



Province of Alberta

The 30th Legislature  
Second Session

# Alberta Hansard

Wednesday afternoon, November 4, 2020

Day 63

The Honourable Nathan M. Cooper, Speaker

# Legislative Assembly of Alberta The 30th Legislature

Second Session

Cooper, Hon. Nathan M., Olds-Didsbury-Three Hills (UCP), Speaker  
Pitt, Angela D., Airdrie-East (UCP), Deputy Speaker and Chair of Committees  
Milliken, Nicholas, Calgary-Currie (UCP), Deputy Chair of Committees

Aheer, Hon. Leela Sharon, Chestermere-Strathmore (UCP)  
Allard, Hon. Tracy L., Grande Prairie (UCP)  
Amery, Mickey K., Calgary-Cross (UCP)  
Armstrong-Homeniuk, Jackie,  
Fort Saskatchewan-Vegreville (UCP)  
Barnes, Drew, Cypress-Medicine Hat (UCP)  
Bilous, Deron, Edmonton-Beverly-Clareview (NDP)  
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)  
Dreeschen, Hon. Devin, Innisfail-Sylvan Lake (UCP)  
Eggen, David, Edmonton-North West (NDP),  
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Ellis, Mike, Calgary-West (UCP),  
Government Whip  
Feehan, Richard, Edmonton-Rutherford (NDP)  
Fir, Tanya, Calgary-Peigan (UCP)  
Ganley, Kathleen T., Calgary-Mountain View (NDP)  
Getson, Shane C., Lac Ste. Anne-Parkland (UCP)  
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)  
Gotfried, Richard, Calgary-Fish Creek (UCP)  
Gray, Christina, Edmonton-Mill Woods (NDP),  
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Hanson, David B., Bonnyville-Cold Lake-St. Paul (UCP)  
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Horner, Nate S., Drumheller-Stettler (UCP)  
Hunter, Hon. Grant R., Taber-Warner (UCP)  
Irwin, Janis, Edmonton-Highlands-Norwood (NDP),  
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Jones, Matt, Calgary-South East (UCP)  
Kenney, Hon. Jason, PC, Calgary-Lougheed (UCP),  
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LaGrange, Hon. Adriana, Red Deer-North (UCP)  
Loewen, Todd, Central Peace-Notley (UCP)  
Long, Martin M., West Yellowhead (UCP)  
Lovely, Jacqueline, Camrose (UCP)  
Loyola, Rod, Edmonton-Ellerslie (NDP)  
Luan, Hon. Jason, Calgary-Foothills (UCP)  
Madu, Hon. Kaycee, QC, Edmonton-South West (UCP),  
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McIver, Hon. Ric, Calgary-Hays (UCP),  
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Nally, Hon. Dale, Morinville-St. Albert (UCP),  
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Pon, Hon. Josephine, Calgary-Beddington (UCP)  
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Rowswell, Garth, Vermilion-Lloydminster-Wainwright (UCP)  
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Deputy Government House Leader  
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Schow, Joseph R., Cardston-Siksika (UCP),  
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Schulz, Hon. Rebecca, Calgary-Shaw (UCP)  
Schweitzer, Hon. Doug, QC, Calgary-Elbow (UCP),  
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Shandro, Hon. Tyler, QC, Calgary-Acadia (UCP)  
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Smith, Mark W., Drayton Valley-Devon (UCP)  
Stephan, Jason, Red Deer-South (UCP)  
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Official Opposition House Leader  
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Toor, Devinder, Calgary-Falconridge (UCP)  
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)

## Party standings:

United Conservative: 63

New Democrat: 24

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Nate Glubish	Minister of Service Alberta
Grant Hunter	Associate Minister of Red Tape Reduction
Adriana LaGrange	Minister of Education
Jason Luan	Associate Minister of Mental Health and Addictions
Kaycee Madu	Minister of Justice and Solicitor General
Ric McIver	Minister of Transportation
Dale Nally	Associate Minister of Natural Gas and Electricity
Demetrios Nicolaides	Minister of Advanced Education
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Martin Long	Parliamentary Secretary for Small Business and Tourism
Jeremy Nixon	Parliamentary Secretary to the Minister of Community and Social Services
Muhammad Yaseen	Parliamentary Secretary of Immigration

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### **Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Mr. Orr  
Deputy Chair: Mr. Getson

Eggen  
Glasgo  
Gray  
Jones  
Phillips  
Singh  
Turton

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

Chair: Mr. Neudorf  
Deputy Chair: Ms Goehring

Armstrong-Homeniuk  
Barnes  
Bilous  
Dang  
Horner  
Irwin  
Reid  
Rosin  
Stephan  
Toor

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

Chair: Mr. Schow  
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

Ceci  
Lovely  
Loyola  
Nixon, Jeremy  
Rutherford  
Shepherd  
Sweet  
van Dijken  
Walker

### **Special Standing Committee on Members' Services**

Chair: Mr. Cooper  
Deputy Chair: Mr. Ellis

Dang  
Deol  
Goehring  
Goodridge  
Long  
Neudorf  
Sabir  
Walker  
Williams

### **Standing Committee on Private Bills and Private Members' Public Bills**

Chair: Mr. Ellis  
Deputy Chair: Mr. Schow

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

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

Chair: Mr. Smith  
Deputy Chair: Mr. Reid

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

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

Chair: Ms Phillips  
Deputy Chair: Mr. Gotfried

Barnes  
Dach  
Guthrie  
Reid  
Renaud  
Rosin  
Rowswell  
Schmidt  
Stephan  
Toor

### **Standing Committee on Resource Stewardship**

Chair: Mr. Hanson  
Deputy Chair: Member Ceci

Dach  
Feehan  
Fir  
Ganley  
Getson  
Loewen  
Rehn  
Singh  
Smith  
Yaseen

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 4, 2020

[The Speaker in the chair]

### Prayers

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

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, we have two guests joining us this afternoon in the gallery. They're guests of the Minister of Labour and Immigration. Please welcome Dr. Dianne Yee and Graysi Brennand-Yee. Welcome. Thank you for joining us.

### Members' Statements

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

### Remembrance Day

**Mr. Hanson:** Thank you, Mr. Speaker. "When the lights go on again all over the world and the boys are home again all over the world and rain or snow is all that may fall from the skies above": those are the words from *When the Lights Go On*, a song written by Bennie Benjamin, Sol Marcus, and Eddie Seiler during the Second World War. During the Blitz, which lasted from September 1940 to May 1941, mandatory blackouts were ordered across Britain, and they would continue until the end of the war. Through this song echo the hopes for the end of a war and an end to tyranny and oppression and a dream of peace. In such horrific times as war it did not matter if you were fighting with the troops or at home with your family; everyone felt the terror and bravely continued on, fighting selflessly for our freedom.

November is a time for us to reflect on the tragedies of conflict around the globe. It is an opportunity for us to remember those lives lost and those forever changed by previous wars. It is also a time for us to recognize the sacrifices of our military personnel and their families. It is at times like this that I often think of my friend Jim Calder, who for dozens of missions selflessly served as a tail gunner on a Lancaster bomber and was fortunate to survive and come back home. During this time of remembrance we often do not have to look too far for those we have lost. It was just last weekend that we lost Corporal James Choi during a live-fire exercise in Wainwright. My sincerest condolences to his family.

In my constituency we are proudly home to the Canadian Forces base Cold Lake, 4 Wing. I have been privileged to tour this base on a number of occasions and to meet the brave men and women that fly and maintain the CF-18 Hornets that are based there. We should all take immense pride and comfort in the fact that these dedicated Canadians provide 24/7 protection of our northwestern airspace and are literally ready to fly at the first indication of trouble.

Over the next week please take time to buy a poppy and attend a remembrance ceremony in your community and support your local

Legion. "When the lights go on again all over the world and the boys are home again all over the world." Lest we forget.

**The Speaker:** Hon. members, the hon. Member for Edmonton-Castle Downs has a statement to make.

### Arts Programming and Funding

**Ms Goehring:** Thank you, Mr. Speaker. We have so much talent in Alberta within the arts community, and it should be shared and celebrated across this province and supported by this government. In Alberta the arts contribute \$5.3 billion to our provincial economy and employ 60,000 workers directly. The arts are fundamental to diversifying the economy and must be part of the economic recovery in response to COVID-19.

When I called for an artist to be on the economic recovery panel in the spring, it was mocked by the Premier's office. This is just one of the many ways the UCP has attacked the arts. Since forming government, the UCP has reduced the resources and opportunities for artists in this province by cutting funding and limiting access to community initiative program grants, which so many artists and organizations rely on.

COVID-19 has hit the arts industry hard. Shows, festivals, and tours have all had to be cancelled. However, even though it has been tough for artists during the pandemic, Albertans have been turning to the arts to make it through these anxious times. We need a strong message from this government for support of the arts that goes beyond words. As Alberta poet Rayanne Haines stated: there's a lack of understanding over what the arts do for the province; when you have a government that is devaluing your industry, it sets a precedent to the greater public.

In closing, I will quote from Alberta arts advocate Denise Roy: why does the government seem to be ignoring what the sector contributes? With talk about diversification, creating jobs, and recovery, the arts and cultural sector is in a very unique and powerful position to assist in that.

Members across the way, please listen to the arts community and include them in your economic recovery plan.

Thank you.

### Remembrance Day

**Mrs. Pitt:** Every year at the 11th hour of the 11th day of the 11th month we reflect on the memories, triumphs, and sacrifices of those who gave their lives in order for us to have our own. Mr. Speaker, today I would like to honour and recognize a member of the Airdrie community, veteran Bill Ward. He celebrated his 100th birthday in May 2020. He served in World War II with the Royal Canadian Electrical and Mechanical Engineers and worked on the tanks fighting on the European front. During the war he was stationed in Italy, France, and Belgium as a private and later, after the war concluded, was relocated to Holland. Recently the members of the veterans' brotherhood of Canada presented him with a handmade quilt of valor.

Hearing about members of the community supporting one another and honouring veterans with these special gifts is truly a wonderful thing. I am so grateful and honoured to have the opportunity to pay our respects to those who fought for our freedoms. Thank you, Mr. Ward and to all of those who have served and continue to serve our great country and province.

Mr. Speaker, our democracy would not exist today without the bravery and sacrifices made by men and women across Canada and the world. I'm sincerely thankful that my children get to grow up in a nation that is free, democratic, and beautiful.

As I look around this room, I see many members in this House supporting our veterans by wearing a poppy, an everlasting symbol of remembrance. The Royal Canadian Legion works very hard to ensure that poppies are available across the nation. The proceeds collected from poppy sales directly support veterans and the families in your area, meaning that if you buy a poppy in Airdrie, the money stays in Airdrie. Many of the veterans are elderly, like Mr. Ward, and take comfort from the hard work of the Legion and their volunteers.

On November 11 we pause to recognize and honour those who have served and continue to serve during times of conflict and peace.

Thank you.

### Statement by the Speaker

#### Remembrance Day Ceremony in the Rotunda

**The Speaker:** Hon members, if the House will indulge me for one brief moment, I would just like to extend a very heartfelt thank you to all members who participated in the service of remembrance this morning, to the hon. Member for Edmonton-Castle Downs, the Minister of Transportation, the hon. Member for Edmonton-North West, the Premier. I hope that all members will join me in thanking the number of staff that are also required, whether it was the LASS, members of the Legion, and others that helped us commemorate what I thought was a really, really special ceremony this morning. I hope you'll join me in thanking them all for their efforts.

#### Genocides Included in Bill 205

**Member Irwin:** In her introduction to the report to the National Inquiry into Missing and Murdered Indigenous Women and Girls, Chief Commissioner Marion Buller wrote the following:

We use hard words to address hard truths like genocide, colonization, murder and rape. To deny these hard words is to deny the truths of the families and survivors, front-line workers, and grassroots organizers.

We've called on this UCP government to join us in supporting the direct honesty of this language, but disgracefully they've refused again and again, and each time we've asked the Minister of Indigenous Relations to use the word "genocide," he's failed. He's denied the hard truths of the families and the survivors, the same women he talks about in his stories. As shameful as this is, we'll soon face a more serious moral test.

The Member for Calgary-East is bringing forward a private member's bill to condemn genocides. Let's be clear. We absolutely join this member in condemning both current and historical genocides. However, his bill excludes any references to indigenous peoples. The mass kidnapping, abuse, and murder of indigenous children in residential schools was a genocide. The murder and disappearance of indigenous women and girls in Canada is a genocide.

1:40

This is why we put forward a recommendation to name these genocides, and let me put on the record the members who voted that down: Brooks-Medicine Hat, Drumheller-Stettler, Lethbridge-East, Calgary-Klein, Cardston-Siksika, and Highwood. I truly hope these members reconsider their actions before the bill reaches this House, and I hope that these members and their UCP colleagues can break the alarming pattern of racism that we've seen from this government, from the Premier's racist speech writer to the Premier's racist curriculum writer to the Premier's shameful refusal to debate our motion on antiracism. The families of the missing and

murdered indigenous women and girls are watching. Survivors are watching. The world is watching.

Thank you.

**The Speaker:** The hon. Member for Calgary-Currie has a statement.

### Government Achievements

**Mr. Milliken:** Thank you, Mr. Speaker. People can get excited in this House, tempers can flare, the opposition can make up negative stories even when there are none, so I thought: why don't we take a trip down memory lane and list off some of the great things this Legislature has done?

We can start with Clare's law. We helped protect vulnerable Albertans from domestic violence. Also, did you know that before 2019 Alberta had no legislation supporting and protecting survivors of human trafficking? We did that. Also, the Alberta Indigenous Opportunities Corporation: we are the first government to make sure indigenous communities are included and are partners in economic development. We increased access to legal aid for vulnerable Albertans. Before our government, convicted sex offenders could legally change their names and basically disappear. We stopped that. We stabilized royalties for the energy sector, we have the TIER program taking real steps for climate action, we're cleaning up orphan wells, and we even made it harder for kids to vape. This is just a snippet of the good-news stories that never seem to make the news or social media.

Then this January, just when the economy was showing the first signs of life in five years, we get what? An oil price war, a global recession, and, of course, COVID-19. But we had a plan from day one. Our Premier did a speech in this House laying out the strategy to manage COVID and the economy. And guess what? Everyone gave him a standing ovation. Even Notley stood up and clapped.

We followed through, too: \$73 million for homeless shelters, 1,300 new shelter spaces, \$53 million for addiction services, 4,000 recovery beds, \$170 million for seniors' homes. We made it so renters couldn't get kicked out. We deferred your electricity bills if you couldn't afford them. All told, we're at about \$15 billion in pandemic response spending, which is amazing. And, oh, Mr. Speaker, your groceries got cheaper because we got rid of the NDP's failed job-killing carbon tax. You're welcome.

### Speaker's Ruling

#### Referring to a Member by Name

**The Speaker:** The hon. Member for Calgary-Currie will be very familiar with the standing orders that prevent the use of a name. I understand that a member's statement would typically go uninterrupted, in which case I thought the opposition did a pretty good job of maintaining that level of decorum. You can withdraw and apologize for the use of a name.

**Mr. Milliken:** I think it's fair to say that even I am not immune to a slip-up here and there. I do withdraw and apologize for those comments.

**The Speaker:** I consider this matter dealt with and concluded.

### Campus Saint-Jean

**Mr. Schmidt:** The Bonnie Doon neighbourhood in my riding of Edmonton-Gold Bar has been home to Campus Saint-Jean for more than 100 years, first as a school run by the Oblate order and since 1976 as a faculty of the University of Alberta. Campus Saint-Jean

is the only French language postsecondary education institution in Canada west of Manitoba. It has trained generations of Albertans, including a Senator, an MP, a Chief Justice of the Court of Queen's Bench, and a member of this Assembly. Just as importantly, it has been the anchor of the francophone community in Alberta, which is one of the fastest growing communities in the country, and it has made Bonnie Doon one of the most attractive neighbourhoods in all of Edmonton to live in.

But Campus Saint-Jean is under attack by this UCP government. The massive cuts that this government has inflicted on postsecondary education have resulted in a million-dollar shortfall to Campus Saint-Jean this year, meaning dozens of courses have been cut. Moreover, these cuts to the University of Alberta have left the future of Campus Saint-Jean in doubt. The extensive restructuring that the U of A is undergoing right now because of the hole that this government has blown in its budget has led many to question whether Campus Saint-Jean will even exist in the future.

The good news is that people from my riding and all across Alberta are organizing to save Campus Saint-Jean. Spearheaded by the ACFA, the official organization of Alberta's francophones, the Save Saint-Jean campaign is using every tool and resource at its disposal to ensure that Campus Saint-Jean's future in the Bonnie Doon neighbourhood is bright. We need your help. Go to [sauvonsaintjean.ca](http://sauvonsaintjean.ca) to learn more about how you can help. Together we can defeat this UCP government's plans to close Campus Saint-Jean and protect this important institution for generations to come.

#### Self-isolation and Social Connection

**Mr. Neudorf:** Mr. Speaker, a few weeks ago I came into close contact with an individual who was COVID-positive. As per recommendations set out by the chief medical officer, I immediately isolated and joined the thousands of Albertans who have been tested for COVID-19. Even though I tested negative, I still continued my self-isolation as per health requirements. I joined the many thousands of Albertans who have faced this very outcome and who, sick or healthy, have had to isolate, and let me tell you: it is difficult.

