? I think I'm going to end my comments there. I appreciate the opportunity to rise to this important piece of legislation. I appreciate the minister taking the time to reflect on those consultation processes and, I think, coming to a place where we can all agree that this is the right thing to do at this time to support the construction industry.

Thank you.

**The Acting Speaker:** Members, 29(2)(a) is available. Any members wishing to speak under 29(2)(a)?

Seeing none, I will call on the Member for Fort Saskatchewan-Vegreville.

**Ms Armstrong-Homeniuk:** Thank you, Mr. Speaker. I stand here today speaking in support of Bill 37, Builders' Lien (Prompt Payment) Amendment Act, 2020. The bill is important for Alberta's recovery plan, which is a bold and ambitious strategy that focuses on creating jobs by investing in core infrastructure such as roads, schools, and other projects. Bill 37 focuses on necessary changes in the construction industry that are crucial for building infrastructure.

The construction industry is a multibillion-dollar sector of Alberta's economy that creates thousands of jobs for Albertans, and this legislation will ensure payment for their work. Subcontractors and vendors are concerned about the growing issue of late payments by general contractors for their completed work. I know, Mr. Speaker, that every member here and every Albertan would not be happy to get a late paycheck for months of old work after working many hours a day spent on the job. Unfortunately, this major issue is happening across the construction industry. In recent years the

average time for a payment in Alberta's construction industry was increased from 45 days to over 70 days. This is unacceptable.

Mr. Speaker, I have a close relative in the construction industry, so this issue is something that I am very familiar with. They have been working in the construction industry for 35 years as a subcontractor and are constantly having this problem. Most recently they finished a project on May 31 of this year. It was a well-done project, but because of the issues with payment for general contractors and in this case a rental company, they did not see a payment until late October. That's five months. This is terrible. They have told me of countless hours and times that subcontractors such as themselves are not being able to see the benefits from the work that they have completed four or five months prior because they are waiting on payments from general contractors. They are at the mercy of the general contractors because if they complain about late payments too often, they fear they will not get another job. Because of this, they are between a rock and a hard place. They love the work provided by the general contractors but, at the same time, dread having to deal with invoicing and nagging the contractors to pay them on time.

Contractors and subcontractors in the construction sector have made it very clear that they are struggling because they are not being paid on time, which has been a problem for quite some time now. Subcontractors are even having problems placing bids for work as they are having trouble to even handle the funds to do the job. This is completely unacceptable, and I can't believe that it has taken so long for changes to be made. But there is hope on the horizon.

With industry support, Alberta's government is taking action to fix the problem with prompt-payment legislation through Bill 37. The minister and his team have spent a great deal of time on collaboration, gaining support from members of the construction industry by consulting with stakeholders from January to April 2020, with additional follow-ups in June 2020. This legislation has been created with the stakeholders' direct help and input, with the majority of stakeholders being supportive of these changes. The proposed amendments to the Builders' Lien Act will introduce a mandatory adjudication process to address nonpayment issues without having to use the court system. This will save time and money for Albertans. This will also free up some of the backlogs in our provincial courts.

Reducing the red tape in the industry allows for subcontractors to be paid on time as well as reduces the amount of spending from Albertans and small businesses, who are already struggling to spend on legal fees. Red tape reduction is always on top of the priorities for this government, something we were elected to do. I'm glad to see this unnecessary red tape being reduced since it has been such a burden on the construction industry. There will also be an established 28-day timeline for owners and general contractors to pay proper invoices so the contractors will be paid promptly.

These changes will make a huge difference as currently under the Builders' Lien Act contractors in most industries have to seek remedies through the court system, which can be very expensive for small contracting businesses in Alberta. I am proud of this bill and the steps that this government is taking to ensure that there is efficiency in the industry that serves a major part of Alberta's recovery plan. The government is taking action to protect the much-needed jobs in the construction sector, that are vital to Alberta's economic recovery, while reducing red tape. Ensuring timely payments for construction projects will support Alberta's economic recovery and protect jobs that support families across Alberta. Nobody, especially small businesses, should be unsure about how and when they're getting paid or be forced to wait for others to be paid first. This uncertainty not only cripples businesses but during

a pandemic makes their financial state that much more uncertain and insecure. If this type of system continues, there will be major issues in our construction industry, which is really needed right now.

I would like to thank the Minister of Service Alberta for bringing forth such an important piece of legislation, that will help us protect good jobs and support families across our province. I'm excited to see how these changes will make the livelihoods of people in the construction industry much better.

Thank you, Mr. Speaker.

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

Standing Order 29(2)(a) is available. Any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members? The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I appreciate the opportunity to rise and speak to Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020. I have some comments similar to one of my colleagues. I do want to state at the outset that I do appreciate that the government is picking up where the previous government left off. There was some initial work done in this area as far as prompt payment. I know the former minister of labour is nodding her head because she had many conversations with contractors and subcontractors about this very issue. I know first-hand, from talking to subcontractors, the challenges that they faced, having long delays before getting remunerated for their services.

In fact, I know that there were stories of some subcontractors that really, really struggled to pay their day-to-day bills because what should have been payment for their work in a reasonable amount of time – there were numerous circumstances, Mr. Speaker, where it dragged on for months and months. You know, we know that small businesses invest every penny they have into their companies. They are not sitting on piles of cash, so when they are not paid within a reasonable amount of time, I mean, unfortunately, they cannot turn to the banks to say: I need to pay you late because I've been paid late. We know this is not how that works.

This is really, really important, Mr. Speaker. I will have some questions for the minister. You know, similar to the Member for Edmonton-West Henday – he gave the government credit where credit is due. I've said this many times in my time in this Chamber, that I have no problems giving credit where credit is due. My thanks and appreciation to the Minister of Service Alberta, who brought this forward. It is about time. I know that there are similar pieces of legislation across the country. Alberta should be no different. Folks who do work should be paid within a reasonable amount of time.

I mean, some questions that I do have – and I know that many folks in the industry were asking for this. In fact, you know, what I appreciated, Mr. Speaker, when I was the minister of economic development and trade, was that I had a number of opportunities to engage with different contractors. I can tell you that contractors asked for this legislation, and the reason is that many of them, I would even argue most of them, are very, very good. They recognize the great work their subcontractors do, and they know that if they want to rely on them and use them for project after project, they need to treat them well. They need to pay them on time or in a reasonable amount of time.

3:10

Contractors would say to us: "Listen, it's some of these bad contractors that aren't paying that are giving us a bad reputation. They're the ones that are hurting the whole industry." They were asking for this type of legislation.

Again, you know, the Member for Edmonton-West Henday probably has more details on the amount of work that was done, that was led by our Member for Edmonton-Ellerslie on this file, but nonetheless work that was done. You know, Mr. Speaker, I'm sure that you've heard stories from your colleagues on the government side that, unfortunately, time can be an enemy of ours in that there's not enough of it. I'm sure there are many, many ideas that the government has that they would like to bring forward, but sometimes time can be restrictive. I'm happy to see that this is coming forward. It's coming forward in the first half of this term, which is great.

Now, I will say, you know, that a frustrating element of this is that several months ago, not that long ago, Mr. Speaker, the UCP government cut holiday pay and overtime pay. So this flies in the face of one good thing that the government is doing compared with several things, policies that the government brought forward that actually hurt workers. I recognize that for some in certain sectors overtime works a little differently, but the fact of the matter is that workers depend on things like overtime pay or when they're expected to be paid, so similar to subcontractors that are expecting to be compensated or paid for their work. It's unfortunate that there were those policies.

I've heard that the government is currently considering right-to-work legislation. I know that we've had robust debates in this Chamber about right-to-work. I know that there are members on the other side of the House that are in favour of it. I can tell you that we've seen the damage that that's done in several U.S. states, and I would urge members, actually, to take a look at, you know, some of the research that's been done and the literature that exists on the damaging effects of right-to-work legislation. The title itself is such a misnomer. I absolutely hate the title. It's more like right-to-put-workers-out-of-work legislation.

Some questions that I have for the good minister when we get into Committee of the Whole: I am curious to know if the Minister of Service Alberta worked with the Minister of Municipal Affairs and more directly with municipalities to find out if they'd been consulted and how that will affect municipalities. Now, Mr. Speaker, in the bill there's a 28-day period for the whole construction where everyone will be paid, so contractors, subcontractors, et cetera. Now, that differs a little bit from prompt-payment legislation in other jurisdictions, so I'm curious to know if anyone has flagged concerns around turnaround time. Again, you know, if a contractor gets paid or one subcontractor gets paid on day 27, is it reasonable to expect that that subcontractor pays a subcontractor within a day because it's all within the same time frame?

Now, I appreciate that the intention of that is to ensure that we don't get some dragged-out, significant delays in payments when you go from one subcontractor to the next. You could have six deep, so if they were each 28 days, now we're looking at almost half a year. That's not what I'm in favour of. This is really a question around: what are the logistics, and how will it work when the rubber hits the road? I'm hopeful that the minister will be able to address that when we get into Committee of the Whole.

I'm curious to know how the industry has been impacted during COVID-19. I mean, obviously, we know that every industry has been impacted. I'm not talking about generalities; I'm talking about as it comes to specifics. You know, does the government have any data on if delays are even longer or have been longer during the period of COVID-19? We know that it's been around since March, at least affecting most people since March. How does that specifically impact subcontractors and those that this legislation deals with?

I'm curious about, you know, what processes are going to be in place, I'm assuming likely in regulations, as far as adjudications, as

far as: what are the mechanisms for appeal? What is the process for a subcontractor if they are not paid within that 28 days? What's the process they have to go through? I'm trying to think of other questions around that amount.

I'm just reading under section 32.2(1), where the bill states that the "subcontractor who owes money under a proper invoice must pay the amount payable under a proper invoice no later than 28 days after receiving the proper invoice." I mean, that could then be a partial answer to my earlier question as far as: if it's based on invoice date, is it then a 28-day period that scales down or steps down, or is that all at once?

There is section 32.4, a tiny section on interest on late payments. I'm just curious to know. "Interest begins to accrue in accordance with the prescribed rates on any amounts included in a proper invoice that are unpaid and due." What rate is that, or how is that rate calculated as far as a penalty on late payments? The reason I ask this is that sometimes, you know, incentives can work really well. Sometimes disincentives can work really well. The question here, really, Mr. Speaker, is around the amount of late penalty and how it's calculated, because I think it's reasonable to take the position that if the late penalty is very, very minor and very small, it may not be a motivator for some contractors to pay on time. Again, I think the late penalty should match or scale along with the amount that the contractor or the one subcontractor owes.

I think that for the purposes of us being able to debate this bill in its entirety, that information should be disclosed here in the Chamber. I will flag, Mr. Speaker, that if the minister responds that that information will come in regulation, that does make me nervous because, of course, regulations are decided by the Premier and cabinet behind closed doors. I think it's important that we're very transparent and clear with those in the construction industry that if there are late payments, there are consequences and they are reasonable and reasonably match the amount that's paid, how late the payment is, et cetera.

3:20

I know that my colleague had a question around – and I also flagged this – dispute adjudication. I'm hoping that – I mean, what we see right now in the bill, Mr. Speaker, in section 33.2(1) is that "The Minister may designate one or more entities to act as a Nominating Authority for the purpose of this Part," which is to do with dispute adjudication. Again, we will hopefully delve into that point a little bit more.

I'm curious to know as well – and I don't know if the government will have access to this information, but it would be interesting to at least see if they can. How many subcontractors? I mean, we know this is an issue. I'm curious to know if Alberta has a way of tracking how many subcontractors have unfortunately gone out of business because their bills mounted, they weren't being paid, and they had no choice. I mean, that's an absolutely awful thought, Mr. Speaker. Unfortunately, I think it is a sad reality for some, but I'm curious to know how many.

Then to tie this back to COVID, knowing that finances and payments have been exacerbated as a challenge for many people during this pandemic, I'm curious to know how that's impacted our subcontractors for the work that they are doing, including for government infrastructure projects. So I would hope that at least for projects that are publicly funded, the government is keeping track of this level of detail. I appreciate that maybe for the private sector it might be harder to get a hold of those numbers, but hopefully the Minister of Infrastructure can look into, you know, how this has been impacting projects that are paid for with taxpayer dollars, and how we are ensuring that the ...

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

Standing Order 29(2)(a) is available. Any members wishing to speak on 29(2)(a)?

If not, any other members wishing to speak to the bill? The Member for Highwood.

**Mr. Sigurdson:** Yes. Thank you, Mr. Speaker. I'm really happy today to have the opportunity to stand and speak to Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020. Many people already know that I was very involved in the trades for over two decades, as well as a business owner. I appreciate the comments from the member opposite about how this impacts subcontractors because I myself was a subcontractor for over two decades, running a company in HVAC, doing many contracts across the board, and I have felt the pain of not getting paid and what that does not only to the company but all the way right down to the employees and people that work for you, how unsettling it is, and also how it impacts your business as a whole as far as competitiveness and the ability to be able to be profitable.

Now, Mr. Speaker, I'm sure you agree with me that every working Albertan deserves to be paid for the work they do, and this includes the businesses in construction. They should be able to count on invoices being paid promptly so they can continue to grow their business and pay their bills as well. For many Albertans this seems straightforward, but for those in the construction industry there's often a lot of uncertainty and stress surrounding when payment will happen. This is something I've experienced over and over, and I know that through these tough economic times it has gotten even progressively worse.

The bill that the Minister of Service Alberta has brought forward is working to address this very issue, and in doing so, we will be protecting good jobs that support families across the entire province. At the core of this legislation is a requirement that proper invoices in the construction sector be paid within 28 days, whether these invoices are from contractors or subcontractors. With my experience in doing progress payments and having to go through this process, this is very exciting, to know that this is happening. It brings a lot of surety. It allows businesses, also, to maximize on a lot of things that they couldn't when they weren't getting payment on time, which includes – a lot of our suppliers will give prompt payment benefits: pay early, you get a free 1 and a half per cent discount. This creates a great environment for contractors to then lower the cost of building and pass that on to consumers.

Now, to build on that, what I see in the bill here – and just to expand, it states here that parties to a contract retain and will still retain the ability to develop their own terms, including when an invoice should be issued. However, as soon as that invoice has been issued, it has to be paid in 28 days. This is the process that's being set up, and this will give that nice, fluid payment and also give the surety to subcontractors, which is – I was one – that when I issue an invoice, I am going to get paid in 28 days. I can't state enough how incredibly important that is to the success of a business.

Now, clauses such as this will definitely, like I said, help subcontractors be able to maximize on paying their suppliers through the course of construction, and I know that with that it'll be able to increase their competitiveness in the market. Now, with that, of course, it's going to prevent a lot of these companies from financial hardship and possibly save them from going bankrupt, so this is all about protecting jobs. Now, Mr. Speaker, I have been there, as I said, for over two decades dealing with this, and no family, no business owner should have to live with the kind of uncertainty that exists and has existed in the construction industry for many years. Now the stress of the pandemic and the uncertainty of it have made this situation worse.

There are times, Mr. Speaker, when these payments, I'm sure, are going to have to be still settled in court. With that, the other part of the bill that I'm really excited about as well – and I wish it was in place when I was a construction owner – is the adjudication process. Now, for anybody that has had this happen to them – and I know many subcontractors, many contractors in the industry have gone through this. I myself, personally, in the course of a couple of decades went through this five different times for invoices, starting as low as \$10,000 up to the worst case, where it was over \$196,000. Now, we were a mid-sized company, and I can't explain what it's like to try to operate a company when you don't get paid for that kind of money. With the process that was in place, it took us over two years to get that money into our company. Over two years.

With the new adjudication process that is going to be put in place through this builders' lien act, there's going to be a far quicker, expedited manner in which people that do have a dispute with payment or nonpayment will be able to work through that payment and get the money back into their company so then they can pay their suppliers as well. Now, by introducing a faster, more informal style of adjudication, we can definitely speed up the process. Mr. Speaker, this is why the bill introduces these services.

Under this legislation the minister would designate one or more entities to act as nominating authorities. These nominating authorities would qualify and appoint adjudicators, as I mentioned. They would develop and oversee training of adjudicators and establish and maintain a registry of these. In the event of a dispute, which happens more frequently than I think we'd like to admit, the parties can initiate this adjudication process, and then they would have five days to send over material to the adjudicator to then make a binding decision within 30 days of that review being completed. Now, this is a huge acceleration to this process. It also saves a lot of businesses from the incredible cost of having to go through the formal court process and, as well, the time and delays with that.

3:30

The builders' lien act also amends the holdback period. A lot of contractors that I've discussed, and I know myself personally, have gone through this process of having to issue liens as well as getting our holdback back. Now, this is a really frustrating process and has been for many years. Typically, if you don't know, most contractors have to post up 10 per cent, and then they end up at the end of the project being able to apply to get that 10 per cent of the overall project cost back to them.

Now, project liens right now: the maximum time you can file a lien is within 45 days, calendar days, of when you completed your work or the last day you worked on a project following the completion of work. Now this is being extended. This also provides great security to contractors that are working on certain contracts. That extended period of time provides a little bit more grace for them if they do run into a dispute or issue with invoicing or payment, to be able to place a lien so that they know they're going to be able to get paid. I think this is a huge, huge benefit.

Now, I do believe they haven't changed anything as far as the oil and gas industry. I think it remains at 90 days. I just think this is a good, good place to have it for the timeline when it comes to the ability to be able to file a lien. Also, one of the critical pieces to this is the pay-when-paid. The member opposite was talking about the timeline and the cycle with the 28-day payment, and he was stating, Mr. Speaker, about the fact of: what happens if somebody gets paid on day 27? Well, the thing is that pay-when-paid is being taken out, so that doesn't matter. Your subcontractors are applying up to you based on their invoice period determined by the contract. You know they have to be paid. You know you're going to get your payment within 28 days so you're issuing that payment, so it's not the

cascade effect anymore. This speeds it up for everybody down the train, or down the entire pyramid, I guess, is a better explanation of how it works from the owner down to general contractors all the way down to subcontractors and sub-subcontractors and their suppliers.

Mr. Speaker, as a proud member of the construction industry I don't think I could show enough support for this bill, the strength behind it, how much it's going to feed into the construction industry, competitiveness, profitability, and the potential to save a lot of businesses within the province of Alberta. I'm proud to stand in support of this bill and acknowledge the beneficial changes that have been implemented here by the Minister of Service Alberta.

I hope to be able to speak again on this bill later, but I think I'll cede the rest of my time. Thank you, Mr. Speaker.

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

Any other members wishing to speak to the bill directly? The Member for Edmonton-Castle Downs.

**Ms Goehring:** Just to clarify, Mr. Speaker, I'm speaking directly to the bill, not 29(2)(a).

**The Acting Speaker:** Directly to the bill.

**Ms Goehring:** Thank you. It's my pleasure to rise this afternoon to speak to Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020. I would like to thank the Minister of Service Alberta for bringing this forward and continuing the work that was started under our government, specifically under the hon. and retired Brian Mason, the former Minister of Infrastructure. We did start the process in I believe it was 2016. We talked about it in our campaign in 2019. It's really great to be able to stand in the House and support a piece of legislation that we know is going to benefit working Albertans.

We know that this is something that needs to happen. We have builders out there with great reputations. That has an impact on the contractors, so when this type of thing happens, it unfortunately has a ripple effect and it can impact an entire industry. I know that a really good friend of mine, Troy Hrushka, is a home builder for Parabola, and he has a great reputation when it comes to his contractors. They speak very highly about him. When you speak to these contractors, sometimes their experience with his company isn't the norm. They can do a build. They can do their services. They can do everything that is required of them in an efficient, timely manner, usually top notch, yet they're not being paid on time, so this has a ripple effect with how it rolls out to these contractors. Unfortunately, there are some companies out there, some builders, that aren't paying their contractors for the work, the money that they're actually entitled to, so it's really nice to see that this is being implemented. I look forward to further debate on this, hearing about, you know, some of the consultations that occurred that led to these decisions, specifically like the 28 days and those types of conversations.

I'm curious about what municipalities have had to say because we know that some municipalities in other jurisdictions had some concerns because of the negative impact that it had on their jurisdictions. I look forward to being able to have those conversations in Committee of the Whole, when we're talking about the consultation process and what people said about this legislation. I know when I speak to contractors, they're pleased that something is coming in to protect them. I think it speaks volumes right now that this is something that we started and that the Minister of Service Alberta is continuing on with. I think it's timely, especially given COVID and given the circumstances of people suffering and that the work isn't necessarily out there. When you have the ability to

go and work, I think you should have the ability to be paid in a timely manner. I think it's something that we think most people would assume happens. Unfortunately, it doesn't, so it's great to see that this is coming forward.

I do have questions. I mean, I can put them on the record now, and hopefully by the time we get to Committee of the Whole there is some clarity around it. I know it's specific to construction. I'm curious what the definitions of that are when it comes to: what is a construction project? What is a builder? Does the arts community fall into that? I know that there are artists that are commissioned. They're contracted to go in and to do builds, whether it's murals, whether it's big structures within a city, whether it's on someone's personal property. Do they fall under this legislation? Do they qualify to apply to be paid? I think that when any work is being done and the work happens before there is payment, they should have a right to have a process in place and be protected so that they get paid for that service. I'm curious what the restrictions are around who's being exempt from this piece of legislation, and I really do look forward to those conversations.

I think the more we can do to support workers in the province, the better. I would hope that the government is looking at a more robust definition of who falls under this legislation, what can qualify for this. I'm hopeful that there's a broad definition, a broad scope for who this legislation is protecting. I'm somewhat concerned because we've seen what the government has done when it comes to attacks on workers such as cutting overtime pay, such as reducing the minimum wage for young workers unless, of course, they've withdrawn from school, which is a concern. We've seen some of the history in how this government has treated workers. I would hope, with this piece of legislation being a great step forward, that some of those broader definitions are being explored and being looked at.

We know that everybody should really be paid for the services that they've provided, for money out of their pocket to provide for the cost of the materials, all of those things that add up. When you have employees being paid, it allows them to purchase things for the next job. They might not be able to say yes to a job because they still have outstanding bills from the previous builder. I think the ripple effect that this will have in a positive way is great. I think that this is something that workers need, that they rely on. It's going to help not only around their kitchen table with putting food on the table, but it's going to help the economy. It's going to help with buying supplies and all of those ripple effects that happen when services are being done and people are working in the province.

3:40

I know I mentioned earlier that this is timely due to COVID, that there are so many that are struggling and so many that are out of work and desperate for work. I am curious what the payment impacts have been during this period, but I'm also curious about what the work impacts have been. I think that in desperate times perhaps people might take jobs that they know don't necessarily have a great reputation. They're desperate for work and they're hopeful that they're going to be paid at full capacity, but they might go to someone that they know doesn't have a great history in the hopes that they're paid.

I'm wondering if any of those things have been tracked. How many contractors are currently waiting for payment? How many have called the contact line to make a complaint? What are those numbers, and is there a plan for retroactive – like, all of those things that could help people right now, I'm curious where that's at. I think COVID has had such an impact on so many across the province, and here we have workers that are working, they're doing a service, they're paying for supplies; now they just need to be paid on time.

I think 28 days is a very generous time. I think the average person is typically paid within a month. That's kind of a standard that we have, so looking at 28 days seems reasonable. I know that before it was the seven days, and then every subsequent contractor after that was paid, and it could extend seven days, seven days. I think the Member for Edmonton-West Henday brought up a good question. Knowing what happens when a builder waits until the 27th day to pay, what happens to everybody after that? Is there a ripple effect? Has that been kind of taken into consideration? Some of those great details that we can get into once we get into Committee of the Whole, I think, will be really insightful.