This recent experience highlighted for me the critical need for a broader awareness and care for those who live with mental health issues and the impact of isolation. Humans are social creatures. Introverted or extraverted, male or female, young or old, we all need relationships, possibly to greater or lesser degrees, though I am sure there are those who would tell me when they've had enough of me.

Relationships are more than words and conversations, and being isolated highlighted for me the harmful effects of being disconnected. We all know that 90 per cent of communication is nonverbal. It is about touch, nearness of physical presence, a cup of tea with a friend, a smile. We need these relationships more than sustenance. We need them to combat loneliness, depression, and anxiety.

I would like to acknowledge and commend anyone who has cared for another individual during a period like this. These individuals aid their communities 365 days a year, seven days a week, 24 hours a day. The slogan that we will get through this together is more important now than ever. Hopefully, we can pause, take a moment to reach out to someone stuck at home: a senior, a child, a friend, an acquaintance. Reach out and say a simple: "Hi. How are you?" A small thing can mean a great deal, so write a note, make a call, send a text, share a picture. Regular compassion and ongoing care are the true essence of love and friendship and have always been the best medicine there is.

Thank you again to all the parents, caregivers, health care workers, pharmacists, psychologists, and social workers who do this every day. If we all do just a little, we can accomplish a lot.

**The Speaker:** The hon. Member for Edmonton-Riverview has a statement.

#### Support for Seniors

**Ms Sigurdson:** Thank you, Mr. Speaker. The UCP has created chaos in Alberta in their relatively short time in government. They have attacked public services with a vengeance while giving \$4.7 billion to profitable corporations. They say that they had no choice and had to do this because public programs were not sustainable. I'll give them that logic: if you give \$4.7 billion to profitable corporations in one of the lowest taxed jurisdictions in North America, then, for sure, you have less money for public programs. Ah, but that is a choice.

The UCP is deciding that this corporate giveaway is a priority over regular Albertans. They're choosing to support corporations. One of the fatalities of their attack on public programs is the Seniors Advocate office. Created in 2016 as a stand-alone office, the advocate served seniors addressing issues with public programs, providing education regarding resources and rights of seniors, and reviewing and advocating for improvements in systemic issues. Thousands of seniors were supported annually. This service has now ended, leaving seniors to navigate the complex web of government programs alone.

As the Minister of Seniors and Housing I appreciated the expertise and the guidance of the Seniors Advocate. I remember Dr. Sheree Kwong See explaining to me and other public servants the importance of respectful language. So when I see our current Premier cavalierly suggesting that seniors 83 years old dying of COVID-19 means they have outlived their life expectancy here in Alberta, I'm stunned. The Premier is dismissing any concerns that Albertans are dying beyond the age of 82.

Additionally, given the 60,000 Albertans that have lost their drug coverage and that this UCP government wants to increase fees in continuing care by thousands of dollars, seniors need an advocate. Seniors clearly do not have a voice at the cabinet table. More than ever before we need the office of the Seniors Advocate as the UCP has profound ignorance regarding respecting and serving the very Albertans who built this province.

#### Oral Question Period

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

#### COVID-19 Testing and Terminology

**Ms Notley:** Alberta is dealing with more than 6,000 active cases, more than 2,000 new cases in the last four days alone. Right now every hospital in Edmonton and two in Calgary are dealing with outbreaks. AHS has just enacted emergency response provisions redeploying essential staff. We need to get ahead of the virus, but right now we are chasing it. The Premier promised 20,000 tests per day. In September we were at 15,000. On Sunday we didn't crack 9,000. Why are we pulling back on testing at a time when we need to be testing more, not less?

1:50

**Mr. Kenney:** Well, Mr. Speaker, Alberta has led Canada and much of the world in terms of per capita testing since the beginning of the pandemic in March. We have on multiple occasions reached our stretch target of close to, and on a couple of occasions over, 20,000 tests. What we found was that they were not being turned around with sufficient speed. The chief medical officer indicated that it was more important for her that we get faster turnaround times than that

we test asymptomatic individuals, so we constrained the number of asymptomatic people eligible for testing so that we could now hit our service standard of 24 to 36 hours of turnaround time.

**Ms Notley:** The other way to get a better turnaround time is to put more resources toward it.

Now, this Premier is telling Albertans to up their game, but he refuses to tell them the score. Experts are saying that we could be at thousands of cases per day by Christmas, but the Premier is hiding the updated modelling. The Edmonton Chamber of Commerce is asking for a risk index so that their members can plan, and yesterday Albertans were unable to get answers with respect to how close we are to hospital admission and ICU triggers right here in Edmonton. To the Premier: how can Albertans take personal responsibility if you won't trust them with the facts?

**Mr. Kenney:** Mr. Speaker, contrary to what the NDP leader implied, the challenge with respect to testing is not a lack of resources. I've made it clear from the very beginning that there was no budget limit on testing. For that matter, there's really been no budget limit to our public health response, with an addition of three-quarters of a billion dollars of health-related spending for COVID alone, and that has included a massive surge in our testing capacity. There are limits in terms of the availability of supplies. Fortunately, DynaLife, which has been waiting for months for additional equipment, seems to have obtained some of that equipment, and they will be able to add several thousand tests.

**Ms Notley:** Fifteen thousand tests last month; 9,000 tests Sunday.

Now, in June this Premier called COVID-19 "an influenza that does not generally threaten life apart from the ... elderly." Since then the CMO has been pleading with Albertans, saying that COVID is not an influenza and that they must take it seriously. She did it again yesterday. She said that more people die, the outbreaks are worse, and there is no vaccine. To the Premier: will he stand up today, withdraw his comments from June, and apologize for the confusion caused by him downplaying the seriousness of COVID-19?

**Mr. Kenney:** We did no such thing, Mr. Speaker. We have led Canada and much of the developed world in our public health response to COVID. Unfortunately, what we hear from the NDP is an effort to create fear and panic. The reality is that this is a very serious disease. As Dr. Hinshaw says, we should not fear it, but we should respect it, and we should understand that it poses a unique, grave threat to the lives of the very elderly, with 97 per cent of COVID fatalities in Alberta being people with one or more comorbidities. We must do everything we can to protect those people.

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

**Ms Notley:** She also says that it's not a flu, and he refuses to withdraw his comment that it's a flu.

### Toll Roads and Bridges

**Ms Notley:** Now, in the last election, when we pointed out that the Premier was a big fan of tolling roads, the members opposite screamed. They said that it would only ever be industrial roads, no existing infrastructure. They called us fearmongers. It turned out, Mr. Speaker, that I was telling the truth, unlike this government, which yesterday introduced legislation to toll the roads. They call it the FAST bill, and, boy, did they ever pull a fast one on Albertans. To the Premier: why didn't your party tell the truth about your toll roads in the last election?

**Mr. Kenney:** Mr. Speaker, as is usually the case, the leader of the NDP is completely false in the premise of the question. We did commit that we would not impose tolls on existing infrastructure. We are not imposing tolls on existing infrastructure. We will not impose tolls now or at any point in the future on existing infrastructure. But people in far northern Alberta, near La Crête, have been pleading for a bridge over the Peace River, that could cost upwards of a quarter of a billion dollars for only 400 vehicles a day. There is no way that that will ever qualify on the provincial infrastructure list. They're willing to pay a toll to help get it done, and we're willing to work with them.

**Ms Notley:** First, it's just a bridge, then it's a couple of roads, and before you know it, you're paying five bucks a day on the Deerfoot. In fact, when asked, the Transportation minister tried to console Calgarians by promising that at least some lanes will stay toll-free on the Deerfoot. Mr. Speaker, Calgary is hurting, and this Premier's answer is to toll their roads. Does he think that Calgarians who are unemployed, who are searching for work should be paying road tolls on their way to job interviews? Seriously?

**Mr. Kenney:** What I think, Mr. Speaker, is that the leader of the NDP should just stop making things up. There will be no tolling of any existing infrastructure. What the leader of the NDP is saying to the people of Paddle Prairie, the people of La Crête, the people of the far northwest, is that they should never get a bridge because it will never work within provincial infrastructure funding. This government is investing more than any government in Alberta history, \$10 billion in infrastructure investments, in capital building, in new road projects, in maintenance and repair, creating 50,000 jobs. We are building this province like never before.

**Ms Notley:** Well, Mr. Speaker, the Premier's minister is on record, and he can't run from it.

This is the most un-Albertan thing I've ever heard of. Albertans are paying higher property taxes, higher income taxes, higher school fees, higher tuition, and 24 per cent more in car insurance this year alone. This Premier is charging people to ski in the provincial parks, and now he wants to charge them on the drive home, too. Premier, you gave \$4.7 billion to big corporations, and are you now seriously telling Albertans that they have to pay for their own roads? Is there no end to the list of things for which you will pick the pockets of Albertans?

**Mr. Kenney:** Mr. Speaker, you know, as I've said before, repeating a lie doesn't make it any truer. When the member opposite talks about \$4.7 billion – [interjections] why will she not listen to nonpartisan, credible, academic economists like Trevor Tombe, at whom they are laughing right now, who says that it didn't cost \$4.7 billion? A good pre-COVID estimate is \$500 million to a billion dollars, and we now believe, in this period, according to Treasury Board and Finance, that it's substantially less than that in terms of forgone revenue. What's the NDP approach in the largest contraction since the Depression? To raise taxes on job creators by 50 per cent while also hiking income taxes. [interjections]

**The Speaker:** Order. Order.

The hon. Member for Edmonton-Ellerslie is the only one with the call.

**Member Loyola:** Thank you, Mr. Speaker. The road tolls being imposed by this Premier will hurt Albertans from north to south in our province. With the UCP's proposed legislation there isn't a new or expanded road or bridge that's off limits. This isn't just about a bridge in La Crête. This includes the Deerfoot in Calgary, the Yellowhead in Edmonton, and the highway 3 bridge in Lethbridge.



To the minister: yes or no; does this government plan to put a toll on any one of these projects, and if so, which ones? Be specific because Alberta families are worried about it.

**Mr. Kenney:** Mr. Speaker, no.

**The Speaker:** The hon. Member for Edmonton-Ellerslie. Hon. Member for Edmonton-Ellerslie, your clock has started.

**Member Loyola:** The Deerfoot Trail in Calgary is one of the busiest roads in western Canada, with up to 170,000 vehicles on it per day. The Yellowhead in Edmonton has 80,000 commuters every day, and the highway 3 bridge in Lethbridge sees 34,000. All of these projects are due for expansion, so they could be subject to this terrible toll legislation. Now, the Minister of Transportation has already said that a toll could be placed on the QE II. Premier: why is your government imposing tolls on hundreds of thousands of Albertans who are just trying to get to work and get their kids to sports practice?

**Mr. Kenney:** Mr. Speaker, we're not.

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

**Member Loyola:** Answer your questions, Premier. Come on. [interjections]

**The Speaker:** Order. Order.

**Member Loyola:** I'll try a third time here. Premier, we're already in one of the worst economic crises in our province's history, the double-digit unemployment. One in 5 Albertan mortgages is in deferral. Bankruptcies are on the rise. Small businesses have closed due to COVID-19, and some will never reopen because this government refuses to help them. Families are hurting. Business owners are at the breaking point. Premier, for crying out loud, is now really the time to pull a fast one on Albertans with road tolls?

**Mr. Kenney:** Mr. Speaker, for crying out loud, it's the NDP that's been asking us to shut down businesses. It's the NDP that during this economic crisis wants to raise taxes on job creators by 50 per cent. They want us to take the business tax rate from 8 to 12 per cent overnight to be higher than Ontario, Quebec, and British Columbia. It's the NDP that want to further raise income taxes. It's the NDP that was fired because of its economically disastrous policies, the last thing that we need during this crisis. [interjections]

**The Speaker:** Order.

## 2:00 Automobile Insurance Minor Injury Compensation

**Mr. Carson:** Mr. Speaker, the Premier gave insider lobbyists and friends the pen to write Bill 41. Drivers, on the other hand, are stuck with higher premiums, worse coverage, and fewer rights. The UCP is expanding what a minor injury is, which limits the amount injured Albertans can be compensated. Concussions can now be considered minor, and it's absolutely shameful. Can the Premier say who was consulted on behalf of Albertans who've been injured in a collision? Does anyone other than lobbyists believe compensation for life-altering injuries should be reduced?

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

**Mr. Toews:** Well, thank you, Mr. Speaker. We are bringing a series of measures in that will deal with the fundamental issues that are pushing up automobile insurance premiums in the province. Our

expansion of the definition of the minor injury regulation only applies to injuries that do not cause serious impairment. We are simply providing clarity that will bring down the cost of automobile insurance premiums.

**Mr. Carson:** Clearly, the minister consulted no one.

What the UCP now wants to consider a minor injury can have life-altering effects. Concussions can lead to insomnia, memory problems, trouble concentrating, and depression. Premier, for one second forget about pleasing your donors, and think about Albertans who have been injured in a collision. For a concussion, even if you consider it a minor one, do you think \$5,000 in compensation is enough to make up for all the pain and suffering a life-altering injury can have?

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

**Mr. Toews:** Well, thank you, Mr. Speaker. You know, the members opposite do not disappoint. They continue to complain, but when we bring in credible solutions, they object to them. The reality is that our expansion of the minor injury definition is: injuries that do not cause serious impairment.

**Mr. Carson:** There is nothing credible about that answer, Mr. Speaker.

Members on this side of the House put our names forward on the ballot to represent Albertans. That is why we will continue to fight skyrocketing premiums that help an already profitable industry and defend Albertans who are not fairly compensated when injured. Albertans are paying more for less, and it is completely wrong. To the Premier: considering the long-term effects that could arise from concussions and the impact it may have on the future earnings of injured Albertans, when you put your name forward in the last election, did you ever think that you would be taking tens or even hundreds of thousands of dollars out of the pockets of injured...

**The Speaker:** The hon. the Minister of Finance.

**Mr. Toews:** Thank you, Mr. Speaker. If the members opposite are concerned about rising automobile insurance premiums, I call on the members opposite to support Bill 41. Now, the definition that we're using for the minor injury regulation is the definition that's used in a number of provinces. This definition has served those motorists well. This definition will result in reduced automobile insurance premiums.

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

## Toll Roads and Bridges (continued)

**Mr. Yaseen:** Thank you, Mr. Speaker. Yesterday the Minister of Transportation introduced Bill 43, the Financing Alberta's Strategic Transportation Act. This legislation lets government designate highways as toll highways, meaning they will be able to collect user fees for new roads and bridges. To the Minister of Transportation: can you please explain why the government is now contemplating collecting user fees on Alberta's roads and bridges? Will every Albertan now have to pay a toll to use the roads their taxes have already paid for?

**The Speaker:** The hon. the Minister of Transportation.

**Mr. McIver:** Well, thanks, Mr. Speaker. I thank the hon. member for the question. As you've heard, you know, Alberta faces a fiscal

reckoning. We need to find new and creative ways to build infrastructure projects that won't otherwise get built. The Financing Alberta's Strategic Transportation Act will enable Alberta's government to pay for new and expanded roads and bridges, in some cases, by collecting user fees. This is in addition to, of course, the taxpayer-funded infrastructure, which will continue to go on. No existing roads or lanes will be tolled. We've been clear about that, and we remain clear about that.

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

**Mr. Yaseen:** Thank you, Mr. Speaker. Given that Albertans are expressing their concerns about what highways will now be tolled and further given that the Minister of Transportation told me yesterday that a bridge on highway 697 to replace the La Crête ferry at Tompkins Landing had been proposed, to the same minister: why is the government introducing legislation to toll a bridge in La Crête, and what other projects are being considered?

**The Speaker:** The Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. Well, we're considering this project because the people that live in the area asked us to. I went up there with my staff and told them that the old, aging ferry across the river was going to get replaced in a couple of years. They told me in no uncertain terms that they do not want a new ferry; they want a bridge. We explained to them that we're not going to build them the bridge. They said: then let us pay for it. Well, the only way we could do it is by providing the legislation to make that possible. We've listened to Albertans. We're giving the people in that part of Alberta what they want. That's why we're at where we are today.

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

**Mr. Yaseen:** Thank you, Mr. Speaker. Given that I have read a number of comments from members of the opposition, including the Leader of the Opposition, on social media saying that the Premier and the United Conservative Party have broken campaign promises by introducing Bill 43 and further given that the Leader of the Opposition said, "During the 2019 campaign, Jason Kenney promised he wouldn't introduce toll roads in Alberta," to the same minister: did the Premier rule out the user fee in 2019?

**The Speaker:** I would provide some caution to the hon. Member for Calgary-North. Even if he's using a quote, the use of names of members of the Assembly would be inappropriate.

The hon. Minister of Transportation.

**Mr. McIver:** Well, thanks, Mr. Speaker. Let me help the opposition with their research because they need that help. The Leader of the Opposition is unequivocally wrong. Alanna Smith, in the *Calgary Herald* on April 7, 2019, quoted our Premier, and he said, "We're going to have to find [some] more creative ways of paying for modern infrastructure in the future . . . including, as I've said, where it makes sense, user-pay." The Premier and the UCP campaign were very clear that no user fees would be applied to existing roads. Promise made; promise kept. The FAST Act makes sense to the people of La Crête. It's consistent with what we said during the campaign. The NDP may not like the truth, but that doesn't make . . .

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

### Support for Seniors

**Ms Sigurdson:** COVID-19 has been hardest on Alberta seniors. It is the most dangerous and isolating for people in continuing care. The UCP did not adequately respond to the first wave, and the UCP

is sleepwalking into the second wave. To the Minister of Seniors and Housing. Please be specific. Watered-down and repeated talking points do not address the concerns and fears that seniors have. What will you do to keep seniors safe? What changes will you make from lessons learned from the first wave?