Again, I want on the record that I think it's great seeing that this government is supporting workers and making steps to complete some of the legislation that we had introduced. With that, I will wrap up my comments, and I look forward to further debate.

Thank you.

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

Standing Order 29(2)(a) is available. Any members wishing to speak under 29(2)(a)? The Member for Edmonton . . .

**Mr. Eggen:** Under 29(2)(a), please.

**The Acting Speaker:** Under 29(2)(a)?

**Mr. Eggen:** Yes.

I was just curious to ask the member – oh, she's got a cough. I'm glad that this bill has come forward to the Legislature. I know that it's a process by which contractors and developers and the construction industry in general need to have enough time to adjust to ensure that everyone is building their building requirements and building practices to line up with a new reality, quite frankly. It's a reality that I quite heartily endorse. There's nothing worse than putting considerable money, sometimes, into a contract without the assurance that you will be paid in a timely way. We've heard lots of stories around the room here. Sorry, Member. I'm just talking about, you know, timely, prompt payment and how this is definitely a step forward.

Part of, though, I think, what needs to be emphasized – and maybe it's a little bit more. Maybe the minister can just provide more clarity around this. This is around the question of liens, okay? For everybody watching on TV and so forth – right? – of course, a lien is a claim that is put against a property that contractors, subcontractors, suppliers, and labourers use as a way to collect money owed to them. I noticed that Bill 37 does talk about liens a little bit in regard to increasing the price for putting a lien on any given contract or work or material that's being invested into a project. It's quite a considerable increase, I think; more than double.

I'm just curious to know if you've heard – because you mentioned, hon. Member for Edmonton-Castle Downs, that you did have some contractors that you talked to and, you know, what their general feeling was about this bill and then some of the experiences they might have had in regard to liens. Again, this bill also changes the liens on land titles from 45 days to 60 days and then gas and concrete industries to 90 days. Again, you know, perhaps these are just some gaps that we need to fill in for the general public's edification and for the members here before we vote on this kind of thing. Maybe it's not a big deal. This is section 2 in the prompt payment and construction lien act.

You know, I just want to make sure that we're heading down the right road. Of course, what we can do in second reading is ask these questions, get information, and if there's something that's wanting, then we can always make an amendment, right? In the spirit of constructive criticism I'm just curious to know if you could perhaps give me a bit more of your thoughts on that. I haven't spoken to as

many contractors in regard to this bill specifically, so I'm curious because you have.

**The Acting Speaker:** Just to interrupt, I apologize for not recognizing the previous speaker as the Member for Edmonton-North West.

Go ahead, Member for Edmonton-Castle Downs.

**Ms Goehring:** Thank you, Mr. Speaker, and thank you to the Member for Edmonton-North West for the question. When I've had these conversations with some of the contractors and builders, specifically it was in relation to the 28 days, so I haven't had a lot of opportunity to speak about the liens specifically, but this is definitely something that I'm going to be exploring. I think that this is a piece of legislation that could have great potential, and I am curious about the feedback that the contractors have as well as the builders to hear what their insight is, what they think is happening with the amendments to the lien act and what the legal claims entail. I would like to go over this in a lot more detail and continue to talk to those members. I think that while this is being debated, this is something that I intend to do, talk further with members of the construction community as well as get information from members of government to hear what their insights have been and to hear about the feedback that they received.

Thank you.

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

Any other members wishing to speak to Bill 37? The Member for Edmonton-Meadows.

**Mr. Deol:** Thank you, Mr. Speaker. It's my pleasure and honour to rise in the House and speak to Bill 37, Builders' Lien (Prompt Payment) Amendment Act, 2020. Prompt payment is an important move to ensure workers are paid on time. As many of my colleagues actually have stressed, the key point of this bill being discussed is that it is very important to provide certainty and guarantees to the people who live on, you know, day-to-day work they go to. It is very critical to provide them a guarantee that they will be paid for the work they have done within, I would say, a certain time limit provided, that they're not worried about running the day-to-day expenses of their living, putting food on the table for themselves and their children, and running the household.

Mr. Speaker, my background: I come from a community and circle and a family of individuals where the people work as professionals, as employees, have government jobs, work in the private sector and also friends and family members who work as contractors, subcontractors, general contractors, and, obviously, on the other side as project owners many times. I come from a business background and operated a small brokerage in Edmonton's south side for nearly 15 years. A number of my clients, like, in the hundreds, were working in the industry as entrepreneurs, skilled workers, and contractors.

3:50

This is a very critical issue. I think this was a very important issue, what I'd been hearing for decades through those stories and witnessing some of the examples, experiencing in the industry. That will provide some certainty, I said, probably, from the stories I have been listening to. I look forward to speaking to that context. I think there might be some more work to do on this. But I would say that certainly this is a right step in the right direction. A first initial step in the right direction, I would say. I will say that the Minister of Service Alberta does actually, you know, deserve the appreciation for moving this piece of legislation in the House.

I would like to share some of the, you know, feedback, I would call it, and the stories. The concern I see in this bill is not being

discussed and would have been actually brought into – the trucking industry, as an example: I have witnessed people in those last 20 years growing from the basics of 20 trucks to a company of multi-owners of hundreds of trucks. I've seen people taking the risk, investing their hard-earned money and taking mortgages on, going into business and failing in business, not because of something they have done wrong but because something had been expected in the industry, in society that didn't deliver for them. The people in the trucking industry specifically said: when you add a truck, when you buy a truck, you take lots of risks, financial risks. Your payments start, your insurance cost starts, and definitely you're desperate to find work to pay off those expenses and make your living. Many times when you find work, there's not really a balance between those agreements. The majority of the time what I see is that the contracts are not even written contracts when we're talking about this. I will comment on the construction industry as well.

Having a business background and having to witness the frustrating experience in the industry, that was one of my questions. Like, when we talk about contracts, I tried to go back and forth through this piece of legislation that we are discussing. What will we say the contract is? Is this a written contract only, or do we consider the verbal contract? Have we considered how we will deal with that? Because we have seen that people lose payments based on that, and we will see there's a situation where people are compelled to take on the work that is available to them because the negotiation is not a fair negotiation, a level playing field.

Also, I just wanted to discuss the other aspect of it, that I don't know if this bill indirectly, probably, addressed that issue, but I couldn't really see it, find it, exactly outlined somewhere clearly. Renovation is also related to the construction industry in a big aspect. They're the majority of the contractors working in construction industry that would participate. I don't know how this bill will address the majority of the issues. I've been hearing from those people who are, you know, working in the construction industry, specifically on the renovations of old buildings and old structures and a lot of stuff. So how will that be considered if this bill is passed so that they are part of this specific piece of legislation?

I do have concern as, you know, I've been part of probably both sides of the parties involved in the kinds of conflicts that arise. The construction industry, I would say, is an incredibly important part, a vital part, of our economy in Alberta. They're full of wonderful people doing excellent work, jobs, but there are always examples on both sides. All the project owners are not bad people. We have examples of bad practices on both sides. So where the project owners, the people, the homeowners do have similar complaints – they will make payments on face value and not have the work completed ever or see the face of contractors coming back to deliver the job they have promised.

Having said that, why I wanted to bring this into the conversation is that I don't know how much consultation has been done. I know this has been demanded by the construction industry. The work on this prompt payment was started back in 2016. That was even started by the former Infrastructure minister, and we appreciate the move by the Ministry of Service Alberta on this. Similarly, as a part of the specific community of entrepreneurs and the people in business and listening to both parties and both sides and seeing the live examples, I think the broad consultation in this matter would definitely help us in strengthening the legislation that we aim to work for.

That is my concern, definitely. I'm also, after this discussion and argument in the House, going to call the people I know, the people who are in business. Definitely people have other concerns in regard to the bureaucracies, the time limits on the staff. I'm hearing

from the people, as I said, the people doing renovation work, people in the trucking industry. They're electricians. Did the minister hear from these communities, organizations, associations, or if he didn't, would it be wise to go out and listen to them and to address all those issues implicated in making the changes that he's implementing across all contractors? Let's make it that this is, you know, affecting universally all contractors who are providing services in any industry.

4:00

What it seems to me was that this bill is mostly focused on: the prompt payment, I think, has been touched.

The biggest aspect I've seen of this bill is moving the lien payment, like, the lien on the land titles. As my colleague the Member for Edmonton-North West said, the lien is a legal claim against properties that contractors, subcontractors, suppliers, and labourers use as a way to collect money owed to them for labour and material used to improve the land, including work on any structures.

The time period of 45 days is being extended to 60 days. I say that this is a good move, and we support that. But when I'm looking at the clauses of changes, what would happen, as I said before, if the contract was not written, if there is a dispute, even after the contract is written, between both parties? There is a clause that, in a way, the regulation will set the adjudication process system to deal with the disputes.

Mr. Speaker, I wanted to say that, you know, it's my honour to serve the public office . . .

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

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

Seeing none, any other members wishing to speak to Bill 37? The Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Mr. Speaker. I appreciate the opportunity to provide probably what are going to be some brief comments here this afternoon. I think all the previous speakers have been pretty thorough around the bill. Nonetheless, I'll just provide a few points here. Of course, I'm pleased the previous NDP government was moving forward on this. I'd certainly heard from contractors around prompt payment. I have several friends that are in the construction industry with businesses that experienced problems around that, so that was certainly something that they brought to my attention as well.

I would of course be very remiss if I didn't commend the government for moving this forward and completing the outstanding work that was left to move this forward effectively, because we all know that at the end of the day, when prompt payment isn't made, people are affected, businesses are affected, but the ones that always seem to get hurt the most are the workers. They're the ones that are very last in the chain, and when their paycheque isn't sent to the bank in a timely fashion, the impacts on them are substantial. I think this bill will help to move some of those things forward. Again, I'm pleased that the government has moved forward on this.

It is, of course, unfortunate that while we do speak about trying to help workers out, we have seen legislation that's come forward that hasn't been helpful around workers, around reducing their holiday pay, around reducing their overtime pay, a cut in the minimum wage for young workers who are in school, which, of course, consequently does put a bit of a burden on those businesses to keep track of that. Are they in school? Are they not in school? A little bit of red tape there, I think, that probably could have been, you know, left out.

I would certainly urge the government to maybe reconsider some of those positions, especially when I'm seeing things like right-to-

work legislation. Believe it or not, this came up in debate last night, Mr. Speaker. You know, down in the United States, where we've seen states with right-to-work legislation, workers are greatly impacted by that. We see wages that are anywhere from \$17,000 to \$35,000 less because of right-to-work legislation. Here we are talking about prompt payment to ensure that they get that paycheque, yet are we going to be considering legislation that's going to lower that pay? Really not helping them out.

I guess some of the questions that, you know, we have seen here with regard to this – I'll just maybe reiterate a couple of them. I know that here in second reading there's not really the chance to be able to answer those fully, so I think once we move this into Committee of the Whole, we'll get an opportunity to have a more fulsome debate about those, and I'm certainly willing to move this bill into committee to be able to look at that.

I know that we've seen some prompt payment that was introduced out in Ontario through a private member's bill, but there were some concerns and some problems with regard to how it affected municipalities. It would be nice to find out what kind of feedback we heard from municipalities around what is presented before us. Will it work for them? Will there be challenges, and potentially are there any kinds of amendments that we can make, if there are challenges, to just be able to eliminate those things?

I do have, I guess, some questions around the 28-day period that's mentioned here in the legislation. The reality is that we have this legislation before us because unfortunately we see in the province that, you know, there are some bad actors that create problems, who are not paying their bills on time. I'm wondering what kinds of plans are in place when, in fact, we do have to deal with a bad actor and, for instance, they don't start paying until day 27 or day 28. What kinds of plans are in place to be able to deal with a situation like that? Are other subcontractors, for instance, still going to be required to try to meet that deadline of the 28 days? Hopefully, we'll get a chance to hear a little bit of insight and clarity into how that will kind of shake out.

Certainly, with COVID-19 still with us now – I don't suspect that that'll be something that's going to go away any time soon, so how does that start to factor into this whole process? We still see businesses that have people working remotely and whatnot. It's not that the work is not getting done, but it has been slowed down a little bit. Do we have some contingency plans in place for something like that, especially if we're dealing with a bad actor who's just simply refusing to pay? Hopefully, we'll see something like that.

Have there been any other labour issues that have been brought up around this process and any complications that hopefully maybe we could head off before we even get to them? Again, I know that Committee of the Whole will be a fantastic place to be able to address those.

I guess around the adjudication process, I'm wondering why maybe we hadn't seen some of that within the legislation itself. You know, it is something that I think the public should be aware of, and I think it'll give us the ability to understand how that process will move forward. Rather than again getting into a situation where we're trying to react to problems, hopefully maybe we would have gotten a chance to identify that ahead of time.

With that, like I said, I think – believe it or not – my comments are actually going to be reasonably brief here. It's funny because every time I say that, the bell goes off. I look forward to discussing this further in Committee of the Whole, and hopefully we'll get a chance to have further discussions about some of the things that I've raised within the bill at this time.

4:10

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

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

Seeing none, are there any other members wishing to speak to Bill 37? The Member for Edmonton-North West.

**Mr. Eggen:** Yes. Absolutely. Thank you, Mr. Speaker, and thanks for the opportunity to speak this afternoon on Bill 37, which is the Builders' Lien (Prompt Payment) Amendment Act, 2020. Certainly, I think we can start to get a good feeling of consensus around the Chamber here in regard to individual MLAs' support for this bill moving forward. I think that, as I had said earlier, it's an idea that had been set up historically over the last number of years as a reform, and we've seen other jurisdictions across the country imposing this as a reform as well.

Of course, even while we are in an economic downturn, we continue to move forward on projects, and it's good to see that there's momentum from Infrastructure, for example, continuing to build on projects that ourselves as the previous government started or announced or built, drew up plans for, and so forth. I know that there are quite a number of schools that are still in the process of being built. In fact, I know that probably it was, over the last four years, one of the biggest infrastructure builds of any sort in the province of Alberta, the 200 or more school projects that we had put through to meet the growing demand for school spaces. We have a large population of young people moving through grade school right now, and we want to make sure that they have the places to learn and communities have the schools as an anchor to help to grow.

Those are all, to varying degrees, quite significant projects involving contractors and subcontractors and so forth. It was a great way to continue trades' activity during an economic downturn, and indeed this government – and we all know very well that we are continuing, with an economic downturn compounded with COVID-19, you know, to provide some uncertainty around economic growth. But, certainly, if we can provide certainty with bills like this around projects and the prompt payment for contractors and subcontractors for their work done, then I think that helps to create some hope and certainty, moving forward, that we continue on building those schools, I hope, the bridges, the infrastructure, hospitals, and so forth on the government side.

We still see a number of buildings being built on the private side, too, perhaps projects that were started before COVID but carrying on, again, not just providing jobs for Albertans but providing some hope for all of us to see some cranes still swinging around and things getting done. This Bill 37, I guess, helps with that, providing certainty for the prompt payment of contractors and so forth and thus the workers, too – right? – of course, getting the wages that they require, and I think that that generally as a principle is a good thing.

I know that this has something to do with municipalities, and I just hope that the government has spoken to municipalities in regard to how this might change things for them. We know that other provinces, like I said before, like Ontario, maybe B.C., have introduced this kind of legislation, though, I think, through a private member's bill as opposed to this, a government bill. I know that we could learn always from other jurisdictions and their experiences to improve the way that this and other bills can work here in the province.

I know that, as I said before, when I was just asking the hon. Member for Edmonton-Castle Downs, who had some really interesting insights on this bill, there is the issue around liens. Again, I know that the minister who introduced this bill would have people itemizing the questions that we have around this bill. Again, I want

to emphasize the importance of clarifying how Bill 37 changes the regulations around liens, both the payment fee that is required and then the amount of different days that, you know, you have to apply for a lien to file one in different industries.

I think that another issue or area that I would like to make sure that the Minister of Service Alberta does provide clarity on is in regard to the adjudication system that this bill does establish, to make sure that, again, when we are putting up these quasi-judicial boards of inquiry, you are always maintaining a high level of transparency, both in the choices you make around nominating authorities to sit on such adjudication boards and to make sure that the board is being well supported through regulations. I think – and, again, I need clarity on this – that the adjudication board will be determined around regulation and will have the ability to refer cases to the judicial system, right? But, again, I would like to find out more about that because, you know, like, when we did landlord and tenancies acts and other of these quasi-judicial boards being set up, you want to make sure that they are functional and that they have access to the larger justice system if that's what is required.

I notice as well that part 4 of this bill is looking at the right for involved parties to request information in regard to contracts. Again, this is the issue that I talked about before around transparency – right? – so that contracts can be made public and made to, you know, see the light of day, if needed to do so, in an adjudicated situation.

I'm hoping that, again, we can build something that people can use right away, right? I notice that this legislation wouldn't come into force until July 2021, but of course once we start talking about these things, it's an expectation with the public that, you know, the law will be reformed as soon as possible, so we want to make sure that you're grandfathering in payment rules so that people have a clear landscape to work with.

As I said before, you know, we kind of helped to lay the groundwork with our previous government by having some prompt-payment clauses in government contracts, starting back in 2016. I know that there was a 1-800 number started and all of these things. It seemed to work well, right? It was a direction that people did respond to in a positive sort of way, and our expectation is that we carry on with this in the most robust way possible.

We know that fair is fair – right? – and throughout our quite significant and rapid growth as a province over the last generation or more we've seen a lot of things get built, again, to help us get through this challenging time, perhaps to act as a bridge or to act as a guiding principle of how we do move forward, because we will experience economic recovery, we will get through this COVID crisis together, and we want to make sure that we have a just and equitable way by which we can continue to grow and flourish as an economy for all Albertans.

At first blush, Bill 37 looks pretty good. We have a number of questions that we did put forward, and we look forward to those being answered during the Committee of the Whole.

Thank you.

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

Any members wishing to speak to Bill 37? The Member for Edmonton-Mill Woods.

**Ms Gray:** Thank you very much, Mr. Speaker. It's a pleasure to rise to speak to Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020. I understand that after this legislation passes, we will have a newly named act as a result. I want to start my remarks by simply saying that I am very supportive of this legislation, and Alberta is joining a nation-wide trend towards prompt-payment legislation.

4:20

It's actually quite interesting to see that, although I believe Quebec had legislation in 2017, for most provinces this is something that's been coming in in 2019, including the federal government governing federally regulated construction projects. So there's really just been a wave of the acknowledgement that the challenges that are introduced when this legislation or legislation of this type isn't in place – because you have significant issues with cash flow and payment delays when there are those disputes. It's a really critical concern for the construction industry. I think all members of this Assembly understand how critically important our construction industry is, particularly during downturns over the last few years with the drop in the price of oil. Both the previous NDP government and the current UCP government have invested in infrastructure, in construction projects, as a way to get people back to work and to support the economy. It's been a very key plank.

But the concerns for construction companies who rely on that timely payment of funds to maintain operations, to pay subcontractors, and the trickle-down impact that the workers need to be getting paid for the critical work that they are doing makes this legislation very important and very timely. I'm very proud that during the term of the NDP government, led by Rachel Notley, very quickly – oh, my apologies. I withdraw the name. Under the leadership of the Member for Edmonton-Strathcona issues of prompt payment and issues from the construction industry, from subcontractors very quickly bubbled up within our government. We were listening to both workers, those subcontractors, those business owners, and being able to first implement prompt-payment conditions within Alberta Infrastructure contracts was a really important first step. I was very proud to run in the 2019 election under a platform that actually campaigned on prompt payment.

So for a number of very good reasons I'm very pleased to be able to support Bill 37 and the foray, so far, into prompt payment, addressing very, very serious concerns that impact a number of different players.

Now, the construction industry can be very, very complicated: the building pyramid having prime contractor, subcontractors, different people with different skills doing work. It's an industry where you are often dealing with unionized players as well, so there can be not only the payment to workers, but payment of union dues gets tied up in issues of prompt payment where contracts have not been paid for in that timely manner.

Under the current regime relying on the court systems in too many instances is causing a great deal of delays. I've heard a number of very excellent responses to Bill 37 talking about some of those issues. I've heard stories even just today in this Chamber about contractors waiting two years before being able to get the payments that they needed and having to go through very difficult court challenges in order to receive that payment. We know that in the best of times waiting two years to get paid for a project is not acceptable. Right now, in a time of great economic uncertainty with a lot of families in crisis, really, this legislation is very, very important.

One question I have, as we are at second reading and talking about the legislation overall, is just around the decision as to when this will come into force. I understand that it will be forward looking only once it is granted royal assent. I believe, based on my reading on this issue, that when Ontario first introduced some of their prompt-payment legislation, a number of construction companies needed to update and revamp current construction contracts. I'm very curious around the projected impacts of this legislation on that process here in Alberta. I suspect that reasonings around that are why they're coming into force in 2021, a future time

frame, and I would very much appreciate to hear a little bit more about that.

I understand that in drafting and preparing Bill 37, building on the work begun by the previous government, the current government engaged heavily with the construction industry. I was very pleased to see a number of important construction industry players release very supportive statements about this piece of legislation, including the executive director of the Building Trades of Alberta, Terry Parker, speaking very positively about this and referring to it as a very healthy step and important to see them move in this direction and the impact that when companies don't get paid or go bankrupt can have on the members that he represents. So he spoke highly of this legislation. As well, the president of the Calgary Construction Association was praising the province and noting that the officials took the stakeholder consultation process very seriously.

I very much appreciate hearing that kind of feedback and having those important key players releasing these positive statements, talking about consultation, because in other areas I would say that I have not felt that consultation has gone as well or as strongly with legislation this House has seen. An example where the key players are essentially coming out and saying, "We were well consulted; our feedback was responded to and listened to and is reflected in the legislation" is a very positive thing. I think that is the goal and what we should be striving for all pieces. Unfortunately, we have not quite seen that in this place in all cases, so I want to commend the government in the case here. Other major industry groups, including the Alberta Construction Association, Calgary Women in Construction, the Alberta Trade Contractors Coalition, Concrete Alberta, the Alberta Roofing Contractors Association, and the Electrical Contractors Association of Alberta, all expressed supportive statements around Bill 37.

Given that other provinces across the country have all very recently been passing these pieces, I imagine a great deal of cross-jurisdictional work was done to make sure that the Alberta version of prompt-payment legislation would fit within that Canadian mainstream. As we get into more details on Bill 37 through the Committee of the Whole process, I hope to hear more, hopefully from the minister leading the consultations, about what work was done to engage with these players.

I understand that in Ontario there were challenges around how prompt-payment legislation affected municipalities. Given that Alberta has the opportunity to learn from other jurisdictions, I'd certainly be interested in hearing more about that, and I will attempt and endeavour to do more research on my own prior to the debate at Committee of the Whole so that we can bring to that questions and discussion and have the chance to really understand how and if this legislation will positively or negatively impact municipalities and how we've learned lessons from other jurisdictions. I'm a really big fan of learning from other people's mistakes, Mr. Speaker. I think that's a good way to look forward and to develop legislation.

I definitely want to say that I think that this legislation looks like a good step forward. As I'm thinking about this legislation, I'm thinking particularly about the workers who will be impacted by this. When a tradesman or -woman completes a job, does a high quality of work, and has fulfilled their end of the bargain and then does not get that paycheque because of challenges through the payment chain, it can have really devastating impacts on that worker's family. I know that business owners will sometimes have to go into difficult financial situations to try to bridge that for employees. The number of negative situations that have been encountered because of Alberta not having prompt-payment legislation is certainly something I've heard about over my time as

an elected MLA from constituents in Edmonton-Mill Woods and stakeholders when I had the honour of being the minister of labour.