**The Speaker:** The hon. the Minister of Health is on his feet.

**Mr. Shandro:** Thank you, Mr. Speaker. None of that is true. We invested 170 million more dollars in our continuing care facilities. We're also starting a review of our COVID response so we can help build up on how we responded in the first wave of the pandemic so we can continue to update the pandemic plan that the province of Alberta uses whenever we respond to a pandemic. We're going to continue to make those investments in continuing care, to those residences, and to our seniors so we can make sure that they are our primary concern as a government taking care of the most vulnerable in this province.

**Ms Sigurdson:** Given that not only the health impacts of COVID-19 are hurting seniors but so are the economic ones, given the UCP has cut drug coverage for 60,000 Albertans, deindexed benefits, allowed insurance to skyrocket, and now want to toll roads and seize pensions and given that the UCP wants to add costs to seniors with new fees for continuing care, home care, and medication, to the minister. Seniors are under incredible stress right now. Why are you charging them more just so they can remain in continuing care?

**Mr. Shandro:** We're not, Mr. Speaker. That's why we also started, in 2019, a review of the continuing care system. It's going to include a review of all the facility-based care that we provide our seniors and our vulnerable Albertans. We're going to continue to do that work so that we can come back to the Legislature with a continuing care act in 2021 and as well so that we can learn about how we can change the continuum of continuing care to make sure that people can, for example, age in place and make sure that they can also get care with their loved ones, for a husband and wife, for example.

**Ms Sigurdson:** Given that one of the first things that this government did was remove the role of the Seniors Advocate and given that, to make matters worse, this work is done off the side of the desk of a UCP stooge currently and given all that seniors are going through during COVID-19, seniors need an advocate at the cabinet table fighting for them. Shouldn't that be you, Minister? Why are you leaving them behind just to pay for your \$4.7 billion corporate handout?

2:10

**Mr. Shandro:** None of that is true, Mr. Speaker. The NDP are continuing to embarrass themselves. The Seniors Advocate still exists; it's just in the Health ministry now. Let me point out all of the nonpartisan appointments that we've had as a government, including a former leader of a political party who ran against us in the last election serving Albertans on the AHS board, including appointing former NDP MLAs, former NDP cabinet ministers to our agencies, boards, and commissions. We have a commitment that, regardless of your political stripe, all Albertans who want to serve the communities can do so.

### Speaker's Ruling Reflections on Nonmembers

**The Speaker:** Hon. members, I provided some caution last week with respect to calling people names that aren't inside the House and have any ability to defend themselves. I might just provide the

same caution with the use of the words that we use about people who aren't in the Assembly to be able to defend themselves.

The hon. Member for Edmonton-Rutherford has the next question.

### **Acknowledgement of Genocide against Indigenous People**

**Mr. Feehan:** Thank you, Mr. Speaker. The mass kidnapping, abuse, and murder of children on the basis of their ethnicity is genocide. The indifference of government to widespread disappearance and murder of women based on their ethnicity is genocide. This isn't simply my opinion. It's the conclusion of our Truth and Reconciliation Commission and the commission on missing and murdered indigenous women and girls. Has the Minister of Indigenous Relations found the courage to call these horrific events what they are, genocide?

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

**Mr. Wilson:** Well, thank you, Mr. Speaker, and thank you, Member, for the question. He knows this is an important issue to me. Our government is strongly against any act of hate towards any group of people. We recognize that there were heinous atrocities that have happened in the past, and we stand with those victims. Instead of focusing on symbolic gestures and abstract definitions, we are taking real, practical steps to make this province a safer and better place for indigenous people. I've travelled north, south, east, west across this province, and what I'm hearing from the people out there is that they're concerned for their families and jobs, and that's what we're laser-focused on.

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

**Mr. Feehan:** Thank you, Mr. Speaker. Given that the Premier's racist speech writer Paul Bunner made a career out of sneering at residential school survivors and calling them liars and given that the Premier also hired his racist friend Chris Champion to rewrite Alberta's curriculum and erase any mention of residential schools and given that it doesn't cost a penny to say the word "genocide" – and I can't think who would be offended by the government facing up to this – to the minister again: what possible purpose does it serve for you to continue to flinch from speaking the truth?

**Mr. Jason Nixon:** Point of order.

**The Speaker:** Point of order is noted at 2:12.  
The hon. Minister of Indigenous Relations.

**Mr. Wilson:** Well, thank you, Mr. Speaker. As I said, we are committed to moving towards a true reconciliation and partnership with indigenous peoples, and our government's approach to reconciliation – we actually call it reconciliation. Many of the chiefs call it that, if you will. I'm proud of the continued process that has been made in setting up what we call the Indigenous Opportunities Corporation, and we have a great track record already. Our first project out the door is a power plant run by clean Alberta natural gas, creating over 600 new jobs and involving over six First Nations.

### **Speaker's Ruling Reflections on Nonmembers**

**The Speaker:** Hon. members, I might just remind the Member for Edmonton-Rutherford, as I did last week, that, of course, the Speaker takes no position on any individual outside of the Assembly. But what I will say is that members of the public or otherwise who have no

recourse or ability to defend themselves inside the Assembly: it may become problematic if we are using language that they cannot defend in any other location.

The hon. Member for Edmonton-Rutherford.

### **Acknowledgement of Genocide against Indigenous People (continued)**

**Mr. Feehan:** Thank you, Mr. Speaker. Given that the Member for Calgary-East will soon ask this Legislature to formally deny that a genocide against indigenous people has occurred in Alberta using his private member's bill and given that the UCP members of the private members' committee voted down our recommendation to name these atrocities against indigenous people as genocide, will the minister finally display even an ounce of moral courage and reject his UCP colleagues' attempt to erase the history of genocide in Alberta?

**Mr. Wilson:** Mr. Speaker, I'd like to just say that indigenous culture is alive and well in this province. Just a few weeks ago we were down in Kainai country. We were turning sod for the Red Crow College. It's going to promote indigenous history and promote their language. It's very important for the culture to promote their language, and the chief down there is one of the strong advocates for it. We're working very close with indigenous people to make sure that their culture stays alive and well, and that's what I'm committed to, to improving the lives of indigenous people.

**The Speaker:** The hon. Member for Calgary-Currie has a question.

### **Science and Technology Education**

**Mr. Milliken:** Thank you, Mr. Speaker. As part of Alberta's recovery plan our government has been making historic announcements, including a new partnership with Shad Canada, which will create more opportunities for students to learn about STEM fields and entrepreneurship. Given that in my own riding of Calgary-Currie one group of community members has even gone so far as to apply to start a STEM charter school, to the Minister of Education: can you inform this House on the benefits that STEM-focused schools and programs have to Alberta's education system?

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

**Ms Schulz:** Thank you, Mr. Speaker and to the member for this very important question. We are committed to providing all students with opportunities to develop their skills to succeed in today's society. Alberta also has a long and proud history of choice in education, and the interest from parents to create a STEM charter school shows our education system can respond to the community's needs for specialized knowledge. We are confident STEM programs in schools will help prepare students for science-related careers.

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

**Mr. Milliken:** Thank you, Mr. Speaker. Given that the recently passed Choice in Education Act will now allow vocation-based charter schools and given that we are already seeing increased demand for these schools to serve women, youth, and indigenous students and given that by promoting STEM in grade school, our education system can prepare students for STEM-focused postsecondary programs, to the same minister: how is Alberta

Education developing STEM learning in schools to prepare students for postsecondary programs in these essential fields?

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

**Ms Schulz:** Thank you, Mr. Speaker. Alberta's government is in the process of renewing the kindergarten to grade 12 curriculum. The updated curriculum will enable students to learn about STEM throughout their K to 12 studies. We've also partnered with Shad Canada to create more opportunities for students to learn about the STEM fields. Moving forward, our students will develop a strong foundation of essential knowledge and skills to pursue STEM careers and to make meaningful contributions to their communities.

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

**Mr. Milliken:** Thank you, Mr. Speaker. Given that SAIT has a new School for Advanced Digital Technology and the U of C has the Hunter hub for entrepreneurial thinking, which I believe I'm meeting with next week – both of these are promoting and are engaged in STEM learning – and given that STEM learning can kick-start innovation for industry, technology, and education, to the Minister of Advanced Education: how is Alberta's government investing in postsecondary programs to grow our STEM graduates to be leaders in science, innovation, and technology?

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

**Mrs. Aheer:** Thank you, Mr. Speaker, and thank you so much for the question. Alberta's postsecondary institutions are hubs for science, innovation, and technology. They're home to some of the best and the brightest minds not only in Alberta but actually across the entire country, and we are actually doubling down on those investments through a recently announced program, the Mitacs partnership, which will create 3,800-plus new internships in STEM streams, and also the women in STEM award program, which just started, which will give \$2,500 to 50 applicants in the STEM streams. We're so proud. We are so honoured to be able to work especially with young women.

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

### Child Care Affordability

**Ms Pancholi:** Thank you, Mr. Speaker. The Minister of Children's Services claims she cares about enhancing quality, accessibility, and affordability in early learning and child care, yet every action she takes undermines that. The Manning regional child care centre in northern Alberta commissioned a third-party report showing the immense economic benefits of the \$25-per-day program to that community, but with the end of the program the centre is at real risk of closing, and if it does, there will be no licensed child care north of Peace River. To the Minister of Children's Services: how will eliminating licensed child care in northern Alberta increase quality and affordable child care?

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

**Ms Schulz:** Thank you very much, Mr. Speaker. That's a very important question. Largely the feedback through the \$25-a-day pilot program identified that there were major inequities created by a short-sighted, poorly rolled out pilot program across the province. What our legislation does in Bill 39 – and I am very pleased that we consulted in the first time in over a decade to bring that legislation forward – is reduce red tape and reduce some of the barriers that

child care centres face in opening up to serve Alberta families who need child care to get back to work while maintaining high-quality, safe child care across Alberta.

**Ms Pancholi:** Mr. Speaker, this is happening all over rural Alberta. Given my office has received the same communications as the minister and the members representing the Fort McMurray area and given that we know licensed child care centres in that area are already closing, reducing 500 spots just this year, and those that remain are predicting increases in fees of 227 per cent – 227 per cent – and given that this is a direct result of the cuts by this government, including the northern living allowance for educators, to the same minister: why are you punishing the people in Fort McMurray that have done so much for this province when they're already struggling?

2:20

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

**Ms Schulz:** Thank you very much, Mr. Speaker. You know, it was just over, I think, a month ago where I was able to join my colleagues who represent the area of Fort McMurray and meet with a variety of child care operators and parents to understand what their needs are. Unfortunately, the NDP's ideological approach to child care was a one size fits all, where government can tell them how to run, what fees to charge, what curriculum to follow. That's not what they needed. What they needed was flexibility, and that's exactly what we're doing in Bill 39, the early learning and child care amendment act.

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

**Ms Pancholi:** Thank you, Mr. Speaker. Given that I've heard from all over rural Alberta about the impacts of the UCP's cuts to the child care system, including from Anzac, where the child care centre has already closed, Westlock, Flagstaff, Blackfalds, Drayton Valley, and more, and given that child care fees will increase to \$1,200 per month in some of these areas and given that many parents don't get a subsidy or it's not enough to make these fees affordable, so they'll be forced to quit work or to turn to unlicensed child care, which has no standards for quality or safety, to the same minister: was this your plan all along, to push parents into unlicensed care and save money to pay for your government's \$4.7 billion handout on the backs of rural Albertans?

**Ms Schulz:** Not at all, Mr. Speaker. We spent the last year and a half speaking with rural Alberta parents as well as child care operators and front-line early childhood educators to figure out how we could better meet the needs of rural Albertan working families. I can say again that the number one thing that we heard was not to follow the ideological path of the NDP and making it so difficult for operators right across this province to provide high-quality care for children and families. They said, you know, that they feel very confident in the high-quality, safe child care they offer. What they needed was flexibility, and that is, in fact, what we've delivered.

### Ski Trail Fees and Provincial Park Management

**Mr. Schmidt:** Selling and closing 184 parks wasn't enough for the UCP. They now want to charge Albertans to use them. Introducing ski tolls is just the start of what this government wants to do. The late Peter Lougheed wanted to make parks accessible to all Albertans. A provincial park named after him in Kananaskis is a tribute to that legacy, and the UCP are now insulting that legacy. Provincial parks saw record use this year. To the minister: why do

you want to punish Albertans for accessing their own parks by slapping tolls on ski trails?

**Mr. Jason Nixon:** Mr. Speaker, what a ridiculous question. It costs money to be able to do recreation activities inside our province. Nordiq Alberta came to us and asked for a partnership opportunity to help maintain the ski trails inside Kananaskis. Overwhelmingly, cross-country ski groups and cross-country skiers all across the province asked us to put in a mechanism like this that allows for a moderate fee to be able to make sure that we have world-class cross-country ski trails in a world-class park inside Kananaskis. We're proud of this partnership. The only difference between us and the NDP on this issue is that they only want union employees to be able to maintain trails. We're happy to work with nonprofit park societies.

**Mr. Schmidt:** Given that the Kananaskis region is not the only area concerned about track setting, given that skiers all across the province have been concerned about their futures, including skiers in the Blackfoot and Cooking Lake region, who had to launch a public campaign to ensure that they could ski this year, and given that local skiing includes races and events, which are important to local economies and tourism, and that cutting funding for parks and deterring people from them has costly effects, Minister, now that you've introduced tolls in Kananaskis, it is clear you want to do that in other places. Where do you plan to introduce tolls next, and what damage do you think that those will have?

**Mr. Jason Nixon:** Mr. Speaker, we're going to continue to work to make sure that we have a world-class parks system in the province of Alberta, but we are going to continue with our platform commitment of working with nonprofit park societies and municipalities and indigenous communities all across the province, who have partnered with us since the parks were created in our province in 1932, to be able to make sure that we continue to have the best services across the province for Albertans and others who come to visit our province to enjoy. Again, why the member is upset is that he insists that only union employees can come help us maintain places like our parks. We don't believe that. We believe we can work with all Albertans to be able to protect their backyard.

**Mr. Schmidt:** Given that the MLA for Banff-Kananaskis has said that thousands of constituents have reached out to her about the UCP's decision to cut track setting in Kananaskis and given that tens of thousands of Albertans have signed on to the Don't Go Breaking My Parks campaign and given that the UCP's new campaign to spin themselves out of this mess is, frankly, a shipwreck, to the minister: why won't you stop penalizing Alberta families, reverse the decision to charge tolls, and reverse your plan to sell Alberta's parks?

**Mr. Jason Nixon:** Mr. Speaker, we are not selling any provincial parks. That's not going to happen. All of our parkland remains underneath the protection of Alberta Environment and Parks. It's unfortunate the hon. member continues to spread rumours, as does his party, all across the province, but Albertans can rest assured that we will continue to protect all the landscapes that are our responsibility so that we can use them now as well as be able to use them for future generations. No matter how much the NDP keep begging us inside this Chamber to sell parks, we will not do it.

**The Speaker:** The hon. Member for Calgary-Falconridge has a question.

### Stoney Trail Flyovers in Calgary

**Mr. Toor:** Thank you, Mr. Speaker. Many of my constituents of Calgary-Falconridge are concerned about the newly proposed Stoney Trail flyovers disrupting the enjoyment of their property and community, especially the residents of the community of Taradale, who are deeply concerned about the proposed changes of the design of the 80th Avenue flyover from emergency use to general traffic use. However, I understand that the proposed change must be approved by the minister. To the Minister of Transportation: what is the status of this new design proposal on the 80th Avenue flyover?

**The Speaker:** The hon. the Minister of Transportation.

**Mr. McIver:** Well, thank you, Mr. Speaker. As I think the hon. Member for Calgary-Falconridge knows, the 80th Avenue flyover is a city of Calgary project with no provincial funding attached. I can update the House that Infrastructure Alberta has been working with the city on land-use issues and additional right-of-way. Alberta Transportation has also been working with the city on the design of the flyovers to make sure they're safe. It is our policy to approve projects like this provided they meet Alberta Transportation standards, unless there are other serious concerns.

**Mr. Toor:** Thank you, Minister. Given that this development has been met with great hostility from the members of the community, given that the city's own public engagement received about 80 per cent negative feedback, and given that Mayor Nenshi and the Calgary city council have decided to proceed with the proposed changes despite overwhelming opposition, I ask the same minister: will the government seek direct input from many concerned residents who feel they have not been heard through this process about the proposed changes?

**Mr. McIver:** Well, Mr. Speaker, if it was our project, we would take the concern about the public's feelings about it, but this is, in fact, the city's project, and they need to take into consideration the public's feelings about it and either take the benefit or the cost of that. As I said in my previous response, for Alberta Transportation if it's safe and there are no other serious concerns with the design of the project, it would be, generally speaking, our policy to approve municipal flyovers, especially when they're paying for it.

**Mr. Toor:** Thank you, Minister. Given that there are already flyovers over Stoney Trail, one on McKnight Boulevard and one on 96th Avenue that connects to the Airport Trail, and given that another flyover will potentially be constructed on 64th Avenue, which will cut through the heart of Manmeet Bhullar park, again I ask the same minister for the final time: will the government protect this landmark in Calgary-North East by ensuring no flyover disrupts its natural beauty?