Seeing this come to fruition and be introduced into the Legislature for our debate and consideration is excellent. I've also seen a number of law firms offering their analysis of this legislation already in an effort to make sure all those in the construction industry are aware of it being introduced and being under debate. So having an opportunity to be able to circle back around to our friends in the construction industry, to be able to answer any questions through the Committee of the Whole process I think will be quite valuable.

4:30

My final comment will just be that under the NDP government when the Minister of Infrastructure took steps to make sure that subcontractors were getting paid, I thought that was very positive. I do want to acknowledge that the Member for Edmonton-Ellerslie worked very hard on these issues while we were in government. I know I had several meetings with him in my role as minister of labour to understand how this would impact and could be influenced by my role as he worked to talk about this while we were in government, begin the work that the government has continued, and in fact I believe he even had a motion that he was going to bring forward into this Assembly specifically speaking about this piece.

I will conclude my comments there and simply say that I'm in support of Bill 37. I thank the minister for introducing it, and I look forward for the opportunity of talking more to the stakeholders that this impacts.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

Members, 29(2)(a) is available. Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak directly to Bill 37?

The hon. Minister of Service Alberta to close debate? None.

[Motion carried; Bill 37 read a second time]

## Bill 38

### Justice Statutes Amendment Act, 2020

[Adjourned debate October 27: Ms Issik]

**The Acting Speaker:** The hon. Member for Calgary-Glenmore.

**Ms Issik:** Thank you, Mr. Speaker. I'm proud to rise today to speak to Bill 38. I'm strongly in favour of the Justice Statutes Amendment Act, 2020. This bill is a necessary step in recognizing First Nations police forces and shows a tangible effort in fostering a nation-to-nation approach that Trudeau's federal government has failed to establish since taking office in 2015. With this bill in place Alberta can begin to establish the recognition that indigenous peoples have been searching for as having their own police force is integral to their communities.

Indigenous people have been operating police services for 20 years, but the Police Act here in Alberta has failed to recognize these services that were protecting many indigenous communities. Largely, this is because the Police Act has not been changed since 1988, when it was enacted. The current First Nations policing program did not exist at that time. Alberta understands the important role that indigenous police services play in the communities they serve, and this bill supports that reality by explicitly acknowledging indigenous police services in Alberta's Police Act. I'm not sure that Albertans are aware, Mr. Speaker, but First Nations police forces

are not even able to swear in their own officers under the current system, and this bill will change that.

Indigenous people must have a police force that understands their issues and the challenges they face on a daily basis. First Nations police forces and their communities have asked for these amendments as it will legitimize the important work that they do. It's also a way to recognize and value the contribution of these men and women in service.

The National Inquiry into Missing and Murdered Indigenous Women and Girls explains the importance of indigenous policing in their final report under article 5.4. That states:

We call upon all governments to immediately and dramatically transform Indigenous policing from its current state as a mere delegation to an exercise in self-governance and self-determination over policing. To do this, the federal government's First Nations Policing Program must be replaced with a new legislative and funding framework, consistent with international and domestic policing best practices and standards, that must be developed by the federal, provincial, and territorial governments in partnership with Indigenous Peoples. This legislative and funding framework must, at a minimum, meet the following considerations:

- (i) Indigenous police services must be funded to a level that is equitable with all other non-Indigenous police services in this country. Substantive equality requires that more resources or funding be provided to close the gap in existing resources, and that required staffing, training, and equipment are in place to ensure that Indigenous police services are culturally appropriate and effective police services.
- (ii) There must be civilian oversight bodies with jurisdiction to audit Indigenous police services and to investigate claims of police misconduct, including incidents of rape and other sexual assaults, within those services. These oversight bodies must report publicly at least annually.

Mr. Speaker, Alberta is taking these recommendations seriously. Even before the national inquiry was established, there were three indigenous police services here in Alberta. One is the Blood Tribe Police Service, the second is the Lakeshore Regional Police Service, and the third, which is close to my heart, is the Tsuut'ina Nation Police Service. If an indigenous community does not have an independent police service, they will be policed by the RCMP.

Many Albertans, Mr. Speaker, though, are not aware of these police services, and I wanted to take this time to elaborate on the services that they provide to the communities and the communities that they protect.

Firstly, the Blood Tribe is the largest indigenous community in Canada, covering over 180,000 hectares of land in southern Alberta, and it's the proud home to over 10,000 members. The police force is based in Stand Off, Alberta, and it's a fully autonomous police agency with jurisdiction that extends from the outskirts of the city of Lethbridge to the bordering towns of Cardston, Hill Spring, Glenwood, Fort Macleod, and Waterton Lakes national park. They provide 24/7 service through 33 fully appointed police officers with the support of over 26 full-time civilian staff members. Policing has always been an important component to the way of life for the Blood Tribe, and while policing has evolved greatly in the community, the Blood Tribe Police Service is proud to serve them.

Secondly, the Lakeshore Regional Police Service was established in 2008, and it's responsible for all the police services on the five First Nations that make up the Lesser Slave Lake Indian Regional Council territory, which runs along Lesser Slave Lake. Included in the First Nations communities of Lesser Slave Lake Indian Regional Council and within the jurisdiction of this police service are the

Sawridge First Nation on the eastern boundary, Swan River First Nation, Driftpile Cree Nation, Sucker Creek First Nation, and Kapawe'no First Nation on the western end. The Lakeshore Regional Police Service currently operates out of the new Lakeshore Regional Police Service building located off highway 2 on the Driftpile Cree Nation. The Lakeshore Regional Police Service is equipped with eight police motor vehicles; three all-terrain vehicles, including two quads and one side-by-side; and two snowmobiles.

Lastly, the Tsuut'ina Nation Police Service, which is right next door to my constituency, covers a land area of slightly over 109 square miles and borders the city of Calgary on three sides. The TNPS, or the Tsuut'ina Nation Police Service, is an independent, self-administered policing agency that's been proudly serving since January of 2004, and it's poised to experience significant growth in the next five years.

These police services provide essential work for the indigenous communities they look after, and with this bill in place they will be able to rely on consistent supports that can aid in providing the best policing possible. This will also help recruiting as well by ensuring consistent funds are available to support the development and expansion of each detachment, attracting new service members who never thought a career in policing was possible. By recognizing First Nations police services in the Police Act, we are ensuring that they will be included in modernizing police efforts in Alberta.

As you know, Mr. Speaker, the Police Act review is currently under way, and Alberta Justice and Solicitor General officials are currently holding stakeholder meetings. I'm really pleased that they're going to be holding a set of meetings with indigenous stakeholders to specifically discuss the First Nations policing program. This program is responsible for funding the three self-administered services that I previously spoke about as well as the enhanced officer positions in the 21 First Nations currently policed by the RCMP.

Albertans can also look forward to a public survey that will be launched soon on the Police Act review.

While there are many other key features to this bill, for me establishing the recognition of indigenous police services is essential in building the positive relationship that our government needs with indigenous communities now and into the future. I'm very, very proud to support this bill.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

Members, I believe 29(2)(a) is available.

Seeing none, are there any other members wishing to speak to Bill 38? The Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Mr. Speaker. It's my pleasure to rise and speak to the Justice Statutes Amendment Act, 2020. As my colleague the previous speaker mentioned, we certainly support the changes that are brought forward in this bill respecting the recognition of First Nation police services. We support access to justice. We support indigenous right to self-determination, indigenous right to self-govern, including through the creation of their own police services, so that's certainly a really positive and good step.

4:40

With respect to this change we may have some questions or clarifications with respect to logistics and the operation of these provisions, but generally speaking, we are very much in support of these changes. We are very much in support of recognizing the First Nation right to have their own police services. At the same time we believe that it's a critically important issue. First Nations have been

talking to different governments on various aspects of their self-governance and self-determination, and that's certainly one of them.

I think this could have been easily a stand-alone piece of legislation. However, the government chose to slide in five other pieces of legislation with this change. They didn't talk much about the other changes, other amendments, and how they will impact the justice system and what implication those changes will have for Albertans. I don't think that in 15 minutes you can do justice to all the changes in the six different areas contained in this piece of legislation.

One of the reasons that was provided, one of the rationales that was provided by the government at the time of introduction of this piece of legislation was that this change will ensure that First Nation communities are able to take advantage of and be a part of the broader police review, the changes that will be made in future so the indigenous communities can be part of those conversations. Certainly, those conversations are the critical ones. There were many reasons that people in indigenous communities, people in BIPOC communities – they're looking forward to those conversations, those broader conversations around police reforms, around issues of systemic racism, and all that. Particularly, I represent a riding in northeast Calgary that has a significantly high population of racialized communities. They very much look forward to have that opportunity to engage in those broader discussions around policing.

I'm glad to see that with this change indigenous communities will be part of those broader discussions within the ambits of the Police Act. Whatever changes that this government brings forward, they will be able to participate meaningfully in those conversations. On the same line, it's my hope that once those further changes are brought forward by this government, all other concerned stakeholders, all other communities – black communities, person-of-colour communities – will be afforded a meaningful opportunity as well to be part of that review. Certainly, that, I can say, is the top-of-mind issue with respect to policing in my riding and in BIPOC communities.

As I talked about my own riding, as well in the last year or so or even more than that we have seen, certainly, crime rates go up. We have seen youth lost to these criminal incidents. It's pretty much a concern for families and communities in my riding, how to address that growing rise in crime.

In the last budget of this government, 2019-20, they did reduce funding for the police budget, which impacted Calgary's police budget as well, a \$30 million reduction. I guess government also shifted some policing costs onto smaller municipalities as well. With respect to the Police Act I think those are the conversations that are important to our communities, to our municipalities, how we can properly fund police services so that they are able to do their job. Certainly, on one hand government gave \$4.7 billion to the wealthiest corporations, which didn't create a single job, but on the other hand we are seeing cuts to policing budgets such as \$30 million in cuts to Calgary Police Service, which will certainly mean fewer officers on the ground and will impact the services our communities receive.

With respect to the changes recognizing First Nation policing and their desire to self-govern, as I said, it's certainly a right step in the right direction. It would be helpful if anybody from the front bench would help us understand if they have done any kind of economic impact study and if they would be willing to share that information. Questions around who is responsible for the cost of indigenous policing: I understand it will be the federal government, but what steps have government taken or is planning to take to make sure that First Nation police services have similar resources as other municipal police services so they can deliver those services in the best way possible for their communities?

Similarly, I understand that First Nation communities have talked about alternative dispute resolution or culturally relevant means of a justice system to be considered. I think a question I will have is: would the indigenous police services be empowered to use those methods, and what co-ordination will the province have with indigenous police services to help them achieve such goals?

Also, the changes contained in this legislation say that the jurisdiction of indigenous policing will be solely geographic, as I read it, or whatever will be contained in the agreement that will be entered between a First Nation community, the provincial government, and the federal government. If so, what happens if a person who is not a member of a First Nation community commits a crime on First Nation community lands? Who will have jurisdiction on that, and will the First Nation police have power to arrest that person outside their geographic jurisdiction? Those are kind of technical questions that if the Minister of Justice or anybody from the front bench would like to address, it would certainly help us understand how these changes will be operationalized for the benefit of indigenous communities.

4:50

Other questions relate to the jurisdiction of First Nations police. For instance, the Criminal Code of Canada: I think that there will be power to deal with that. What other enactments will they be able to deal with, and will that be negotiated on a nation-to-nation basis? Are there any considerations at the provincial level with the federal government, including indigenous communities, what they want to consider as their jurisdiction?

Then, I guess, questions have been raised about what the First Nation police service relationship will be with the neighbouring municipal police forces and RCMP. Are there any negotiations that are ongoing? Is the province considering those important steps? If anybody from the front bench would like to talk about those issues, certainly that will help us understand these changes.

Then another question that came up was that we do know that some First Nations have more capacity in terms of resources than others. So what steps will the province take and what role will the province have to ensure that there is some equalization of service between all First Nations should they choose to have their own police force?

Then there were certain changes that are referred to in the main amendment, 33.3, that need to be made. Are there any changes that the government is considering? If they have made any changes, that would be helpful if they could talk about it. These are some of the questions relating to the changes in the Police Act recognizing the First Nation policing services. As I said in the beginning, we are fully in support of recognizing First Nation police services. That's a good step in recognizing their right to self-govern.

Now I am left with a minute and a half and five pieces of legislation to deal with. I understand that changes with respect to the Jury Act are fairly minor and they are just authorizing the use of technology. They want summons to be sent by electronic means. The question I have there is about "using information obtained under the authority of an enactment or with the person's consent," so if the minister can tell us which enactment it would be referring to in amendment 2(b) and how a "person's consent" will be obtained for the purpose of amendment 2(b).

Then there are changes to the Queen's Counsel Act. I think I can tell you – I'm a lawyer by profession as well – that in five years not a single person, whether my constituents or from the legal community, ever asked me about this Queen's Counsel Act. In the middle of a pandemic, where people are struggling to get jobs and they are worried about their livelihood and well-being, I don't think these changes are necessary.

We'll talk about these in further detail, but with that, I move that we adjourn debate on Bill 38.

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

[Motion to adjourn debate carried]

**Bill 35**  
**Tax Statutes (Creating Jobs and Driving Innovation)**  
**Amendment Act, 2020**

[Adjourned debate October 27: Mr. Panda]

**The Acting Speaker:** Are there any other members wishing to speak to Bill 35? The Member for Calgary-McCall.

**Mr. Sabir:** Thank you, Mr. Speaker. While I'm still here, I think I should speak to this piece of legislation. The changes contained in this piece of legislation are important ones, and they have implications for my constituents, businesses in my constituency, Albertans, and Alberta businesses. These are important changes. What this legislation is doing is that it's doubling down on the UCP's \$4.7 billion plan at a time when we do have a clear understanding, we have enough evidence that their plan is not working, but they're still choosing through this piece of legislation to move ahead with their \$4.7 billion plan.

While I'm speaking against this piece of legislation, I'm speaking against this move, I will try to explain briefly why I think that this is not a good piece of legislation, why I think that it's not a plan that Albertans need now. During the election campaign the government, the then UCP Party, campaigned on this and they campaigned on jobs, economy, and pipelines. When they became government, they brought forward this change. After the first reduction in the tax bracket, the results were: Alberta was losing jobs. People were losing jobs everywhere.

If I talk about Calgary alone, we saw companies benefiting from this handout, \$4.7 billion handout. We saw companies taking money directly as a result of this policy. For instance, let's start with EnCana. EnCana got around \$52 million, and soon after that they actually packed up and they moved down to the States. Then Husky got \$232 million, somewhere around that if not more. They laid off 371 people in Calgary alone. On one hand they were benefiting from this policy of the government directly, and in return Albertans were getting layoffs. Calgaryans were getting layoffs; 371 layoffs just in Calgary alone.

Then TC Energy benefited from this policy, and they also got a pledge of \$7.5 billion from this government, \$7.5 billion of Albertans' money, a deal which we have asked about multiple times during question period, during debate, and we still don't know much about that deal. But that's for another day.

5:00

TC Energy got money directly from this policy, this \$4.7 billion handout, and they laid off people in Calgary. Then Suncor: they also booked \$1.1 billion from this policy. They were getting direct relief, but what Albertans got in return was 2,000-plus layoffs. What they got in return was their investment going elsewhere; what Albertans got in return was that they reduced their capital investments. Then just earlier last week, I believe, we heard about the merger between Cenovus and Husky. Cenovus also benefited from this policy, around \$600 million. When we asked about the impact of that merger on jobs, on Albertans' jobs, we were lectured about how mergers show confidence in the market and confidence in their policies. As a student of economics I can go on about market confidence and all those things and how mergers impact market confidence.

Anyway, out of that merger both companies have benefited from this policy directly. What are Albertans getting in return? Any guesses? Twenty-two hundred jobs lost in Alberta and Calgary. I'm sure, Mr. Speaker, that you must have heard about the vacancy rate in downtown Calgary. It's sitting at 30 per cent. That's also because of this government's policies. There is a direct link. If people from Calgary, if Albertans, will continue to get pink slips, if they will continue to get layoffs in Calgary, the downtown towers will be empty. The vacancy rate will go up.

Another thing. Since the government campaigned on this promise, many things have changed in the world. I think all members of the House will agree with me that from April 16 till October 28 – that's today – many things have changed. Many things have changed in our homes, in our communities, in our cities, in our province, and around the globe because of the global pandemic. That pandemic has impacted people's lives and their livelihoods, their businesses, their way of living. It has impacted commodity prices. It has impacted trading, travelling, all those things, and these changing circumstances certainly require us to respond in a way that addresses today's realities.

I think it was the end of February when the government brought forward their budget, and in early March, I believe, there was an event at the Calgary Chamber of commerce where the Minister of Finance was speaking. I was present at that event. Even just a week after presenting the budget, the Minister of Finance knew that the assumptions contained in their budget were no longer valid. The Minister of Finance said, and I'm paraphrasing: it felt like Rome was burning while I was presenting the budget and making the budget speech. That's the event where the minister also said his infamous comments about diversification being a long-term luxury. That was the same event.

So even knowing that things have changed – their assumptions contained in the budget have changed, commodity prices have changed, trading relationships have been impacted – government is still pushing ahead with the same policy that they thought of sometime during the campaign, the end of 2018 and beginning of 2019. There's so much evidence, so much clear evidence, that it's not working. The government can get up all day long and talk about unions. They can talk about socialism. They can talk about Corbynites, Blairites, and all those things that were part of his speech here last night, but that's not what Albertans want to hear. What Albertans are looking for is – they need a plan that responds to today's realities. They want to be supported by this government throughout the pandemic.

As much as the government wants to talk about and against the federal government, their own fiscal update shows that the government provided \$100 million in their emergency benefit while the federal government provided \$10 billion in CERB payments and \$11 billion in the employment wage subsidy that the UCP also got to keep their partisan staff employed. These are just two programs that were actually helping Albertans get through this pandemic.

And not only did they not change their plan, not only did they not do anything with their \$4.7 billion handout, knowing that we are seeing the results in Calgary, we are seeing the results elsewhere in Alberta, we are seeing layoffs, we are not seeing investment coming in, they even chose to attack those programs as well. One of the MLAs from the government caucus even mused about people using CERB payments to eat Cheezies, watch cartoons, and, if they feel like it, sometimes doing drugs as well. That's how out of touch this government is with the realities facing Albertans, the issues facing Albertans. One million Albertans had to rely on that program to get through this pandemic.

5:10

**The Acting Speaker:** Members, 29(2)(a) is available. I recognize the Member for Edmonton-North West.

**Mr. Eggen:** It's always the same every time. Maybe it's the mask.

**The Acting Speaker:** I didn't recognize you with the mask.

**Mr. Eggen:** Thank you, Mr. Speaker. I appreciate the analysis of the hon. Member for Calgary-McCall. You know, while we can always read the newspapers and follow the media, I know that the member's direct experience in the city of Calgary in regard to this economic downturn is very well based and, I think, has a firm experiential understanding of what is going on in Calgary. I try to get down there when I can, but I always defer to the member when I need better Calgary information.

[The Speaker in the chair]

You know, further to economic recovery and having a plan, I mean, there's no denying that we need a plan here in this province now. We need a plan that helps to diversify the economy. We need a plan that helps to encourage investment and so forth. Again, I'm curious to know: on the ground, experientially, what are people saying? Is this doubling down on the \$4.7 billion corporate tax reduction with this new bill here – like, how is it going down in Calgary? Like, are people saying, “Wow, this is it. Hallelujah. We're back in the money now, and the economy will get back to functioning as it should,” or are people looking for something else as well?

I mean, we know that this UCP government has a tendency to look at essential services, for example, as a liability instead of an asset, you know, and I would say that it's quite the opposite. Now, I mean, we're not, like, the only people experiencing an economic downturn and a COVID crisis in the world. We have lots of other examples of how people have approached this in different ways. While everyone is experiencing a downturn, certainly it's a question of weathering the storm in the best way possible and being able to come out of it with all of the institutions and the capacity you have intact to act on economic recovery.

I don't know. Like, is Bill 35 just being sung from the rooftops in the city of Calgary, or what's the deal?

**The Speaker:** The hon. Member for Calgary-McCall has two minutes and 24 seconds remaining.

**Mr. Sabir:** Thank you, Mr. Speaker – good to see you in the chair – and I thank the member for the important question. I think that in Calgary, there was a lot of hope that when this UCP became government there would be jobs and people who would even pass by downtown would get employed by all those people in the towers. But the thing is that Calgary has been worst hit by this downturn.

I didn't see a single policy that government adopted that has supported Calgary. I outlined layoffs right from Calgary by EnCana, Husky, Cenovus, Suncor, TC Energy, Precision Drilling. Like, right downtown Calgary. Then they came up with their war room, the \$30 million-per-year war room. We didn't see anything change in Calgary. Then they came up with their \$2.5 million-plus, and other millions into extensions, inquiry. We didn't see anything coming out of Calgary. We didn't see any positive impacts on the job situation in Calgary. Quite frankly, the areas I represent: like, people are struggling in that area as well, and they're among those who generally make less than the average Calgary population. For instance – I will expand on that some other time.

Thank you.

**The Speaker:** Hon. members, that concludes the time allotted for 29(2)(a).

Is there anyone else wishing to speak to the main bill? The hon. Member for Edmonton-North West.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I appreciate the opportunity to say a few words in regard to Bill 35, the so-called creating jobs and driving innovation amendment act of 2020. You know, I really appreciate the analysis that we've seen around the shortcomings of this bill. I think there's a very high expectation from Albertans for something from this government that's going to help with economic recovery and so forth.

You know, it's been said before, but I'll say it again – right? – when we saw the first iteration of this significant corporate tax cut in the budget from February, I think a lot of people were very skeptical. What's happened, Mr. Speaker, between February of last year and today? I mean, we've all seen the upheaval that has occurred in our economy in regard to COVID-19. You know, that was then, and this is now. Quite frankly, the significant corporate tax cut that was brought through in this last budget was out of touch with the reality on the ground. Why would you then double down on that same concept here in October of 2020? You know, it just doesn't make sense. We have to learn from our mistakes, we have to read the landscape that's before us, and we have to make sure we're serving the people in the best way possible.

You know, I just really question why the government would double down on this idea when, certainly, it was hardly working before, and now even more certainly we're dealing with a much different situation that needs attention immediately. I think, again, that when you're in a crisis sort of situation, you need to take best ideas and practices from all quarters, and it's very important for us to be constructively critical and to share ways by which we can stabilize the economy, stabilize the population here in the province, and move forward when opportunities arise in the coming months.

I would say, certainly, it's obvious to everyone that the thing that's changed the most from February last year to now is the pandemic, and dealing with the pandemic in a systematic and reasonable way and ensuring the health of our population and ensuring the health of the institutions that look after our population is a precondition for any economic recovery here in the province of Alberta. So when we talk about having a plan for COVID and a plan for health care in this province, that is moving hand in hand with economic recovery, which this bill purports to want to address but, I would say, is inadequate in so many ways.

Every day we get more information from the chief medical officer around where we're at in regard to COVID, and I must say that it's worrying and concerning for all of us. I want to again express my condolences to the families of the four people that passed away in the last 24 hours and, indeed, to the 313, I guess it would be today, the total of Albertans that have passed as a result of the pandemic.

We have to be very concerned and learn from what has happened in other jurisdictions in regard to the pandemic and its effect on the economy. Bill 35 is looking for ways to adjust tax statutes to deal with the economy. I would suggest that anything like this must be put through a precondition of emerging and best practices to deal with COVID because, of course, you don't have a tax base to draw from as the economy shrinks because of the pandemic, quite frankly.