**Mr. McIver:** Well, Mr. Speaker, to the hon. member I would say that I mentioned in the first two answers that we wouldn't get involved in a city project unless there were serious issues. Running a flyover through the middle of Manmeet Singh Bhullar park is a serious issue. If I have anything to do with it, that will not be allowed to happen.

### Campus Saint-Jean Funding

**Mr. Dach:** M. le Président, l'éducation en français postsecondaire est essentielle, et je sais bien l'importance du Campus Saint-Jean pour la communauté française dans l'Alberta telle que la seule

université francophone dans la province. This UCP government has decided to take away funding that is essential to keep Campus Saint-Jean operating at a respectable level. To the Minister of Advanced Education: why are you defunding Campus Saint-Jean and violating the 1976 agreement between the University of Alberta, the provincial government, and the province's francophone community?

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

**Mrs. Aheer:** Merci beaucoup. Il ne serait pas approprié que le gouvernement se prononce sur cette question particulière qui est actuellement devant les tribunaux, which means that it would be very inappropriate for the government to comment on this particular matter, which is currently before the courts. The member knows that.

**Mr. Dach:** It's unfortunate the government forced their hands so they had to go to court.

Given, Mr. Speaker, that Campus Saint-Jean graduates go on to become successful politicians, teachers, doctors, artists, and entrepreneurs that put Alberta on the map and given that with all the other cuts that this government has put forth – countless Albertans were out of jobs even before the pandemic – many franco-Albertans decided to go back to school as a result and are enrolling or re-enrolling in this institution for self and career development, to the Minister of Advanced Education: why have you decided to devalue Alberta's French-speaking community?

2:30

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

**Mrs. Aheer:** Thank you very much, Mr. Speaker. You know, our government has done an absolutely incredible job of building meaningful, collaborative, and respectful partnerships and relationships with the Francophonie community, and actually I attribute that all to the 260,000 incredible French-speaking people in this province. One of the members opposite had mentioned earlier that it's one of the fastest growing communities in this province, and we are so proud to partner with them. Since before this province was founded, 1905, French Canadians have made their home in Alberta, and – guess what? – they came here because of opportunity, because of the possibilities in the province, things that this former government drove directly out of the province.

**Mr. Dach:** Campus Saint-Jean is a pillar of the francophone community, and they're decimating it, Mr. Speaker. Now, given that Campus Saint-Jean is experiencing one of its highest enrolment years and given that enrolment is up, attempting to find a way to mitigate the cuts from this government is nearly impossible. All over the postsecondary sector the UCP have cut nearly a billion dollars this year alone. To the minister: where are the students counting on attending Campus Saint-Jean supposed to go for their French language education to preserve our Franco-Albertan heritage? You have given away \$4.7 billion to profitable corporations, but you tell our francophone communities that their survival doesn't matter.

**Mrs. Aheer:** Mr. Speaker, I would love to know – I believe it was the Member for Edmonton-Strathcona that said something about a billion dollars. I'd love to know where that number is coming from. Here are some numbers for you: \$1.9 billion spent on power purchase agreements, away from the taxpayers, impacting every

single Albertan; \$913 million spent on Balancing Pool payouts into the system because they couldn't understand how the energy system worked. Those are real dollars, real dollars that that government took out of the pocket of every single Albertan. The Francophonie community is very important to us.

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

### COVID-19 and First Nations Communities

**Mr. Feehan:** Thank you, Mr. Speaker. When the pandemic began, First Nations communities in Alberta took leadership in establishing infection control methods. Unfortunately, we have recently seen a spike in cases in these communities. Alberta has the highest rate in Canada of COVID cases on First Nations reserves. Schools and community centres have been forced to close to stop the outbreaks. What is this government doing to support the response to COVID-19 in the First Nations community? I'm looking for actions, Minister, not platitudes or buzzwords.

**The Speaker:** The hon. the Minister of Health.

**Mr. Shandro:** Well, thank you, Mr. Speaker, and thank you to all of our indigenous leaders throughout the province for working with our ministry throughout the pandemic. They've shown an enormous amount of leadership for both their members on their reserves as well as for all Albertans. We're going to continue to support them, whether it's through procurement of PPE, making sure that we have the contact tracers to be able to assist those communities, and making sure that we have quick turnaround test times for those communities, and we will be sparing no expense when it comes to our response throughout the province, including in those communities.

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

**Mr. Feehan:** Thank you, Mr. Speaker. Given the cultural importance of elders in indigenous communities and given the heightened threat of COVID to seniors, which has led to restrictions in indigenous communities on access to elders, what is this government doing to protect the well-being of elders specifically, both on- and off-reserve, while preserving cultural engagement?

**Mr. Shandro:** Well, Mr. Speaker, it comes down to infection prevention and control and making sure that the public health guidance that is provided by our medical experts is based on the best available evidence. We're going to continue to follow that expert guidance from Dr. Hinshaw and the other medical officers of health throughout AHS and making sure that those folks are, thankfully, working very closely with our indigenous communities and the indigenous leaders. Thank you again to all of those leaders for working so closely with each of the MOHs in all five zones.

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

**Mr. Feehan:** Thank you, Mr. Speaker. Given that concerns have been raised of towns and cities neighbouring First Nations communities not following the AHS guidelines – in particular I'm referring to La Crête and others – and given that a lack of resources and infrastructure in First Nations communities requires that the people travel to adjacent towns and cities to access basic necessities such as grocery stores and medical assistance, what is this government doing to ensure co-operation between communities and compliance of health measures, and why are some communities being given an out?

**Mr. Shandro:** None of that is true. No communities are being provided an out. I agree with our indigenous leaders, who have expressed those concerns about communities who have not been following public health measures. We continue to work with AHS, who is enforcing the public health measures and the guidance throughout the province, to make sure that people understand. It's about education, it's about prevention, and it's about intervention, Mr. Speaker. We're going to continue to make sure that we're providing AHS with the resources that they need to be able to take those steps and make sure that all Albertans understand the public health guidance that needs to be followed by all Albertans.

**The Speaker:** The hon. Member for Airdrie-East has a question.

### Calgary Metropolitan Region Board

**Mrs. Pitt:** Thank you, Mr. Speaker. Airdrie is one of the fastest growing municipalities in Canada, and while this growth presents great economic potential for our community, it also means that we're facing new challenges in regional development. There have been concerns, however, that the Calgary Metropolitan Regional Board is not fostering an environment of collaboration and consensus for the region. To the Minister of Municipal Affairs: what is the government doing to ensure that the CMRB is accomplishing its stated goals of striving towards consensus and promoting the economic well-being and competitiveness of the region?

**The Speaker:** The hon. the Minister of Municipal Affairs.

**Mrs. Allard:** Thank you, Mr. Speaker, and thank you to the member for that timely question. At this time in history, more than ever before, it's incumbent upon elected leaders at all levels of government to work together in service to Albertans and to leverage the opportunities in communities like Airdrie, that are experiencing growth already. It's tapping into that collective wisdom of their leaders coupled with the dedication to mutually beneficial solutions that will lead CMRB to success. The most prudent action for CMRB members is to work together to create jobs and economic prosperity for all Albertans, creating visible local results in their region.

**The Speaker:** The hon. Member for Airdrie-East.

**Mrs. Pitt:** Thank you, Mr. Speaker. Given that councillors in the Rocky View county and the city of Calgary clashed over the continued operations of the CMRB and given that the president of Western Securities, the backers of a \$3 billion local infrastructure project off highway 8, have raised concerns over the city of Calgary blocking Rocky View county from approving the project, Minister, what is being done to ensure that CMRB decisions reflect the best interests of the municipalities in the region?

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

**Mrs. Allard:** Thank you, Mr. Speaker, and thank you again to the member for that question. Growth management boards for the Calgary and Edmonton regions were established to help ensure regional collaboration and co-ordinated decision-making. I'll say this: failing to plan is planning to fail. We know that the Edmonton board, which was established years before the Calgary board, struggled at first but is now functioning well in service to their members. The CMRB is still in its infancy and hasn't yet completed its first regional land-use or servicing plan. We expect that plan in early 2021, and that plan will provide a foundation for collaborative strategic thinking.

Thank you, Mr. Speaker.

**Mrs. Pitt:** Thank you, Minister. We look forward to that board actually being functional at some point.

Given the severe economic challenges that we face and that regional co-operation will be paramount to the long-term success of our province and given that some municipalities in my region lack faith in CMRB's ability to promote that co-operation, can the minister say what else the government is going to do to ensure that municipalities are working together to manage growth and get the best possible outcomes for Albertans?

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

**Mrs. Allard:** Well, thank you, Mr. Speaker, and again thank you to the member. I will say this. We will not let intermunicipal conflict hurt Alberta's economic recovery, and I challenge all municipalities, including the municipalities in the CMRB, to set aside their differences and focus on creating the best conditions for economic development and growth for their residents. I know that healthy tension can be channelled to push each other to greater solutions. I believe the calibre of the answers we get is directly proportionate to the calibre of the questions we're willing to ask ourselves and each other. I challenge them to ask better questions and push for better results.

Thank you, Mr. Speaker.

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

### Agricultural Societies

**Ms Glasgo:** Thank you, Mr. Speaker. Alberta's agriculture societies play an important role in preserving our culture, history, and our province's rural way of life. They also promote values such as community service, charity, and hard work, and other important initiatives like education, environmental stewardship, and sustainable agricultural practices are also priorities. To the Minister of Agriculture and Forestry: how is our government supporting the initiatives of Alberta's ag societies?

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

**Mr. Dreshen:** Thank you very much, Mr. Speaker, and thank you to the Member for Brooks-Medicine Hat for that very important question. I one hundred per cent agree that ag societies are so important to the fabric of Alberta, and that is why during this year we actually expedited the payments of our ag society grant program two months earlier. The large seven ag societies got \$2.8 million in funding, and \$5 million in base grants went to the remaining ag societies. There are almost 300 across the province, and they do great work. We did everything we could to help them through a challenging year.

2:40

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

**Ms Glasgo:** Thank you, Mr. Speaker. Given that many of this summer's community agriculture events have been cancelled, such as rodeos in Bassano, Brooks, Patricia, and Medicine Hat, just to name a few in my constituency, and given that a portion of funding from ag societies is dependent upon the previous year's community events and given that a portion of the funding from regional ag societies requires them to hold at least 50 events a year, to the same minister: will the cancellation of these events be taken into account in terms of next year's funding?

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

**Mr. Dreeshen:** Thank you very much, Mr. Speaker. That's a great question, and I think it is something that we have to consider as a government: events not being able to be held this year. When you look at other issues that we've done, again, to help ag societies, they were eligible for \$5,000 under Alberta's small and medium enterprise relaunch grant. As well, we helped them on AGMs this year, to be able to have virtual AGMs so they could still meet some requirements that are required but also recognizing a very difficult year with COVID.

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

**Ms Glasgo:** Thank you, Mr. Speaker, and thank you to the minister for the answer. Given that agriculture is the second-largest contributor to Alberta's economy and accounts for over 50,000 direct jobs as well as thousands more indirect jobs and given that these summer events, organized by Alberta's ag societies, typically are the best means to promote and celebrate our agriculture sector, again to the Minister of Agriculture and Forestry: how is our government promoting our agricultural sector, its culture, and history as we navigate our way through the pandemic?

**The Speaker:** The minister.

**Mr. Dreeshen:** Thank you, Mr. Speaker. Agriculture, obviously, built Alberta and its past, and it's going to continue to build its future. When you look at the \$9.2 billion that agriculture contributes to our province's GDP, ag societies are a great way of being able to spread the good news that ag societies do to be able to promote it, not just in the rural areas but also the urban areas as well. They're a great bridge and something that this government is extremely supportive of.

**The Speaker:** Hon. members, in 30 seconds or less we will return to Members' Statements. I ask members to leave the Chamber expeditiously if they have other meetings or otherwise. If they have private conversations, please take those to the lounges.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Lac Ste. Anne-Parkland has a statement to make.

#### United Conservative Party 2019 Election Platform

**Mr. Getson:** Thank you, Mr. Speaker. When I first stepped into the role of politics for the first time less than two years ago, it was to make a difference. You see, the perfect storm of socialism had swept not only into Ottawa but into Alberta. The way I approached politics was different, apparently, than most. I didn't make lofty, grandiose statements about visions for the future. My statement was simple: Let's Take Our Province Back. I went to the local restaurants, to coffee shops, and was invited into people's garages and homes. I looked at the campaign as a fact-finding mission and a job interview. At every stop I asked folks the same question: what matters to you?

This fall before coming back in the House, I did the same thing. I had "what matters to you?" town halls in the key areas of my constituency. I even had a few streamed online so folks that couldn't make it in person could ask me questions and provide input. What I found was that although some things have changed with COVID hitting us, for the most part the same items that formed our mandate in the election, well, they held fast, Mr. Speaker. Folks in my constituency want jobs, a stronger, diversified economy, an efficient health care system, for us to get our fair share at the table

in this country, and ensure that that infernal carbon tax disappears for good.

People in my area know the economic needle in the province is hovering between Great Depression and major recession, and they want us to make the tough decisions that are the right decisions for the province. Our mandate is still sound. They expect us to have the intestinal fortitude to get the job done that they sent us here to do: keep Alberta strong and free and not let it become weak and tamed, as the socialists would have it become.

Thank you.

### Notices of Motions

**The Speaker:** The hon. Government House Leader has a notice of motion.

**Mr. Jason Nixon:** Thank you, Mr. Speaker. I rise to give oral notice of Bill 46, the Health Statutes Amendment Act, 2020 (No. 2), sponsored by the hon. the Minister of Health, as well as Bill 47, the Ensuring Safety and Cutting Red Tape Act, 2020, sponsored by the hon. the Minister of Labour and Immigration.

### Introduction of Bills

**The Speaker:** The hon. the Minister of Municipal Affairs.

#### Bill 45

#### Local Authorities Election Amendment Act, 2020 (No. 2)

**Mrs. Allard:** Thank you, Mr. Speaker. I request leave to introduce Bill 45, the Local Authorities Election Amendment Act, 2020 (No. 2).

The proposed changes to the Local Authorities Election Act, or LAEA, include ensuring municipal and school board elections are easily accessible and cost-effective for Albertans by holding them at the same time as a Senate vote or referendum. This means a municipality will no longer have the ability to change its local voting date to a Saturday in years where a Senate election or provincial referendum is intended to be held at the same time. In addition, to support transparency and accountability in municipal elections, I propose to establish contribution limits of \$30,000 per donor per third-party advertiser.

The amendments are proposed to come into force on January 1, 2021, so that the changes are in place before the 2021 general election. If passed, these amendments will reduce confusion, lower costs associated with holding elections for Albertans, and help renew democracy by supporting transparency and accountability in municipal elections.

Thank you, Mr. Speaker.

[Motion carried; Bill 45 read a first time]

### Tabling Returns and Reports

**The Speaker:** Are there tablings? The hon. Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Speaker. I rise to table some documents submitted to me by Ms Lise Mayne, who lives in Nanton, Alberta. She's very concerned about the environmental impact of the plastic bristles shed from snow-removal machinery that she's finding in Nanton. She and other volunteers have been collecting these single-use plastics to prevent them from entering the water and are frustrated by this government's lack of action on the issue.



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

**Ms Pancholi:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of a report done by 180 Degrees Consulting on behalf of Manning Regional Childcare Association. It is a benefit assessment and financial analysis of the \$25-per-day pilot program in that community.

Thank you, Mr. Speaker.

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

**Mr. Turton:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of the transcript that I quoted on Monday during my speech on Bill 204. The quote was from the Network of Rare Blood Disorder Organizations, Alberta chapter, during the Voluntary Blood Donations Repeal Act stakeholder presentations.

I also rise to table the requisite number of copies of the Canadian government website I quoted regarding plasma donations.

### Tablings to the Clerk

**The Clerk:** I wish to advise the Assembly that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Copping, Minister of Labour and Immigration, pursuant to the Government Organization Act the annual reports of the following authorized radiation health administrative organizations: the Alberta Association for Safety Partnerships for the period January 1, 2019, to December 31, 2019; the Alberta College and Association of Chiropractors for the period July 1, 2019, to June 30, 2020; the Alberta Dental Association and College for the period January 1, 2019, to December 31, 2019; the Alberta Veterinary Medical Association for the period November 1, 2018, to October 31, 2019; the College of Physicians & Surgeons of Alberta for the period January 1, 2019, to December 31, 2019; the University of Alberta for the period April 1, 2019, to March 31, 2020; the University of Calgary for the period April 1, 2019, to March 31, 2020.

On behalf of the hon. Mr. Glubish, Minister of Service Alberta, pursuant to An Act to End Predatory Lending: 2019 report An Act to End Predatory Lending.

**The Speaker:** Hon. members, we are at points of order. At approximately 2:12 the hon. Government House Leader rose on a point of order.

### Point of Order Reflections on Nonmembers

**Mr. Jason Nixon:** Well, thank you, Mr. Speaker. I would refer you to 493(4) on page 151 of the sixth edition of *Beauchesne's*, where it says that "the Speaker has cautioned Members to exercise great care in making statements about persons who are outside the House and unable to reply." I do note that this happened once earlier. I was going to call a point of order. You had the conversation with the hon. member who was asking the question at the time, so I won't re-refer to that.