5:20

By putting forward some basic ideas here to not – I mean, we can acknowledge that we're all learning from dealing with the pandemic over time. It's not as though there was a manual dropped down to

answer all of the questions. It's an emerging situation, and I recognize that. I recognize that the government has been dealing with that situation as all jurisdictions around the world have as well. But here we are, October 28, 2020, looking at the potential for a very significant second wave to move through this province and to put pressure to exponentially raise these numbers that we have here today in terms of infection rates and hospitalization and fatalities. Again, just to remind everyone, there is no economic recovery without dealing with the pandemic. It's as simple as that, so in a constructive, propositional way, we have put out in the last 24 or 48 hours a number of very practical suggestions that can help us with the potential for a significant increase through the second wave of COVID-19.

I think that, first and foremost, we need to make sure that we take a ceasefire and cease and desist on this attack on our public health care system, right? We know that not only has this put thousands of jobs at risk for essential services, which includes cleaning and food services and laundry and all of those 11,000 people – these are critical front-line jobs that help the integrity of our public system to deal with an unprecedented pandemic right now here in the province.

So, you know, take a ceasefire on this to make sure that we can reverse that. Not only does it reduce capacity – some people, I think the Premier said that these are ancillary services or something like that, right? Lo and behold, when there was that walkout a couple of days ago, they immediately had to cancel surgeries as a direct result of that. Again, how is that an economic tie, tie into economic recovery and so forth? You cancel surgeries, you weaken the potential for the population to get to work, and everything else gets undermined. So please do not suggest that any talk about dealing with the COVID crisis is not something in terms of dealing with economic recovery, which Bill 35 purports to do but is, I think, inadequate.

I think at this point in time we need to make sure we strengthen our contact tracing capacity here in the province of Alberta. There's pretty good evidence. We were looking to see how many contact tracers per 100,000 population we need, and in the province of Alberta we need more, quite frankly. I don't have the number on me right now. I think it's at least another 400 from the 800 we have employed in the field right now. Again, contact tracing is the way by which you can chase down and contain this outbreak and minimize the impact.

You say: well, how's that economically relevant? Well, you know, I just looked at the news here in the last few hours, and they're talking about a complete lockdown of the nation of France here in the next 24 hours. They're talking about a complete lockdown of Spain and Germany as well. That's an economic blow if there ever was one, Mr. Speaker, right? I'm not talking about just people getting sick and whatnot and impacts on hospitals. Again, these lockdowns are very, very, very damaging to the economy, but you have to do it if you don't get COVID under control. You have an economic plan that involves a key component, which is to get COVID under control. We see a few jurisdictions have managed to have done it, and I think we need to learn from them as well.

I think that we need to have a plan for long-term care, right? I've heard some very concerning comments from the Minister of Health, from the UCP government, talking about more privatization of long-term care facilities in the province of Alberta. We know that this is where the most fatalities are taking place, and we know that there's a direct correlation between public or nonprofit and private long-term care facilities and the safety degree to which they're able to deal with the pandemic. Again, this is a direct economic impact on the province of Alberta. It's a direct impact on the population of Alberta. It literally, without being checked, will reduce the life expectancy of living here in this province of Alberta, and that is

key, again, to economic recovery. Anyone who says anything otherwise is missing the point.

We need something that resembles a risk index. We see the Chambers of Commerce in the province here in a number of municipalities talking about a way by which we can assess a local, regional risk index of some kind that gives you a low, medium, or high reading so that people can adjust their activities accordingly, right? We've asked a number of times: "What's the projection plan for COVID under scenarios 1, 2, 3, 4, 5, or 6?" and people say, "Oh, well, it's changing." Yeah, of course it's changing. We all know that. But we need to have that information. Anything less than full disclosure of what the plan is to deal with the exponential increase of infections here in the province of Alberta is irresponsible. It's irresponsible on a health level, on a moral level, and on an economic level, too, quite frankly. Bill 35 looks for ways by which to create jobs and drive innovation in this province. None of that happens without the precondition of a healthy and transparent and honest plan to deal with COVID. It's as simple as that.

We need to make sure that we reassess how we are turning around times for COVID testing, right? If you have a population that relies on the tests, the tests have to be, number one, reliable and, number two, they have to have a timely turnaround for that information for people to be able to know what their status is. We've all learned a lot about medicine over the last few months and, you know: when is the period that a person can be most infected and most passing on that disease to other people? You need information to deal with that in a proper way. Faster turnaround times and the capacity for increased testing is absolutely a condition, a precondition, for dealing with this pandemic. Dealing with the pandemic is the key to economic recovery here in this province, so the two are intertwined, most certainly.

Yeah. I mean, there are a lot of things we need to deal with. You know, economies have a lot to do with confidence as well, right? When people are not feeling confident about their personal safety or the safety of their family or the integrity of their jobs, then the economy has discernible negative reactions to that, too. Confidence, consumer confidence, is key and so is investor confidence, too. You know, people make investments on the widest possible spectrum of circumstances in any given place, and I can bet that investors are adding probably to the top of their list the COVID situation in any given circumstance, any given area as to whether it is safe to invest there or not, right?

Other factors that affect investment include the integrity of a community, the integrity of the school system, the integrity of universities, colleges, the health care system, right? The public health care system that we have here in the province of Alberta is one of the best assets we have for the economy, quite frankly. People know that the premium of operating in a jurisdiction that does not have a safe or a secure health care system, especially during COVID, is a huge strike against any given geographic area in terms of investment.

You know, you need to make sure we're investing in those public entities. They're not just negative numbers on a balance sheet. They are assets now more than ever that we need in order to pursue economic recovery in these coming months here for the province of Alberta. This province has a lot of assets going for it, and we have to protect those assets. The most important one of all, that I think is self-evident, is our people. We have a young population, the youngest population in Canada, still, and we have a well-educated population, too. Making investments in that asset is the key to success right now. It's the key to economic diversity. It's the key to thinking creatively about what the future should look like for us, and it's the key, quite frankly, again, like I said, to supporting this

idea of confidence for the future, which is the key to economic recovery as well.

5:30

I mean, obviously, I think that I don't have to explain how the vast majority of Albertans are deeply skeptical of this idea that making corporate tax cuts will be the path to economic recovery in this province.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. I see that the hon. Member for Edmonton-Beverly-Clareview almost sprained an ankle getting to his feet, so I'll make sure that he has that opportunity.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I was quite excited to jump to my feet. I was listening with intent rapture to the member talking about the impacts or maybe the lack of positive impacts the province has seen from this accelerated corporate tax reduction that Bill 35 is proposing. I was hoping that the member could continue on his train of thought and share with us, maybe, the number of examples of corporations that have moved to Alberta because of this lowered corporate tax rate that, of course, was promised by the Premier, including when the Premier had stated that banks would be – he didn't use the word “crazy” – along the lines of silly or irresponsible to not relocate to Alberta because of our corporate tax reduction.

I think it's also interesting, maybe, if the member wants to touch on, you know: how did Alberta rank previous to this corporate tax reduction, tax competitive-wise, compared to any other province in the country? I mean, were we the laggards, or were we actually still the lowest-taxed jurisdiction overall in Canada?

**The Speaker:** The hon. Member for Edmonton-North West has three minutes remaining.

**Mr. Eggen:** Well, thank you. The hon. Member for Edmonton-Beverly-Clareview is putting me on the spot a little bit, asking so much, but I think I can do it. I'm feeling good. As it happens, the province of Alberta had the lowest corporate tax structure in the country before, so quite frankly, again, you know, when I talked about investment, I mean, people who make investments – and we're looking for significant investments in our energy industry. I mean, that's the backbone of our economy, and we must continue to make sure that it is so. People want in 2020 to make sure that it's a reliable and a secure place to make those investments in energy, say, for example.

You know, our conventional energy industry is very strong. It's a world leader and so forth, but you have to learn and learn to lead on a government level from the leading edge of business. Quite frankly, people's money is following responsible energy investment, right? When I see things like the hon. Member for Vermilion-Lloydminster-Wainwright making climate change denying speeches here in this place, I mean, that does nothing but damage the responsible energy investment that we want to attract to the province of Alberta. Like, if you don't do that, if you don't go with the movement to having a more balanced portfolio with renewable energy, value-added products that go with energy and so forth, instead of just handing over a big corporate tax giveaway, which is like a liquid asset for companies that are multinational. Most of them are functioning all over the world. They get a liquid asset from Alberta, and they say, “Hey, thanks a lot,” and it goes back into a very large company and corporate system that moves money all around the world.

That's what we saw. We saw millions of dollars literally leaving as a result of the first corporate tax handout. You know, here we are

now, as I described quite extensively around COVID, right? Everything has changed. The very structure of the economy and the landscape has changed dramatically, and it's concerning that this government would choose the same policy, which wasn't really going that great anyway. Like, even before COVID we saw, based on the last budget from last February, another 50,000 jobs that left just before we even started to see the lockdown in March.

**Mr. Bilous:** How many jobs?

**Mr. Eggen:** Fifty thousand. I mean, it's probably more.

You know, honestly, you must learn from your mistakes and learn from what's going on around you, quite frankly. I mean, there are lots of ways by which we can turn this around. Like I said before, we have excellent postsecondary institutions, and we want to make sure that we are not cutting them short during this economic downturn. The smart money is on investing in our people, investing in postsecondary, and investing in economic diversity.

Thank you.

**The Speaker:** Hon. members, that concludes the time allotted for 29(2)(a).

Is there anyone else wishing to join in the debate? I see the hon. Member for Edmonton-Mill Woods has risen.

**Ms Gray:** Thank you very much, Mr. Speaker. I'm very pleased to rise at second reading to give some initial response to Bill 35, the tax statutes amendment act, 2020. Unfortunately, unlike the previous legislation that I was responding to, I am standing to speak in opposition to this particular bill and the doubling down on failed economic policy that this bill represents. I believe very, very strongly that Albertans deserve a government that has their backs, that will invest in people, and that will build for a recovery.

What Bill 35 implements and represents is, again, that doubling down on an economic theory that we've seen no evidence can and will be successful. In fact, what we have seen as a result of this government insisting on taking a jurisdiction – thank you to the Member for Edmonton-North West for clarifying that Alberta was already the lowest corporate tax jurisdiction in the nation. Further lowering it is a plan that is not working because prior to the pandemic, after the first year in office of this government, we had 50,000 jobs lost, we had a deficit that had doubled from \$6 billion to \$12 billion, we had a year that included five credit downgrades – and I understand that Alberta is on a watch list for several of the credit-rating agencies right now, which is not a positive sign – a shrinking economy, and serious concerns.

I was very pleased when we were in government in 2018 that Alberta led the country in GDP growth with 4 per cent. After an economy hard hit by a drop in the global price of oil, we were on a positive trajectory, and this government scrapped programs that were working and bringing investment and brought in corporate tax giveaways and handouts to already wealthy corporations rather than supporting Albertans. Now in Bill 35 they are continuing to double down on that. I think Albertans deserve better than that \$4.7 billion corporate handout that is rewarding foreign shareholders rather than regular people, and I think it's very clear that the government's plan is failing.

Now, I've had the opportunity to listen to a number of the responses from my esteemed colleagues, and, quite frankly, the evidence that they have presented of the failure of the corporate tax reduction has been incredibly compelling, including the fact that the opposition submitted a FOIP looking for analysis done to support accelerating the corporate tax giveaway, and absolutely nothing was returned. That's a serious concern. This tax giveaway is making

a terrible situation even worse. That's what this legislation does; it speeds up the corporate giveaway.

I think that this Legislature can do better. We can come up with better legislation. We can certainly come up with better plans to create jobs, and the Official Opposition has been beginning on an initiative called *albertasfuture.ca*, a new website. We're posting a lot of new discussion papers for Albertans to respond to and really working to be propositional. I've heard that from my colleagues through the bill debate on Bill 35 so far.

As I am so opposed right now to passing Bill 35, at this point, Mr. Speaker, I would like to introduce an amendment.