2:50

But then, shortly after that, the Member for Edmonton-Rutherford got up and again, immediately after you cautioning the entire Chamber, Mr. Speaker, to be careful what they are saying about people that are outside of this Chamber and cannot defend themselves, went and referred to somebody outside of this Chamber as a fascist, a pretty appalling statement to say about any human being. I would encourage the Member for Edmonton-Rutherford to say that outside of the Chamber if that's what he thinks about that

individual and see whether or not that could stand up to the legal consequences that may come from that.

The reality is, Mr. Speaker, that while we do enjoy immunity for what we say inside this Chamber, that does not mean that we should abuse it. I understand that from time to time things can get passionate, but again this House should be cautious when they are making comments like that and referring to people as fascists, racists, or calling individuals names or accusing them of acts when they cannot defend themselves inside this Chamber.

**The Speaker:** Would anyone from the opposition like to respond? The hon. the Official Opposition Deputy House Leader.

**Ms Gray:** Thank you very much, Mr. Speaker. I'm pleased to rise on this particular point of order. Now, I do not have the benefit of the Blues, but I do have a copy of what the member was speaking from. He did not use the word "fascist." The word "racist" was indeed introduced as we were talking about the very, very important recommendations from the Truth and Reconciliation Commission and asking this government whether or not it would refer to and acknowledge the cultural genocide, something where the federal government has accepted the findings that it was genocide.

The work of the Truth and Reconciliation Commission is very, very important. Mr. Speaker, while we may not agree on the actions of individuals in this place, we know that the individuals the Member for Edmonton-Rutherford was speaking of both have examples of published articles, racist articles directed towards First Nations peoples. In fact, First Nations communities have called upon this government to disavow these comments as well as these individuals; members from the '60s scoop, as an example. While the opposition appreciates the Speaker's caution and has taken that under advisement, this is an important matter of debate on an issue of incredible seriousness, and I believe that the government should be prepared to use the word "genocide" in these debates.

We will continue to raise these important issues in this Chamber, and I believe that this is a matter of debate while taking under advisement the cautions you have given the opposition caucus.

**The Speaker:** Hon. members, are there others?

Seeing none, why don't you go ahead and take your seat. I intend to speak at some length.

Hon. members, I am prepared to rule on the point of order. I would like to begin by mentioning, as I did during question period, that I take and the Speaker takes no position on the views of any individual inside this Chamber or outside of this Chamber. However, as I did in question period both last week and again today, upon the use of some language that brought concern to the Speaker, I provided caution to the hon. Member for Edmonton-Riverview. Immediately following that caution, the Member for Edmonton-Rutherford rose in his place and, again, used much different language but also language that provides some significant concern to the Speaker, particularly in light of the fact that, as the hon. Government House Leader referenced in *Beauchesne's* and as can be found in other places, members outside of this Assembly don't have the ability to respond to accusations or language that may be considered slander outside of the Assembly.

I think it's important, and I value this principle strongly enough that I'd like to read for the House a section of *House of Commons Procedure and Practice*, the third edition, page 97. It is under the subtitle Misuse of Freedom of Speech. It opens with:

The privilege of freedom of speech is an extremely powerful immunity and on occasion Speakers have had to caution Members about its misuse. Ruling on a question of privilege in 1987, Speaker Fraser spoke at length . . .

After my own heart, I suppose.

... about the importance of freedom of speech and the need for care in what Members say.

There is a lengthy paragraph, which I will spare you, but I want to highlight this section. It is the second paragraph of a lengthy quote by Speaker Fraser.

Such a privilege confers grave responsibilities on those who are protected by it. By that I mean specifically the Hon. Members of this place. The consequences of its abuse can be terrible. Innocent people could be slandered with no redress available to them. Reputations could be destroyed on the basis of false rumour. All Hon. Members are conscious of the care they must exercise in availing themselves of their absolute privilege of freedom of speech. That is why there are long-standing practices and traditions observed in this House to counter the potential for abuse.

I would also like to highlight that in other jurisdictions in our country individuals who may have considered themselves slandered inside the Assembly have a right of reply availed to them that is then read in the Assembly. That is not something which members of the public enjoy in Alberta, so it is why I want to really implore that when using and making accusations like “racist” or “fascist” or “bigot” or other language that outside the Chamber could potentially cause harm, members’ freedom of speech does not come without the responsibility of that speech as well.

I appreciate the caution that has been noted by the hon. the Deputy Opposition House Leader. I encourage that if there are other members of her caucus who were unable to be here for the ruling, they would take a moment to consider their actions accordingly. If members persist with the use of that language, the Speaker may be inclined to make further rulings on such issues.

I consider that matter dealt with and concluded.

## Privilege

### Private Members’ Business

**The Speaker:** Hon. members, I am prepared to rule on the question of privilege raised yesterday, November 3, 2020, by the Official Opposition House Leader, which relates to the events that occurred in the Assembly on the afternoon of November 2, 2020. The submission of the Official Opposition House Leader and the Government House Leader and the Member for Cypress-Medicine Hat related to the question of privilege can be found at pages 2957 to 2960 of yesterday’s *Hansard*.

Yesterday morning at 11:23 my office received written notice from the Official Opposition House Leader that she intended to raise a question of privilege that afternoon. That notice was copied to the Government House Leader. The Official Opposition did not provide notice to the Minister of Justice and Solicitor General, as was noted in the Government House Leader’s argument.

I would like to remind all members and, in particular, the Official Opposition House Leader of the requirement under Standing Order 15(2) to provide notice “if practicable, to any person whose conduct may be called into question” when a question of privilege is raised in the Assembly. During the arguments provided, the hon. Minister of Justice and Solicitor General’s conduct was called into question, yet he was not included on the memo. It is an important principle that if a member’s conduct is called into question, that member has the notice and the opportunity to defend themselves.

Notwithstanding that caution that I would like to provide to the opposition or any member for the future, I do find that the Official Opposition House Leader met the notice requirements under Standing Order 15(2) and has raised this matter at the earliest opportunity, as required under Standing Order 15(6).

3:00

The Official Opposition House Leader argued that on November 2 the privilege of all private members, specifically the Member for Edmonton-Meadows, who was the sponsor of Motion Other than Government Motion 512 – his privilege was breached when the Minister of Justice and Solicitor General moved Government Motion 29 on behalf of the Premier during Monday afternoon’s sitting of the Assembly. The category of privilege which the Official Opposition House Leader was relaying was not clearly articulated in her arguments although I do note that the privilege of freedom of speech was referenced. I will not recount the events of the afternoon of November 2 in detail as members may review that in the Votes and Proceedings for that day.

The Official Opposition House Leader was correct that Standing Order 8(1) sets out the items of business for consideration on Monday afternoons, which include Public Bills and Orders Other than Government Bills and Orders as well as Motions Other than Government Motions. However, Standing Order 8(1.1)(b) very clearly states the following: “If no items of business under suborder (1) stand on the Order Paper for consideration, the Assembly shall proceed to consideration of any items of Government business under suborder (2).” To be clear, there was no other item of private members’ business available for consideration.

The Official Opposition House Leader stated in her submission that the Assembly could have proceeded to Motion Other than Government Motion 512 once consideration of Motion 511 had concluded. While this is technically correct, in order to proceed to Motion 512, the mover and the sponsor of the motion would have been required – under Standing Order 8(1.2), which reads as follows:

Notwithstanding suborder (1.1) and (5), on a Monday afternoon following the conclusion of business for consideration of the Assembly under suborder (1), the Assembly may consider the motion other than a Government motion that is next in precedence on the Order Paper on passage of a motion made by the sponsor of that motion other than a Government motion.

For clarity’s sake, this standing order sets out a procedure that would then allow the Assembly to consider an item that would not otherwise be available for consideration.

Now, I was in the chair during the relevant period of time on the afternoon of November 2, and I can assure the Assembly that if the Member for Edmonton-Meadows had risen to move a motion pursuant to Standing Order 8(1.2) following the announcement of the vote on the motion made by the Member for Cardston-Siksika under Standing Order 8(4), I would have recognized him to do just that. With no motion on the floor on behalf of the hon. Member for Edmonton-Meadows to this effect, the Assembly’s only option was to proceed to government business. I recognized the hon. the Minister of Justice and Solicitor General to move Government Motion 29.

The Official Opposition House Leader stated in her arguments that no opportunity was, quote, granted to proceed to Motion 512. However, it is the responsibility of the sponsor, according to Standing Order 16, to rise if it was his intention to move a motion under Standing Order 8(1.2). Accordingly, the minister didn’t prevent the Assembly from proceeding to Motion 512 as the accusation is made by the Official Opposition House Leader.

I would like to assert that I take objection to the assertion that no opportunity was, quote, granted as that would have suggested that the Speaker in some way was a barrier to the Member for Edmonton-Meadows moving Motion 512. The only barrier to the Member for Edmonton-Meadows moving the motion to move to Motion 512 was that he failed to rise or was unable to do so.

Finally, I must address the statement by the Official Opposition House Leader that a tradition exists in this Assembly of requesting unanimous consent to proceed to third reading of a private member's bill upon the completion of the Committee of the Whole stage. Although this has occurred on occasion, it is a departure from the rules of this Assembly, and members are never required to give their consent if such a request for unanimous consent is made. I would also like to point out that a request for unanimous consent can be made at any time, under any circumstance.

Although I sympathize with the arguments of the Official Opposition House Leader and the Member for Cypress-Medicine Hat that the result of Monday afternoon's events did limit time for debate on private members' business, I find that the procedures followed were consistent with the Assembly's standing orders. While the Speaker has authority under Standing Order 2 to decide matters in all contingencies unprovided for, in this instance the rules the Assembly has set are very, very clear. To quote Speaker Schumacher on February 26, 1996, page 224 of *Hansard*:

In this instance, if the Chair were to find that a *prima facie* question of privilege existed or that a contempt had been committed, the Chair would in effect have to find that the Standing Orders violated the privileges of the members. To make such a finding could cast doubt [on] the House's ability to control its own proceedings, which the Chair is not about to do.

I will conclude with this, which is a very important point to your Speaker. Accordingly, I do not find a *prima facie* case of privilege. However, as a final note I want to emphasize that this Assembly has, since amendments were made to the standing orders and put into place in 1993, given significant opportunities to private members to bring their proposals before the Assembly for this consideration. This tradition – this tradition – is one that I value strongly, and I encourage all members and in particular private members in ensuring that this tradition can continue.

I consider this matter dealt with and concluded.

We are at Ordres du jour.

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 42

#### North Saskatchewan River Basin Water Authorization Act

**The Speaker:** The hon. the Government House Leader has the call.

**Mr. Jason Nixon:** Thank you, Mr. Speaker. I rise to move second reading of Bill 42, the North Saskatchewan River Basin Water Authorization Act.

Mr. Speaker, people living in Entwistle and Nakamun Park don't have access to the same high-quality drinking water that we have here in Edmonton and, frankly, in most communities in our province. This is something that we would like to change today or at least begin the process of changing, and we call upon the Assembly to support this piece of legislation for that purpose. By approving this interbasin transfer, members of this House will take an important first step towards ensuring families living in these two communities are able to have access to the same high-quality drinking water that Albertans living in larger communities enjoy.

[Mr. Hanson in the chair]

The act will allow these two small communities to connect to the regional waterline operated by the West Inter Lake District

Regional Water Services Commission, providing residents with a reliable supply of high-quality drinking water. Everyone – I'm sure you agree, Mr. Speaker – deserves access to clean drinking water. Most of us don't give much thought to the source of the quality of water running through our taps. We only know that it's always there when we need it, and it's always safe to drink. But people living in these communities don't have ready access to the same high-quality drinking water that we have here, as I mentioned.

Mr. Speaker, Albertans place a tremendous value on our province's water resources, and interbasin transfers are not taken lightly. The Water Act requires any licence which transfers water between major river basins in Alberta to be authorized by a special act of this Legislature, hence this legislation. All western provinces have similar legislation that prohibits transfers between major river basins with some exceptions allowed. Since 2003 six interbasin transfers have been authorized by the Alberta Legislature through a special act. All six were for potable waterline extensions to rural or First Nation communities.

3:10

To ensure a safe, reliable supply of high-quality drinking water for the residents, both communities have decided to pursue a connection to an existing regional waterline owned and operated, as I mentioned, Mr. Speaker, by the Western Inter Lake District Regional Water Services Commission, also known as the WILD commission. The WILD commission system is financed at 90 per cent through a water for life grant received by the government of Alberta. Direct contributions by the municipalities who compromise the WILD commission membership and debt financing by the WILD commission cover the remaining 10 per cent. Approving this interbasin transfer will allow residents and businesses in both of these communities to connect directly to a source of high-quality drinking water.

I want to highlight that multiple options were considered to address drinking water issues in these communities, and the decision to connect them to the regional waterline enjoys strong support by each community. Both the hamlet and the summer village each have their own unique challenges when it comes to drinking water. The current groundwater-supplied drinking water system in Entwistle is just not adequate. The treatment plant there is due for refurbishing within the next five years at a cost of about \$8 million. Operating costs would be an additional \$14 million to \$16 million over the operation life cycle of the plant. Entwistle's groundwater source also has magnesium content that exceeds the Canadian maximum acceptable concentration. This requires additional expenses for treatment to ensure that the water that residents are drinking is safe, Mr. Speaker. The summer village does not have its own water distribution system. Residents there rely on truck haul or personal wells.

Mr. Speaker, I also want to highlight that the environmental impacts were considered, of course, when we're introducing this bill. The interbasin transfer would permit approximately 175,000 cubic metres of treated municipal drinking water per year to be drawn from the North Saskatchewan River, which is a very reliable source of water coming from the great riding of Rimbey-Rocky Mountain House-Sundre. We're happy to deliver it to Edmonton, to the Minister of Justice's constituency. This total is a tiny fraction, I should say, of the average volume of approximately 7.5 billion cubic metres flowing through this city that we're in today, Edmonton, annually. The water needed to serve approximately 500 people in both these communities will have no measurable impact on the North Saskatchewan River. It's also important to note that the North Saskatchewan River is open for new water allocations, so there is no impact on other water licence holders within the basin.

In accordance with the Water Act the interbasin consultation process was carried out by the WILD commission. As a result of the COVID-19 pandemic, the consultation approach was modified. The public was consulted through two virtual open houses on June 22 and 23, 2020. A connection to the regional waterline was widely supported among residents and other stakeholders, and no concerns and no opposition to the interbasin transfers were expressed. The aboriginal consultation office advised that no First Nation consultation was required for this interbasin transfer.

I hope all members of this House will see the value of allowing these interbasin transfers to proceed in order to secure a reliable source of drinking water for both of these communities and the residents that live there. I'd like to conclude by saying that this solution has wide stakeholder support. There are no concerns regarding the long-term health of the North Saskatchewan River, and this project is adequately financed through an existing provincial grant and contributions.

With that, Mr. Speaker, as I mentioned, I move second reading of Bill 42.

**The Acting Speaker:** Thank you.

Are there any other members wishing to speak to Bill 42? The Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Thank you, Mr. Speaker. I'm happy to rise and speak to Bill 42, the North Saskatchewan River Basin Water Authorization Act. It's not a common occurrence that I can stand in agreement with anything presented by this Minister of Environment and Parks, but I can today. This bill aims to provide clean drinking water for rural communities and residents in Parkland county and Lac Ste. Anne county, and it will give access to clean water to a total of around 500 people. As the minister noted, the residents living in Entwistle and Nakamun Park will be, through this bill, connected to a reliable supply of high-quality drinking water.

On our side of the House we fully support access to clean drinking water. We know that the residents of these communities have been quite concerned about their current water supply, concerned that their groundwater has high levels of manganese, which, of course, can cause some pretty significant mental and motor impairments, so it's really important that we address this.

I do want to just get on the record that I'm quite proud of the work that our NDP government did when it comes to access to a safe and secure water supply. We know that that is truly one of the fundamental needs of all Albertans, and it was our NDP government that invested millions in ensuring clean drinking water, particularly with a focus on First Nations reserves. I think it's really important to acknowledge as well, because we're talking about access to clean, safe water supplies, that there remain First Nations without full access to clean drinking water. There are nations that still have boil-water advisories from time to time.

We need to acknowledge that it was under our previous minister of the environment that nations noted that they found a really positive change in relations and that through our government's work they felt that treaty obligations were being recognized. Those same agreements explicitly set aside any sort of disagreements that there were over jurisdiction, and it really did demonstrate a collaborative and successful approach to working with indigenous communities to improve water access.

Of course, we know, because of some of those commitments made under our government, there are still some infrastructure projects that are in progress to ensure a safe supply of clean water to those First Nations communities, so I do want to use this time to just encourage the government, encourage the members opposite to ensure that they're going to commit to continuing those projects on-

reserve. There are some off-reserve projects as well. We truly believe on this side of the House that no Albertan should go without access to clean drinking water.

With that, I just want to acknowledge that we support Bill 42, and we do hope that this will lead to further work to address this very important issue. Thank you.

**The Acting Speaker:** Thank you to the Member for Edmonton-Highlands-Norwood.

Any other members? The Member for Lac Ste. Anne-Parkland.

**Mr. Getson:** Yeah. Thank you, Mr. Speaker. It's a pleasure to rise on this bill. I want to thank the minister for doing that and also the Member for Edmonton-Highlands-Norwood. It's not oftentimes I get to agree with that member either on much that's going on, but this is a nice one so that we're actually getting drinking water out in God's country. Sometimes I end up down in Edmonton-Highlands-Norwood's neck of the woods when we're talking about drug addiction issues in the Chinese community, so a little bit of overlap there, too. A bit of a nod to your area.

The groundwater supply drinking water system handled in Entwistle is not adequate, Mr. Speaker. The treatment plant in the last few years needs some refurbishment. We've got about five years left into it. It's going to cost about \$7 million to \$8 million. Operating costs will be between \$14 million to \$16 million for the operational life of that plant. Manganese content in the water exceeds the Canadian maximum of acceptable concentration, requiring additional expenses for water treatment and presenting a human health risk, particularly for small children.

The summer village in Nakamun Park does have its own water distribution system, but residents rely on truck haul or their own personal wells. Other options like water supply from lakes, groundwater, and trucking water were explored but are not as reliable as the regional pipeline would be to supply the drinking water to Entwistle and Nakamun Park. Existing water supplies in Entwistle and Nakamun Park may risk public health and limit future growth. Obviously, out in that area, where everyone likes to go tubing out along the Pembina River in that nice, lovely park, they're actually liking it, seeing some of the nice changes and getting away from the city. They obviously like it, and we want to be able to endorse that and facilitate that type of growth, Mr. Speaker, out in that area. High manganese levels found in these existing supplies can impair the mental health development in infants and is expensive to remove from the drinking water.

Construction on this project will create 135 temporary jobs in the region and will use road allowances, therefore minimizing the environmental disturbances. A lot of this project is all directional drilling as well, Mr. Speaker, and you know what that's about. We have local contractors doing that work. We have local engineering companies taking care of it and some really good hands out there. I had a chance to look at some of the wild projects that were taking place, and it's being run tip-top by that group.

Water rates are set by the municipality. The government of Alberta has no role in setting utility rates for water. Connection to the regional waterline will lead to a slight water rate increase of 19 cents per cubic metre. The average household uses about 30 cubic metres in water per month. This will lead to a monthly increase of less than \$6 on average to the water bill to be able to have good, reliable, clean drinking water. The interbasin transfer would permit approximately 175,000 cubic metres of treated municipal water per year. This small volume of water will serve a few hundred people in two communities with minimal impact to the environment.

I'd like to throw a shout-out there, too, to the chair of that board, Mr. Lorne Olsvik. He's been working very diligently in our

community for a number of years. He's had lots of projects where he's helped us out behind the scenes, and this is, again, another one of those gentlemen that gives back tons of time to help out, as well as the mayor of Parkland, Mr. Rod Shaigec, who recently had a bit of an accident. He's been in the hospital, so wishing him well wishes and a speedy recovery. But he fully endorses this project as well and lobbied for it in the past. As well, Reeve Joe Blakeman. A shout-out to those folks who are working diligently behind the scenes.

I'm very happy for the minister to bring this forward and make sure that we have sustainable, clean drinking water for growth for the future and to make sure that we can have that vitality in God's country.

Thank you, Mr. Speaker.

3:20

**The Acting Speaker:** Thank you.

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

Seeing none, any other members wishing to speak to the bill? The Member for Edmonton-Meadows.

**Mr. Deol:** Thank you, Mr. Speaker, for the opportunity to rise in the House and to speak to Bill 42, North Saskatchewan River Basin Water Authorization Act. I just wanted to say in the beginning of my comments that I do support this bill, Bill 42, that is aimed to provide clean drinking water for rural communities and the residents of Parkland county and Lac Ste. Anne county. If this bill is passed, the residents living in the hamlet of Entwistle and the summer village of Nakamun Park could be connected to a reliable supply of high-quality drinking water. We do fully support this act.

By passing this bill, it is projected that they will be getting a minimal amount of water not exceeding 171.915 cubic decametres annually. This bill will provide clean drinking water for rural communities and residents of Parkland county, and I believe this bill will give access to clean water to around 500 people living in these communities. Definitely, the people and citizens, you know, living in these communities shouldn't rely and depend on consuming water that is believed to have a high level of manganese that actually can cause mental health and motor health issues.

What I just wanted to say for the record: our NDP government, as my colleague from Edmonton-Highlands-Norwood has said, funded clean drinking water projects to, I believe, 14 different First Nation communities. Also, I would say, when we're discussing this matter today, that it highlights how intense this issue of drinking water is. We're still working, as one of the superdeveloped nations in the world, on clean drinking water issues, and there's probably so much more to do. What I'm referring to here is that I heard that public consultation was done on this, but it was very limited. If a little bit more focus would have been actually on the consultation, there might have been some more issues highlighted, and we probably would have been in the position to address it in the future.

I will wrap up my comments by saying that I do fully support this Bill 42 to provide clean drinking water to these communities. Thank you.

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

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

Any members wishing to speak to Bill 42?

Seeing none, the hon. Minister of Environment and Parks to close debate?

[Motion carried; Bill 42 read a second time]

## Bill 41

### Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020

[Adjourned debate November 2: Mr. Schweitzer]

**The Acting Speaker:** I'll recognize the Member for Calgary-Cross.

**Mr. Amery:** Thank you very much, Mr. Speaker. I wish to rise this afternoon to advise the Assembly that pursuant to section 2(2) of the Conflicts of Interest Act I wish to withdraw from the debate and any further consideration on Bill 41.

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

Are there any other members wishing to speak? The Member for Edmonton-West Henday.

**Mr. Carson:** Well, thank you, Mr. Speaker. It's an honour to rise this afternoon to Bill 41, the Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020. Of course, I've had the opportunity to speak to this legislation and regulations that this government has put forward as well as the report of the so-called expert panel that this Finance minister put together outside of the House. But this is my first time having the opportunity to address it in the Assembly here, so I appreciate that.

You know, right off the bat I want to point out that about a year ago this UCP government made the decision to remove the 5 per cent cap on insurance premiums that our NDP government had put in place. They said that they would have solutions for Albertans while removing that. Unfortunately, at that time they had nothing that would ensure protections for Albertans. As that year has gone by, of course, we see ourselves in the middle of a pandemic that continues to go on, and unfortunately once again there's been zero action from this UCP government to actually support Albertans in a time of greatest need, at the same time as they're removing protections to support Albertans and we move into a pandemic, and this government says that they have the backs of Albertans. Unfortunately, they've done quite the opposite, and it only continues to get worse through Bill 41.

Of course, this week the Finance minister put through order in council regulations regarding the minor injury regulations that will cap, in many instances, concussions, something that we've talked at some length about so far in the Assembly and outside of the House, putting a cap on the ability for Albertans to get fair and proper compensation for a concussion, which may very well lead to long-term life-altering injuries for Albertans. It's very concerning, Mr. Speaker, that on one hand, once again, the government that is removing protections for Albertans is promising to take action, yet what we see before us today is truly only going to help the insurance industry, who has been very profitable up to this point become even more so, with zero recognition that there is actually any need to actually support these Albertans.

So while we've been calling more recently for a zero per cent cap on insurance premiums, recognizing that we continue to be in the middle of a pandemic, this government, instead of any sort of support for Albertans, is saying, "Well, if we make the insurance industry just a little more profitable," well, in this case, I would say a lot more profitable, "maybe some of that will trickle down." We've seen these arguments throughout this government's mandate, specifically on the \$4.7 billion handout they gave to the largest, most profitable corporations. Once again they promised: that money will trickle down to Albertans; that money will create jobs. Unfortunately, up to this point that has not been the case. I am very convinced, through what we've heard from this minister and the lack of action to actually protect Albertans who are struggling to pay for their premiums, that that will indeed be the case through the changes that we see here.

What we have is a very good deal for the insurance industry, a very good deal. I will have questions about what this actually means about their ability to profit moving forward. I would hope that the Minister of Finance has those numbers available, that he asked his ministry officials to brief him on what kind of profits we're talking about that will be on top of the already profitable insurance industry. Because these are questions – when we talk about, you know, how this is somehow going to trickle down to premium payers, I think it's important to recognize that there should be some kind of payback to Albertans when we're talking about hundreds of thousands, well, really, millions of dollars, that's about to increase the profits of these corporations, with little to no actual commitment that it will actually reduce the premiums for Albertans.

We've heard through the discussions – even more recently we heard the Minister of Finance stand up in this House during question period and say that he is simply expanding what is going to be medically covered within the insurance industry. I think that comment was in regard to him expanding the minor injury regulations. Unfortunately, it truly is doublespeak. While he says that it's expanding what is medically covered, really what that means is that there's going to be a cap on people's ability to get any kind of funding.

3:30

Where they may have previously been in a collision and had a concussion that may in the future be life altering, and they may have potentially had the ability to receive tens of thousands if not hundreds of thousands of dollars, now this government is saying that they will be paid a maximum of just over \$5,000.

What we see is a government, once again, who has been lobbied by people like Nick Koolsbergen, somebody that was, I believe, the campaign director for the UCP in the past, the campaign manager, been lobbied by this person. Correct me if I'm wrong, but I believe that person is also lobbying this government to privatize laundry services in the health care industry. While they are fully giving the pen to lobbyists to write the new direction for how insurance premiums will be paid out and how the insurance industry will continue in this province, unfortunately the voices that have been left behind are, in my opinion, injured Albertans and people who really have not been consulted on this legislation.

There is a lot to talk here about, of course: the report that was put out and commissioned by this UCP government and by that Finance minister, the minor injury regulations that are going to change the way that Albertans are able to be fairly compensated, and, of course, through Bill 41 the changes that will fundamentally increase the profitability of the insurance industry, with, once again, no commitment that it will actually trickle down to Albertans.

We've heard the minister talk about numbers, that, you know, it should save on average, I believe the number was, \$120 to ratepayers per year, but I would point out once again that we have across the province seen an increase of 24 per cent on average to ratepayers up to this point over the last year. In some instances that we've heard from Albertans, it's gone up much more, 50 per cent in some instances. We have stories. Even over the last month as we've had this conversation with Albertans – of course, we originally thought that this government was going to do one worse. Thankfully, they didn't, but I'm sure it's in the plans for the future if the lobbyists have their way. We were very concerned that this government was going to move on no-fault insurance, taking away the ability of any person that's in a collision to sue for fair compensation. Thankfully, at this point, the government maybe saw the writing on the wall. I'm not sure why they didn't push it through, but thankfully they didn't, because that is going to be a whole other disaster in terms of getting Albertans fair compensation for life-altering injuries.

Now, some of the questions that we have, first of all – and I think some of my colleagues have asked this – why did the Minister of Finance end the cap so abruptly and with no real understanding that it was going to increase the premiums so rapidly? At the same time as we see Bill 41 introduced and as we see the regulations pushed through, which, of course, have already gone into power on November 1 of this year, I believe, taking away the ability for Albertans to get fair compensation for life-altering injuries like concussions, why was there no commitment, while the government is increasing the profitability of these corporations by millions and millions and millions, to tie it to any kind of, you know, ability of Albertans to see their premiums reduced? The only commitment we have is, "Down the line it should be more stable; down the line Albertans should see a reduction in their premiums," but really nothing in here is tied to actually making sure that that happens. This government says that the market will take care of itself just like the \$4.7 billion will trickle down. Unfortunately, that has not been the case so far.

Another question that I asked the Finance minister just earlier today: why would a concussion ever be considered a minor injury? I cannot imagine if myself or somebody in my family or somebody in my community were to be in a collision as no fault of their own and received a concussion that was life changing for them, that altered their ability to potentially earn wages into the future to some extent, why we would ever consider capping that at just over \$5,000. Where's the humanity in that, Mr. Speaker?

Now, once again, I've talked about the fact that this bill and the regulations that were put forward give the insurance industry virtually every single thing that they asked for, so what do Albertans get in return? Nothing, absolutely nothing in writing. Once again, the Finance minister says: well, one day it will trickle down to you; one day you might see some savings. Not this year. We'll see what happens next year, because, well, that minister made a commitment that that would happen. We'll see what happens next year.

Another question is: why did this bill take so long to draft? You promised Albertans a year ago, when you removed that cap, that you would have answers for them. Unfortunately, through the pandemic, if you were lucky, your insurance company was willing to return some of the money that you had already paid or were going to pay. I'm thankful for the companies that were able to do that – not all of them did it; some of them did – but the fact is that most of that return was because Albertans were no longer driving as much because they potentially lost their jobs or were working from home and other factors. So I would be interested to see – you know, we talk about the billion dollars pretax that the insurance industry here in the province was going to accumulate this year. I would be interested to see how that is compared to previous years and if the insurance industry even took a hit this year or if they, in fact, did better compared to other years based on the pandemic and the reduction of drivers and the reduction of claims.

Now, once again, the idea of no-fault insurance, that the majority of Albertans have been shown to not support: this government wants to continue talking about it. It wasn't enough that people that are injured and have a concussion that is potentially life altering, that is potentially going to change the ability for them to gain impact into the future, it wasn't enough that that was capped and that Albertans are no longer able to sue for that. It wasn't enough that when we talk about the interest rates that would traditionally be given to claimants based on their final payout and how long that takes in court, it wasn't enough that through Bill 41 that is going to be reduced from 4 per cent to 1.5 per cent, which I'm sure we'll have more opportunities to talk about. It wasn't enough that the ability to bring in your own expert medical reports and bring experts that can talk about fair compensation and why you should be

compensated for that much, it wasn't enough that that has been reduced and that the, you know, cost of court is going to be reduced in that factor.

Some of these changes are important that we talk about, but, once again, through all of the changes that are being proposed here, there is no real commitment that this will actually reduce costs for Albertans, for consumers, other than a word-of-mouth commitment that you may see some savings into the future, that this is going to create more sustainability. These are the exact talking points that we saw from the government, and I believe some of the people that commissioned this report that is before us are the same people that sat on the board that adjusted minor injury regulations back in around 2004. The profitability of these insurance companies continues to go up, but that is not the case for a reduction in premiums for Albertans.

Once again, we look at changes to the direct compensation property damage – a long title, of course – in terms of how people are paid out. Instead of being paid out by the at-fault insurance company, they would now be paid out by their own insurance company. This is a conversation, once again, that we should have, but, really, to this point and to the direction that this government is taking the discussion around insurance payouts, this really is showing that they are opening the door for a no-fault insurance industry. While they say that they're going to take the time to consult until the summer of 2021, it seems pretty clear that the writing is on the wall, that they have a direction that they've been given by their Premier, by the insurance lobbyists that have so clearly written out Bill 41, with no commitment to Albertans that it will actually save them any money.

When we look at the regulation changes and what we see through Bill 41 and the recommendations through the report, it is simply take, take, take from the insurance industry, that is not giving back anything to regular Albertans who continue to struggle through a pandemic to pay for things like putting food on their table, who continue to struggle to pay for, you know, everyday expenses. Once again, this government wants to take it further. They want to talk about toll roads on important infrastructure projects across our province that everyday Albertans need to use on a weekly basis.

3:40

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

Standing Order 29(2)(a) is available. I recognize the Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Thank you, Mr. Speaker. I was quite riveted – and I don't mean that sarcastically – by the member's comments. He's done a lot of work on this file. He's spoken to a number of stakeholders. The other thing that he's doing is he's listening to everyday Albertans, and he's hearing their stories, their concerns. Folks who've seen significant increases in their insurance rates is one example. I do appreciate that he was just starting to explain a little bit more about how this government is continuing to add costs on Albertans. As he was interrupted, he was just talking about the tolls and the additional fees that are going to be put on Albertans who are travelling across this province, so if that member could please continue.

**Mr. Carson:** Well, thank you, Mr. Speaker. I appreciate that. Of course, you know, this toll is not only figuratively but literally because of the decisions made by this government. You know, just today I was thinking about not only the changes that they're making to potentially double tax Albertans who are simply trying to use their own infrastructure in their municipalities and across the province but at the same time creating a system where Albertans

that are most well off, that are more wealthy than others are going to be able to benefit from these infrastructure projects compared to people that can't afford to pay for these tolls.

It goes even further to the considerations that are being made by this government and the legislative changes that they've made to privatize our health care industry, so now, you know, introducing the idea of queue-jumping even more so than before. So we have somebody that's able to pay to get across the province faster, to use more efficient modes of transportation, and at the same time they can get to their appointment several weeks faster because they have the ability to pay for it. What we see from this government on all fronts is that they truly only care about the most well off Albertans, and if you are somebody who is low-income, who is reliant on important government programming, well, you are going to be left behind. We've seen that in AISH, we've seen that in seniors' benefits, and we've seen that once again here today with the introduction of Bill 41.

It's absolutely shameful, Mr. Speaker, because the government should be looking out for the people who need support the most, but that is definitely not the case here today. Today the government is watching out for the insurance industry, who has funded their campaign and who has promised them so much in return for changes like we're seeing here in Bill 41.

I just want to point out that I had the opportunity to raise names of members of the community, specifically Brandon Rudics, in one of my comments in the past in the Legislature, a father from Lethbridge who feels that his family has been held hostage as they had no choice but to pay so that they could drive their children to crucial health appointments.

One final point that I want to make is that the minister will talk about the idea that Albertans have had to pay lump sums up front for their insurance when we introduced the cap, but as far as I can tell, that has not changed at all. Once again, no commitment that that will change in the future. It continues on a year after the cap has been reduced, and I can only imagine that will continue on as these insurance companies are even more profitable because of the changes that this government is making. I hope to find out that I'm wrong on that, Mr. Speaker, but I simply don't see that it's the case, because the government has continued to make these changes for the insurance industry with no real payback for regular, everyday Albertans.