5:40

**The Speaker:** The page will come grab the amendment, and then once I have a copy, I will get you to proceed.

Hon. members, this will be referred to as REF1.

The hon. Member for Edmonton-Mill Woods has 10 minutes and 48 seconds remaining.

**Ms Gray:** Thank you very much, Mr. Speaker. I shall read this into the record. I move that the motion for second reading of Bill 35, Tax Statutes (Creating Jobs and Driving Innovation) Amendment Act, 2020, be amended by deleting all of the words after "that" and substituting the following:

Bill 35, Tax Statutes (Creating Jobs and Driving Innovation) Amendment Act, 2020, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

Now, Mr. Speaker, the reason that I move this referral amendment and look forward to a robust debate with all members of the Assembly on this amendment is because of the complete lack of evidence, other than evidence that it doesn't work, behind this government's decision to accelerate the corporate handout to already wealthy corporations.

[Mr. Reid in the chair]

So the Committee on Resource Stewardship – this would be an excellent opportunity to send this to a committee to hear from experts potentially, to potentially hear from Albertans on their priorities. I can tell you that when I am out talking to constituents in Edmonton-Mill Woods or other Albertans, I hear consistently that Albertans are not feeling supported by this government.

Just this past Monday I was talking to front-line health care heroes who were fighting for their jobs, who have been working in a pandemic for the past nine months under extremely stressful conditions, very often working short-staffed, working under new procedures to deal with COVID-19, the pandemic. Many of these workers previously did not do their jobs wearing personal protective equipment and now are doing their jobs wearing personal protective equipment for the entire work shift. The way that they work has had to be adjusted, and all of this has been happening under increasing workloads of the COVID-19 pandemic. In speaking to those workers, they talked to me about this government's priorities and drew a direct connection between the \$4.7 billion corporate handout versus investments in health care, versus valuing the work that these important people in our health care system do.

By taking this to the Committee on Resource Stewardship, that would give us the opportunity to invite testimony from concerned Albertans. Perhaps the committee could even engage in outreach. Different committees at different times have released surveys, have gone into Alberta communities to discuss issues. I understand that some of that process has even still happened during the pandemic, with appropriate social distancing and health measures to conform

to the medical advice of our chief medical officer of health, Deena Hinshaw.

I think and believe strongly in this referral amendment that I have introduced today to Bill 35. I think it's an important opportunity because right now we have 290,000 Albertans out of work who are very, very, very concerned that their government does not have a clear plan for jobs. These Albertans recognize that even before the pandemic the corporate handout was not paying dividends other than companies booking those excessive savings and then turning around and laying off workers.

I want to thank the Member for Calgary-McCall because he just very clearly in his response at second reading outlined the many, many companies that have taken huge, huge tax giveaways, to the tune of millions of dollars, and then proceeded to turn around and lay off Alberta workers. There are other ways that we can create jobs and stimulate the economy. Trickle-down economics, of which this is an example, is not the solution for our province.

I would like to emphasize how important consumer spending is on our economy and how important it is that Albertans have confidence that they will be financially secure. Right now, Mr. Speaker, that confidence is incredibly shaken by several factors. The impact of the COVID-19 pandemic, which has greatly impacted workplaces, different people's ability to be employed – we're watching the numbers come in. The amount of hours people are working have been dropping dramatically in different sectors. Different types of workers are impacted disproportionately. That is what it appears to be, so we need to really be careful and watching what's happening as we go forward.

So the pandemic is having an impact, but the government and its priorities are having a huge impact as well. When 11,000 health care workers find out that they may not have a job or that their job may pay less or that they may lose their pension because their job has been privatized, that's going to impact their family and their network when it comes to consumer spending and their confidence in the Alberta economy. That's going to have knock-on effects, again, because as consumers are no longer engaging in the economy, that's going to hurt us. I think that the government needs to take a step back and review what they are trying to do with Bill 35.

I think the government needs to come clean with Albertans. It's very concerning that after FOIPing the government, zero documents or evidence were released. A clear decision has been made to accelerate the \$4.7 billion corporate giveaway, but if there are no briefing notes, no memos in the Premier's office about this strategy, no evidence that it is working – and I have heard my colleagues in the Official Opposition ask for that evidence, both through this bill debate but also in question period. I know the Member for Edmonton-Beverly-Clareview asked: tell us about one job that we know that this corporate giveaway has resulted in. I can tell you that he did not receive a fulsome and informative answer in that question period set.

Making sure that this gets the appropriate analysis by sending it to committee, the Standing Committee on Resource Stewardship, is entirely appropriate, particularly at this time, during a pandemic, when we have so many changing factors going on in our economy right now. The Premier promised that this corporate tax giveaway would create 55,000 jobs, and instead pre-pandemic we saw the loss of 50,000 jobs. Deeply, deeply concerning.

There are a number of cuts and measures being taken to bring in the, quote, fiscal reckoning, unquote, that has been described by UCP MLAs. It's impacting the services in Alberta, it's impacting how attractive Alberta is for young workers to stay in our province or other workers to be attracted to our province, and it's impacting that consumer spending, which is so critically important for our economy. This is why consumer spending and its role in the economy is one of the reasons why I objected strongly to cutting

the wages for youth workers, as an example, cutting the wages of those 11,000 health care workers by privatizing their jobs. Instead of getting \$17 to \$23 an hour, maybe they'll just get \$15 to \$19 an hour. Those types of wage cuts are not a positive thing.

5:50

As someone who previously worked in information technology – that was my career prior to being elected to this esteemed Chamber – I must say that it was very disappointing, for a government elected under the banner of jobs, pipelines, and economy, when they cancelled very important innovation and investment attraction through the interactive digital media tax credit, the Alberta investor tax credit, the Alberta capital investment tax credit. All of these programs, that were working, that were requested specifically by the Chambers of Commerce, by businesses, by industry, implemented by a government that was listening to people giving good feedback and listening to evidence, were immediately cut. I have talked to so many of those former colleagues from the information technology world who are concerned about the direction this province is going in. We need a government that is going to support Albertans, that is going to focus on supporting people through this pandemic.

I certainly appreciated the Member for Edmonton-North West speaking about the importance to the economy of making sure that the COVID pandemic is contained as quickly and as effectively as possible through measures that the NDP Official Opposition have called for, including faster testing turnarounds, more contact tracing, and other measures that the government is able to take right now. I would suggest that those investments, investing in our health care, investing in education, perhaps by hiring more teachers, making sure that there are EAs for all the children who need those EAs – I understand that a number of the EAs were laid off by tweet, I believe around 20,000 of them, at the start of the pandemic. Not all of them have been rehired.

For those reasons, I have moved this amendment, referral amendment 1. I believe that this should be sent to a committee for further debate and consideration.

Thank you, Mr. Speaker.

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

Hon. members, 29(2)(a) is available. Any members wishing to stand and ask a question or to comment? I recognize the Member for Fort McMurray-Wood Buffalo.

**Mr. Yao:** Yeah. I just want to thank my good friend from Edmonton-Mill Woods for her comments there, but I just want to remind her about some of the things because I'm so concerned about her interpretation of where our credit rating went.

[The Speaker in the chair]

In a nutshell, I just want to remind you that we had, like, a \$1.1 billion surplus when you guys took government in 2015, and we had a triple-A credit rating. In two short years you guys knocked that down to nothing. At that point we then had a \$100 billion debt, and our credit rating got knocked down a couple of times. Just recognize that when you guys built that financial boulder and pushed that down that hill, my good friend from Grande Prairie is trying hard, but it's hard to slow down a big boulder like that that's rolling down a very steep hill. I just ask my members from across the way to remember the situation that they left us and that we are continuing to try to resolve that issue.

Thank you so much, Mr. Speaker.

**The Speaker:** Hon. members, is there anyone else wishing to respond? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. Under 29(2)(a), or is this back to . . .

**The Speaker:** Standing Order 29(2)(a). Are you hoping to be on the main bill?

**Mr. Bilous:** Yes, sir.

**The Speaker:** Okay. My apologies.

Is there anyone else wishing – there are three minutes remaining under 29(2)(a) if anyone would like to do so.

Seeing none, the hon. Member for Edmonton-Beverly-Clareview on REF1.

**Mr. Bilous:** Yes. Thank you very much, Mr. Speaker. I'm happy to talk to the fact that my good friend and colleague referred this to committee. I just want to address a comment made by the previous speaker, the Member for Fort McMurray-Wood Buffalo. He may not be aware that under this current government there have been three credit downgrades thus far and two more that are signalled, that are coming. Five credit downgrades in one year: you've actually made the record. You've broken the record. That is the record, five credit downgrades in one year. No government in the history of Alberta has had five credit downgrades in one year. Definitely not something to celebrate.

Mr. Speaker, I think part of it points to the fact that pre-COVID, in 2019, this UCP government ran a \$12 billion deficit, double what was in their budget documents in the spring of 2019 postelection. If you are, like me, wondering, "Where did the \$12.5 billion go?" a great question. I think most Albertans are saying: "I didn't get anything from it. Where did 12 and a half billion dollars go?" For a political party and a government that claims to be fiscally responsible or fiscally prudent, that 12 and a half billion dollar deficit is higher than every deficit or any deficit under the NDP. We came nowhere near \$12.5 billion. And that's pre-COVID.

I appreciate that the members opposite love to jump up and talk about the pandemic. I'm not criticizing them for the budget under the pandemic, recognizing, of course, that it's been very challenging times and that the government has a role to play to ensure that the economy keeps going and that there are adequate supports in both our health care system and our education system and elsewhere. But it does need to be stated that there were a record number of downgrades within one year.

The other thing that I really appreciate that the Member for Edmonton-Mill Woods brought up is the fact that in 2018 Alberta led the country in economic growth, led the country in GDP growth, over 4 per cent. I encourage members that are making faces at that comment to go and dig it up for yourselves. Don't take my word for it. Believe me, it's in black and white. Alberta led the country in GDP growth. Part of that, quite frankly, Mr. Speaker, was that our government brought forward a number of initiatives that were asked for and recommended by industry, including tax credits, including, I can tell you, the historic investments in upgrading and refining some of our energy here in Alberta. I'll remind the members that the year that we had both Inter Pipeline and Canada Kuwait make their investments, that year alone \$15 billion, I believe, was the total investment that came to the province. So when the government claims that investment left the province, there were some historic investments under our government.

Now, I've said this before, and I appreciate the fact that this current government hasn't thrown all the babies out with the bathwater. I guess there are a few that have gone. [interjections] Well, you know, maybe they were triplets. But, I mean, at least the petrochemical diversification program continued. Of course, you know, it always makes me smile when the current cabinet take

pictures and talk about how great the projects were. Glad to see that you are continuing the legacy under the former Premier, the Member for Edmonton-Strathcona.

Now, when it comes to this bill, what needs to be highlighted is the fact that hundreds of millions of dollars have been gutted from our postsecondary system, and then the government runs around and returns a million here, a couple of million there and then expects a pat on the back and a “well done,” saying: we’re investing. I mean, you’re not investing. Investing means repaying and replacing all of the dollars that you’ve taken out of our postsecondary system to get us back to where we were and then adding new money. That’s investing in innovation, investing in postsecondary. Unfortunately, we are far from that. We’re far from that.

There have been extensive cuts and cuts to institutions that really are economic drivers. I think one of the biggest differences between

that side of the House and this side of the House is that on this side of the House we view education as an economic driver. Our postsecondaries are world-renowned. To the other side, they view them as costs and look at ways to constantly cut their budgets. Well, unfortunately, it takes investments in order to ensure that we are world leading when it comes to research and then additional supports for our postsecondaries to help commercialize that. Entities like Alberta Innovates: under this current government their budgets have been decimated, and these are the very institutions that provide that critical support to help commercialize.

**The Speaker:** Hon. members, pursuant to Standing Order 4(1) the House stands adjourned until this evening at 7:30.

[The Assembly adjourned at 6 p.m.]







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