I'm sure I will have more to say to this in the future, Mr. Speaker. I appreciate the opportunity, and I hope that through some of these changes, Albertans will see a reduction in their insurance premiums. I just am very concerned that the minister didn't actually have any of that in writing to show that while these companies are going to have massive increases in their profitability, there is no real, once again, commitment that Albertans will see a reduction in their premiums.

Thank you.

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

Standing Order 29(2)(a) is still available for 33 seconds.

Seeing none, I will recognize the Member for Calgary-Falconridge.

**Mr. Toor:** Thank you, Mr. Speaker. I'm honoured to rise and speak in support of Bill 41, enhancing driver affordability and care act, or more formally known as the Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020. This bill introduces a number of immediate matters that address concerns about affordability in Alberta's auto insurance industry. This bill increases the number of medical benefits available to Albertans that need this coverage as part of their insurance package. Access to

dentists, psychologists, occupational therapists, and also the inflation-adjusted benefits should be included in this.

The amendments in this bill have been constructed under the guidance of three basic principles: first, to stabilize insurance rates for drivers; second, to increase the benefit for those harmed in automobile accidents; third, to provide more options for those seeking insurance coverage. It is the introduction of measures that will make automobile insurance more affordable for Albertans while at the same time providing a comprehensive framework for cementing a fair, sustainable, responsive insurance system now and in the future. Albertans should be hopeful about the future as auto insurance premiums are expected to stabilize in the near future.

I understand why Albertans are frustrated about their auto insurance premiums as the cost of auto insurance in Alberta is the third highest in the country.

Mr. Speaker, we heard from the other side to adopt the other provincial plan or structure. Let's talk about what B.C. is doing. In B.C. normal residents are paying about \$1,832 per year. In Ontario it is \$1,528. In Alberta we're paying \$1,316, the third highest. Since 2015 in B.C. the automobile insurance rate went up by 63 per cent.

We heard a lot from the other side that there was a cap, and we removed the cap. You know what, Mr. Speaker? Since 2015 insurance premiums in Alberta have gone up by 30 per cent. In 2015 Albertans used to pay \$1,000 per year, but now they're paying over \$1,300 despite the 5 per cent cap, much of which can be attributed to the artificial and – that was an arbitrary cap that was instituted by the prior NDP government. Many Alberta drivers, especially in my constituency of Calgary-Falconridge, who are small-business owners were adversely affected by this insurance rate cap as it resulted in drivers having to pay for a full-year premium up front rather than monthly statements.

When we asked people how we can reduce the insurance premiums, there were a few factors we considered. We asked Albertans to shop around. They need to have more options. They need to have a viable, sustainable insurance industry. There has to be more industry approached, too. And then we say that the number of claims, of course, matters, too. When it comes to the lawsuits, that resulted in an increase in premiums.

In my riding of Calgary-Falconridge many drivers were denied collision and comprehensive coverage and would often fail to access coverage through their broker. At the same time I'm hearing from the brokers that even in the insurance industry some companies are asking their brokers not to write the policies based on their postal codes.

Albertans should have proper access to the insurance industry. They were forced to pay a full year, as I said. Not too many Albertans, especially residents of my riding, were able to do that. This insurance rate cap was not for individual drivers as many saw, as I said before, that the rates increased more than 5 per cent. For a constituency like mine, with many hard-working, low-wage employees trying to stretch their paycheques, this can be an unnecessary hardship. This burden was a direct result of the cap being imposed on insurers' Alberta-wide income from auto insurance premiums. In other words, rates could be raised on some drivers if compensation was received somewhere else.

3:50

As the Minister of Finance and President of Treasury Board stated back on October 29, both drivers and insurance have been paying the consequences of the previous government's ill-thought-out, socially engineered rate cap that left many Alberta drivers without reasonable insurance options. This bill will start to ease the pressures created by the NDP and limit steep rate increases on Alberta drivers. The minister is undoubtedly correct as the previous

cap was not in the best interest of Alberta drivers. It is more competition that will lead to more affordable pricing, not less competition, as the members in the opposition claim. However, with these key amendments, drivers in Alberta can begin to feel secure about not only their premium but also their safety, and proper insurance coverage will be available.

Lawsuits involving automobile injuries can often cost hundreds of thousands of dollars to resolve. Usually it is the lawyers that get rich on these personal injury lawsuits, not the claimants, not the ordinary Albertans. This is the key anxiety many Albertans have been driving with as the consequences for vehicle accidents can be enormous. Yet with a wise definition of minor injury and limits on the number of experts used in resolving traffic injury lawsuits, supports that are often highly expensive, Albertans can begin to gain confidence in their insurance system, a system that looks out for those harmed and ensures that the tortfeasor is held accountable for their infraction.

Additionally, drivers in Alberta will be happy to hear that projected average savings could be nearly \$120 per year for each insured Alberta vehicle with this legislation in place. This will be very welcome news, especially in northeast Calgary. Changes like this cannot come soon enough for residents of this riding. I have received many phone calls from concerned constituents about their rising premiums, their inability to securing affordable insurance that meets their individual needs.

I actually spoke to an insurance provider in the northeast who informed me that previous government policies prohibited their business from offering affordable insurance packages, so those brokerages are getting closed. Small businesses are already under stress, and the previous government's approach was putting them out of business, too. The previous government policy that this provider was speaking about was the former NDP's cap that socially engineered the rate by forcing this northeast Calgary provider to offer a limited number of insurance packages. They were often expensive and very narrow in the kind of coverage offered.

Thankfully, however, once this issue became apparent, our government acted with speed by appointing an Automobile Insurance Advisory Committee that looked thoroughly at the options available for systemic automobile reforms in Alberta. This committee quickly found that a number of reforms could be acted upon to reverse the unfair and uncompetitive system that was superficially created by the previous capital-killing NDP government.

Mr. Speaker, our government is working to reform and revitalize Alberta's automobile industry because Albertans deserve better. This bill is a necessary step in the process, and I'm proud to support this piece of legislation.

Thank you.

**The Acting Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, I will recognize the Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Mr. Speaker. I appreciate the opportunity to add some comments here this afternoon around Bill 41, Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020. I'm going to be able to take this bill from a bit of a different perspective as an individual who was involved in a motor vehicle collision and how some of the changes being proposed in this legislation kind of come around with my experiences with that whole process.

One thing I did want to quickly address here before I get into that, you know, is that, like you, Mr. Speaker, I had the privilege and honour to serve in the 29th Legislature. I remember probably about



at the six-month mark, maybe the seven-month mark, of the NDP government, the Official Opposition starting to berate the government about: "Stop blaming the previous government. Take responsibility. You're in charge now."

I kind of look at the calendar, and currently, right now, this government has been serving in their term about 18 months now, give or take some time here at that, so maybe what I would suggest is that it's time for this government to take responsibility for what they're doing and not doing. Quite clearly, they have created a mess in the insurance industry, and they need to take responsibility for that. You've been in charge long enough. I just thought I'd quickly bring up that point because I keep hearing this over and over again about the previous government. You know, if you're going to be true to what you believed back then, it's time for you to move on and start looking at what you're doing.

First off, when I look at Bill 41, some of the changes I see here around modifying the prejudgment interest, which, of course, lowers that from 4 per cent to 1.5 per cent – again, trying to translate this to my experience in my motor vehicle accident back in 1998, Mr. Speaker. I was leaving work after working an evening shift at the ice cream plant. I left at 6 o'clock in the morning, and by the time I got into my vehicle and was turning left onto the Yellowhead Trail at 6:03, I was struck in the front driver's quarter panel by a driver that ran the red light. As we know, the Yellowhead Trail is still at 70 kilometres an hour. My guess is that they were probably going a little bit faster. Needless to say, it was a mess. My understanding is that, you know, we tied up that intersection for about two and a half hours, approximately.

I don't remember much, if anything, of that whole experience. The first clear time I remember was about 3:30 in the afternoon. As I learned of, you know, what had taken place, my understanding was that – I had a bump on my head somewhere right about here. The only conclusion that I could come to was that I had put my head through the side door window. That was the only thing that was there for me to hit. As you can imagine, I had whiplash. I had some cuts from broken glass. I did have a pretty good concussion, but thankfully I was young, I was resilient, and I was able to get through that.

Now, of course, here I am, many decades later from that time, and I kind of wonder, you know, maybe I wasn't as young and resilient as I thought I might have been. Ironically, here we are talking about insurance today, and my neck is sore. Thankfully, it's not triggering any headaches today, but it seems ironic that I'm speaking about insurance and accidents and whatnot while still dealing with that.

I think back now about the time, you know, when I first talked to a lawyer about this. I very distinctly remember the question he asked me. Actually, it was a series of questions, and I quickly got the understanding of where he was going. He first asked me, "How are you going to be feeling tomorrow?" I was rather confused. I said, "What do you mean?" He said, "How are you going to feel tomorrow?" I said: "Well, I have no idea. I've just recently been in an automobile accident. Doctors tell me I have whiplash. I have a concussion. I'm supposed to get scheduled to get an MRI done because they're not sure if there's something else going on in there." He says: "Okay. How are you going to feel next week? How about next month? How about in six months?" I couldn't answer that. He said: "Exactly. You don't have any clue." So how can we start making decisions about what people should be compensated on when we have no idea what the effects of a motor vehicle accident could be on them going forward?

4:00

I would have told you, Mr. Speaker, after a month that I was on the mend. My neck wasn't really hurting. I didn't seem to have any effects from the concussion. The cuts had certainly all healed by that time. And if you'd have told me, "Well, you're going to suffer from some neck problems going forward," I would have said: no; I'm fine. So after about a year I just finally directed my lawyer: just, you know, settle it out; we're fine. I've been regretting that decision ever since, especially as I get older.

When I look at the proposed changes here, dropping that down, I think we're doing a big disservice to Albertans, who just simply will not be able to tell you how they're going to feel tomorrow or next week or next month. So I'm not very supportive of that kind of a change. But as my colleague from Edmonton-West Henday said, it is going to save insurers a lot of money, depending on the size of the claim, which is funny, because it's my understanding that some of these big insurance companies should have already benefited from the corporate tax giveaway. There would have been money there for them as well. So now we're giving them even more money. Unfortunately, we've seen a little bit of a trend, Mr. Speaker, where Albertans seem to be at the bottom of the list with regard to what they need. Essentially, what we're talking about is that it's tilting the scales in favour of the insurers. I mean, isn't that the whole principle, that we pay a premium so that in a time of need we have the ability to fall back on that?

I'm also looking at some of the changes in terms of the number of medical reports that can be used in a claim. Again, looking at my own experience, I had whiplash. I had a concussion. There were further questions with regard to that. So not only am I seeing my GP just to see if my overall health will allow me to eventually go back to work, but I'm seeing a physiotherapist to try to get me back to work with regard to the whiplash and the back pain and whatnot, and I'm also having to see a neurologist about what possibly might have been there. Now, like I said, the good news was that there was nothing. It was just simply the dye that they used; it just didn't quite co-operate for them at the time. So that was very good news. But it would have been a report nonetheless. By limiting this, you are now, again, putting Albertans at the bottom of the scale for what they might need in order to get, potentially, fair compensation when they find themselves in a situation, possibly like myself, where somebody ran the red light because they were in a rush to do whatever it was at that moment in time and somebody pays the price for it.

I'm also looking at the changes for direct compensation with regard to property damage. This was interesting because I found this to be a very, very frustrating point in my experience. When I started looking at the vehicle that I'd had, which was written off at the time – it was beyond any means of repair – somebody had suggested to me: "Why don't you deal with your own insurance company? Maybe you'll get something a little bit faster." You know, thankfully, again, at that time at least, I was young. I seemed resilient. It looked like I was going to be getting ready to go back to work. I needed a vehicle because I lived way over on the south side of the city in the fantastic constituency of Edmonton-Mill Woods.

**Member Irwin:** You were a south-sider.

**Mr. Nielsen:** I was a south-sider until I became a north-sider.

You know, that was a distance to travel, so I was going to need a vehicle at the time. I approached my insurance company and said: "You know, we need to take care of this. Is it possible to do that?" "Absolutely," they said. They quickly whipped out the black book on the vehicle. "Yeah. We can give you this." I said: "But my

vehicle was in perfect condition. As a matter of fact, I'd just finished rebuilding the engine on it." "Oh, well, we're sorry to hear that." It turned into this: I'm having to pull and tug and push and getting very frustrated trying to get results from my own insurance company. Quite frankly, finally, frustration took over, and I said to him, "Look, aren't you just going to go to the other side and get every single penny that you would give to me?" "Well, yes." "Then why are you fighting me?" Well, then the process started to move along a little bit.

So when I see some of the changes proposed here in Bill 41 around this, I can't help but think: are others going to be in a position where they have to go to their insurance company and are going to have to fight with them to simply get their compensation for their vehicle, which they might need to get back and forth to work? I mean, in a sense, wouldn't that potentially be red tape, Mr. Speaker? Aren't we making life more difficult for Albertans?

I mean, as the critic for red tape, my understanding is that the Associate Ministry of Red Tape Reduction would not want that to happen to Albertans. That's their whole mandate. You know, as the discussion moves forward, probably in Committee of the Whole, maybe we'll get a chance to hear from the associate minister about that and what kind of conversations took place.

The other one here that I find interesting is removing the power of the Finance minister and the superintendent of insurance and giving those to the automobile insurance industry. I hate to say it, but every time I've seen decisions such as this, it usually doesn't go for the benefit of Albertans.

It's funny. I've seen such a pattern from the current government and the ministers to try to give themselves more power. I mean, we even saw that in Bill 10, where they said: hey, we want to be able, if we think it's, in our opinion, the best for Albertans, to make laws, get rid of laws, amend laws, but we don't want to need to check with us here in the Assembly. So is it a case where they went, "Oh, well, you know, yeah, that was too far" and now they're going to the other extreme, where they will allow the insurance industry to make the decisions for them? I hate to say it.

And you know what? I mean, I guess I don't begrudge them for doing this, but at the end of the day, if they're going to look at their business and go, "Well, you know what; we can't make it go; we can't make it work; we've got to make this change, and I'm sorry that that's not going to work to your benefit," if we can clearly see that that's not in the best interests of Albertans, we've now given up that ability to prevent those kinds of changes.

Again, looking back at my own situation, after this whole process of dealing with my insurance company . . .

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

Standing Order 29(2)(a) is available. I will recognize the Member for Edmonton-Highlands-Norwood.

4:10

**Member Irwin:** Thank you, Mr. Speaker, and thank you to the Member for Edmonton-Decore, a proud north-side resident. I was interested to learn that he once lived on the south side, but I forgive him for that. I was, honestly, quite interested in the story that he shared. You know, when you're able to bring to the table and bring to this House your personal stories, it really does highlight just how critical our job here is as legislators.

We have an opportunity to try to improve this bill. We've highlighted a lot in this House already. We've only had a few speakers speak to this bill, but those who have highlighted our deep concerns with Bill 41 as written. The Member for Edmonton-Decore shared his own personal story of a motor vehicle accident and of the struggles he encountered in working with the insurance

companies and with his own lawyers. I think his story, truly, is the story of so many. I worry that we're going to hear from a whole lot more of our constituents, many more folks. I know I've had folks share with my office. I think my colleagues here on our side have heard from folks already who are quite concerned about the changes as listed in Bill 41. I'm not going to presuppose what will be happening, but I know that we will likely need to be introducing some amendments to try to make Bill 41 more amenable. Again, there are some pretty grave concerns that we have with this piece of legislation.

I wanted to just throw back to the member because, like the Member for Edmonton-West Henday, the Member for Edmonton-Decore was pointing out that, you know, we're talking about issues of affordability as well. You just started to say that you're hearing from a number of constituents who are struggling to make ends meet and who have already experienced from this government increased fees on so many areas of their life – right? – user fees, tolls, which we've spoken a lot about today. I would just like to ask the member to share a little bit more about what he's hearing from constituents and what some of his big concerns are around, in particular, the impact that this is going to have on everyday Albertans.

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

You have about two minutes left.

**Mr. Nielsen:** Thank you, Mr. Speaker. Yeah, I guess, to finish the story, after all of that, the moral was that my insurance company then came to me and said: "Well, you made a claim. You now need to pay more."

With regard to the question from the Member for Edmonton-Highlands-Norwood, I started thinking about my constituents. If they're going to have to go to their insurance company to make claims, are they now going to hear, "Well, you made a claim, so now your insurance has to go up"? That's what we see when people make claims to their insurance. Those costs rise.

As was mentioned, there are many other costs that are rising: rising tuition, rising power bills, things like that, and, should they get into an accident, rising insurance costs. Decisions, you know, made by boards – again, a pattern that I've seen of patronage appointments to those kinds of things is going to allow those kinds of decisions to be made to the detriment of all of our constituents in terms of either higher costs or insurance that won't be provided because, well, you're not meeting the criteria.

A lot of things I wasn't able to have the time to be able to get into. Perhaps in further debate, in Committee of the Whole, I can bring some of those things up, and maybe we can have a little bit of a back and forth around that. It concerns me when we start potentially setting up the system so that people of less means are now in a position to not be able to have that. As we know, everybody should be able to have insurance, but they should be able to access it when they do need it. That's what they pay for. We need to be thinking about Albertans before we think about companies first.

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

Any other members wishing to speak to the main bill? The Member for Lac Ste. Anne-Parkland.

**Mr. Getson:** Yes. Thank you, Mr. Speaker. As you're aware, when we were elected, we inherited more than a few files that had their challenges from the group that was exiting. See, when they left, they kind of left a few time bombs for us to deal with. They had basically put a bunch of temporary Band-Aid solutions on things, and they

never really dealt with a ton of the core issues that were the challenges. This file was no different than the rest.

I believe there was no one more surprised when they were elected than the NDP themselves, which may explain why it took them nine months to actually form government after being elected. I also believe there was no other group than themselves that was least surprised when they were going to be, you know, the one-term wonders and were deselected by Albertans.

With the Band-Aid policy that they applied, it would cause issues for the new group coming in to govern. This approach was kind of like Saddam Hussein pulling out of Kuwait and lighting up those well sites as his troops retreated back to Iraq. You see, to them it's more important to win the propaganda war than to do what's truly right for Albertans. I'm glad to see that our minister is tearing into the problem, getting to the core issues, and coming up with a real solution to the problem that is truly in the best interests of Albertans in the long run.

What are these objectives, Mr. Speaker? Well, they're stabilizing the rates and even finding ways to decrease premiums. Most people jump at the chance to save money on their auto insurance. We're able to offer a 10 per cent savings that can be achieved in Alberta, and that's about \$120 per vehicle per year, as some of the members from our side have already mentioned. Increasing medical benefits for Albertans: this includes adding dentists and psychologists and even occupational therapists to help people recover, to get back to their former normalcy faster. There's actually lots to be happy about here when it comes to this bill that the minister is bringing forward, like increasing coverage for diagnostic services and treatment, inflation adjustments for income replacement, protecting people's incomes.

You see, this is something that the opposition should support if they really have the best interests of Albertans at heart. Let's say that they protest or claim the sky is falling again. I'm not sure where they're going to go with their debate, but they actually should be supporting this because it's some good legislation, again, dealing with the core issues and helping out Albertans.

Adding more options for insurance, pay-per-kilometre or other usage-based options, allows Albertans to choose the coverage that is more appropriate for their situation.

Coming back to getting treatment faster, well, this is actually key in most recoveries. By making sure that treatment is received in a timely manner, those that become injured will experience less waiting time and, therefore, less suffering. This will help control costs for the industry and will prevent short-term injuries from becoming long-term problems and adding to already lengthy waiting lists.

When we talk about consultation on the bill, well, it happened, and it took place all across the province. It will continue to happen, and it will continue to take place. We talked to the industry, who did not lead the conversation, and we talked to about 31,000 Albertans through the committee. The larger structural changes like a full not-at-fault system will continue to have consultation.

Why did the rate cap fail? Well, it was a Band-Aid solution with an expiry date that just happened to coincide with an election cycle. You cannot limit how much a company can make in a free-market industry. Here, in reality, that's the system we live in. We do not live in centralization land, where the government controls everything. Centralization or that socialist-type insurance didn't work in B.C. and won't work here to decrease costs either. Businesses might make an overall profit, but they will eventually cut out the areas where they are losing money and stop offering services. We need to create a framework that works for both them and the consumers that is mutually beneficial and finds its balance, and we believe that we have done that here.

The definitions of minor injuries are updated periodically, and court decisions five to eight years ago created issues around this. It was not addressed in legislation, so then again it's being fixed here now. Minor injuries that can lead to more serious complications will remain serious injuries and will not be included as minor injuries.

We all hate having to pay for insurance. The rates have increased greatly over the last year after that cap had expired, obviously.

**Mr. Bilous:** Since you've formed government.

**Mr. Getson:** We have been hit with reduced coverage or a shrinking pool of providers or services that they offer. I think the other member was heckling, but that's okay. They don't like it when you repeat the record and correct the record.

I, like many, have a decent driving record and have multiple vehicles and equipment that require coverage, yet I've had the same challenges as previously noted. Even if you were with your broker for a number of years and you've had really good records, a lot of us found that we were being shopped around, and some of the services that we typically had just weren't available anymore. That pool, again, was being diminished under that former group and needed to be adjusted. Heck, I'm sure the folks here have considered self-insuring or, worse, based on the circumstances we're in, maybe not insuring at all.

4:20

With the amount and type of driving that I do, the highest risk for me is actually wildlife. Unlike some of the members who move from one side of the city to the other – and which I lived in Edmonton in a prior life and moved a few times as well – most of my driving is remote. The biggest incident that I had of running into and the most frequency of accidents is actually wildlife. However, the three incidents that I did have in my driving career – the last one was about, oh, shoot, 18 years ago – that involved motor vehicles, two of them were in the province of Alberta and one was actually out in British Columbia. All of these were considered the other person's fault, with the exception of British Columbia, where it was considered no fault.

You see, I was on the way to work one morning, driving down the Lougheed Highway on my motorcycle, when an individual that worked at one of the penitentiaries out there – she was finishing off her late shift – ended up pulling out in front of me in the highway, and I hit her doing about 70 kilometres, I think, at the time the accident took place. I managed to tuck up, slam into the side of this pickup. My helmet hit the top of the door frame. I tucked up and caved in part of her door. I was wearing full leathers at the time and managed to get my foot up so I didn't get caught underneath the door, so the leathers took the damage, the helmet took the damage, and then I managed to flop and slide down the highway, get on top of my motorcycle, and watch vehicles peel off me at highway speeds and other sides around me.

Now, the interesting thing about that is that I was injured, sure, but I went to work that same day. I managed to scrape the motorcycle off the road, had a truck come pick it up for me from the job site I was headed to that I was managing out there on a fibre optics install. Now, the interesting part with all of that? The individual that pulled out in front of me, that was safely cocooned in a vehicle, is actually the one that charged, actually went to court, if you would, and claimed major injuries and that all these other impacts were taking place. Now, I'm not sure, Mr. Speaker, if you've been bucked off a horse or if you've had anything else, but imagine slamming into something at 70 kilometres an hour, and then imagine any accident you've been in where something actually hits the side of your vehicle that is designed to take all that.

Now, you see what happens there is that this starts to drive up rates. Because I was honest and looked at what injuries took place, et cetera, didn't make a big claim, didn't take it court, didn't drive it up, well, then I'm out of pocket having to pay for my vehicle, for half the value of the repairs, which I did. You see, that B.C. model that's been used for a number of years, and even more so with that B.C. model, they only select certain areas where you can have your vehicles repaired or certain parts list or, or, or.

Again, that system is unsustainable, so having some folks suggest that that's the model that we should go to: it doesn't make sense. I'm glad that the minister had found the balance here between that, so it takes care of tons of those exaggerated claims. Getting in an accident – and this comes back to the personality – should not be deemed as winning the lottery. The whole intention of that is to be there when people need it, to do the damages, to take care of that, and to get you back, but to have these outlandish claims that are taking place is putting a strain on our system as a whole and is extremely discouraging.

I am very happy to see that the minister got to the core problem, not Band-Aid solutions, tore into it, and is actually keeping the best interests of Albertans in mind going forward, so we'll have a sustainable plan that'll be there in the long term.

With that, I encourage everyone in the House to vote in favour of this bill and give Albertans what they're truly looking for because it is going to help us all. Thank you.

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

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

Seeing none, any other members wishing to speak to the main bill, Bill 41? The Member for Edmonton-Castle Downs.

**Ms Goehring:** Yes. Thank you so much, Mr. Speaker. It's my pleasure to rise this afternoon to speak to Bill 41, the Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020. I've been listening to the debate, and I'm looking forward to hearing more, but I wanted to get some of my comments and my constituents' comments on the record this afternoon. I know that my colleague the Member for Edmonton-West Henday has been working extremely hard representing Albertans and specifically making sure that their rights are represented when it comes to insurance.

I know that our government put a cap on insurance rates, and one of the first things this UCP government did when they became government was remove those caps. Now, if we rewind to the conversation at the time, they said that they would ensure that there were protections that would be put in place to keep Albertans safe and to make sure that their rates didn't skyrocket. Well, Mr. Speaker, we're over a year into the removal, and unfortunately no such protections have been introduced. It's somewhat concerning that when they removed the cap, they did so without a plan in place, and there continues to be no plan. Unfortunately, the direct result of that has been that Albertans are paying incredibly significant increases to their insurance rates.

The fact that this piece of legislation is introduced now at this time, which is going to make it more profitable for insurance companies and more difficult for Albertans, who are ultimately paying the price of this legislation, it's concerning that the timing is during a global pandemic, when the entire world is trying to get by, and they're trying to figure out ways to save money because there have been incredible layoffs. There have been families that are struggling perhaps now on one income, some on zero income. There are things that are top of mind for them. They still need to drive, they still need to get out and look for employment, get their children to school, yet their insurance rates are going up, and their

income isn't increasing. We're not looking at an economy right now that is doing well. We're looking at an economy that has been hit by a global pandemic. The tone-deafness of this government to increase insurance rates for Albertans at a time when everybody is struggling is very confusing to me, Mr. Speaker.

I look through this legislation, and I see how – it's a mess, simply put, the way that the UCP government has been handling this. I was hopeful that there would have been some sort of empathy, understanding, compassion when it comes to those Albertans that are struggling. Instead, we look at a piece of legislation that supports profitable insurance companies. According to the UCP's own report – it was just released – the industry has pocketed an additional \$820 million in premiums in the past year, corporations in an industry that have already profited from their \$4.7 billion corporate handout. Why this is coming to the aid of insurance companies when it's Albertans that are struggling is beyond me. It's very concerning.

We see that Albertans are paying skyrocketing premium rates. We see it in our constituency offices, from my constituents, we see it on social media. People that aren't part of my constituency are reaching out. They're saying that, you know, their member, who happens to be a UCP member, isn't listening. They're confused about why the government is continuing to take money out of their pockets. The average increase is 24 per cent, which is quite significant when we're talking about car insurance, talking about insurance in general. These rates are increasing, and Albertans are struggling. They can't pay the bills, and they need to drive. It's just really disheartening and concerning that this is what's happening.

There are other pieces in here that I find somewhat concerning. One of the examples is a decrease in the number of expert medical reports that can be used in a claim. It not only limits the ability for Albertans to bring forward evidence that they find necessary, if there are perhaps three different medical experts – I know from first-hand experience, having family members that have been in some horrific car accidents, there's not usually just one expert. There could be several experts. The medical field has different specialists depending on what your injury is. It could be orthopaedic surgeons. It could be neurologists. It could be psychologists. So if there's a limit on the number of medical reports that are used, that to me doesn't make sense. You don't have one physician that does everything. They've gone to school. They have an area of expertise. That inevitably results in lower net payouts to victims because they're not getting the full picture.

A car accident can have incredible impact on an individual. They could end up being paraplegic. They could end up having extensive neurological damage, a brain injury, psychological impacts, PTSD.

**4:30**

Through my work with PTSD when I was looking at making it a day in Alberta, one of the main things that we had heard is that people that experience trauma – a car accident is trauma – can have PTSD. That could be a lifelong impact, and how do you exclude that expert that's saying that this is an individual that has trauma from a vehicle accident, whether it was the location of the accident, whether it was driving? Someone with PTSD is sometimes potentially struggling with it every single day. It's an incredible impact on their life.

To potentially determine whether or not their being in a wheelchair for the rest of their life is the more important medical report or their psychologist or psychiatrist, that is helping them get through the trauma of the car accident – how do you decide which medical report goes through when there's a limit that really, really limits the person's ability to have their full story shared? I can't imagine trying to decide which medical report is more important.

It's just something that I don't think makes sense. We have medical experts in different areas because that's their area of expertise. We don't have just one medical professional giving their opinion. It would be at a huge disadvantage to have, let's say, an orthopaedic surgeon talking about the PTSD side of it or the brain injury side of it. That's not their area of expertise, and if providing evidence, they can't speak to that. To only have one report entered simply doesn't make sense. It's clearly a disadvantage to the victim and an advantage to the insurance claim that is limiting the amount of medical expert reports.

The other thing that is quite concerning to me as a mom, as someone who has seen first-hand what a concussion can do: the fact that they are considering a concussion to be a minor injury so that the insurance companies can pay less in claims. I think anybody in here who has either experienced a concussion or knows someone that experienced a concussion can tell you that this is a brain injury, and it can have significant, life-altering impacts. When I look at the government of Canada website under Concussion: Symptoms and Treatment, in the very first sentence about a concussion it says, "A concussion is a type of brain injury." It's your brain. Anybody in this room can tell you that if there's an injury, when someone gets that phone call: you know, are they okay? You hear "brain injury," and that's a scary, scary injury to be dealing with. To have it limited to minor – I think many Albertans would agree that living with a brain injury is anything but minor. That is not the lived experience of anybody that is dealing with the ongoing symptoms of a concussion.

I'm referring to the Canada website. It says that symptoms can affect the body, the physical, your thinking, your emotions, your sleep. Those are things that are simple things that we take for granted. Being able to sleep: if we don't get a good sleep, it's going to impact your day. Having a lifelong injury that is going to impact something like sleep, your emotions, your thinking: those are long-term impacts that can affect your day-to-day quality of life. For the body it says: being dizzy, headache, sick to the stomach, pressure in the head, trouble with balance, sensitive to light or noise, blurry vision. Your thinking, it says, can be confused: sleepy, can't think, can't remember, tired or low energy. Your emotions: irritable, nervous or anxious, more emotional, feeling foggy, feeling sad. Your sleep: can't sleep, sleeping poorly, sleeping too much.

Any one of those symptoms is something that is quite significant, especially when you're looking at the impact on your daily life, and I think that having it moved down to a minor injury doesn't make sense to me. I'm curious why the minister has decided that this specific injury is something that's considered minor.

I know as a coach with the Edmonton Seahawks – it's a football team here in Edmonton, Edmonton minor football club. My son played football from the time he was eight until the time he was about 14, and I was a coach on that team. Part of being a coach with football: the Canadian football association determined that it's important for coaches to understand the importance of concussion because of the long-term effects that it can have on all of the things that I previously mentioned. So when I think about my eight-year-old playing football and getting hit and having a concussion, and then I think about my eight-year-old being in a car accident and the impact of a car accident without a helmet, with a safety belt – the brain rattles in your head. The impact of a concussion is when your brain is slammed against your skull. It's swelling. It's potential bleeding. It is not a minor injury by any stretch of the imagination.

To see that it's being reduced to minor: I'm curious where this came from. I'm curious: who was consulted with this? Did they speak to those that work with people impacted by brain injury? Did they speak to the caregivers of those, the loved ones of those impacted by concussion?

I can tell you that anybody that is living with a concussion, the long-term effects would not say that it's a minor injury. I had a colleague who had a severe concussion, and his struggle to come back to work was heartbreaking to watch. Prior to the concussion he was someone who was very articulate. He was soft-spoken. He was a gentle, gentle man. Post concussion he had anger outbursts. He was no longer able to sit for any length of time and focus. He would get agitated. He would get frustrated just by a period of time. If it was over 20 minutes to a half an hour, if I recall, it was just too much for him.

He was someone that – I worked with him in Children's Services, and he wasn't able to do that job anymore. It was a job that he absolutely loved, that he went to university for, had worked in different capacities working with children and families, and had landed what he considered his dream job through Children's Services and wasn't able to do it because it wasn't a safe situation for him to be with people that were struggling and that did have anger outbursts. When you put someone that doesn't have a stable mental ability – one of the emotions, I said, was irritable. It's not safe for him as the worker, and it's certainly not safe for the families that he's working with. So the employers had to work with him to try and find a job that he was capable to do. It changed his life. He didn't go into the brain injury with disabilities. He came out of it with a concussion, Mr. Speaker, having to change his career. He was no longer able to drive. The lights bothered him. There were so many symptoms that I didn't even know could impact someone living with a concussion.

Thank you.

**The Acting Speaker:** Hon. members, 29(2)(a) is available. I'll recognize the Member for Edmonton-Decore.

**Mr. Nielsen:** Thank you, Mr. Speaker. I so always appreciate the comments that my colleague from Edmonton-Castle Downs brings to the table. You actually even got me thinking of my own situation. I'll be honest. I hadn't even considered around a PTSD side of things. Some of the points that you are bringing up, I think, are very, very important to this discussion, especially around concussion and the effects that it has in your story about why this is not minor. I was hoping that the member might continue to finish those thoughts so that we all can make an informed decision in this House.

**The Acting Speaker:** Go ahead, Member.

4:40

**Ms Goehring:** Thank you, Mr. Speaker. Thank you to the Member for Edmonton-Decore for allowing me some more opportunity. I know that it's something that, like I had mentioned, if you haven't really talked to someone that has a brain injury such as a concussion, you don't – I mean, even he talked about his story and what the impacts were for him. He's fortunate that there wasn't trauma associated with that.

But the PTSD side of that is very real. It's something that I think people are still starting to understand and still starting to talk about, so they might not know that having that medical expert, their psychiatrist or psychologist, around the table to talk about that trauma is important. Seeing what trauma does to an individual or a concussion, I think that it's imperative that the government listen to those individuals and those specialists that work in this field, that work with brain injury, that work with concussion.

Over the years, I mean, we've seen, we understand the impact of concussion, and we've made decisions to make sure that those impacts are reduced. When I grew up watching hockey, I knew that not all the hockey players wore helmets. Some of them simply refused. When we watch hockey today in the NHL, it's just

accepted that everybody wears a helmet. Why do they wear a helmet? The impact of concussion. We know that the injury that happens to the brain can have lifelong damaging effects, not minor. You look at football. Same thing: they wear a helmet; they wear protective gear. They do everything in their power – when they're learning how to do a tackle, when they learn how to do a hit, it's all intentional to prevent, as best as possible, a brain injury. Why? Concussions are damaging.

We know this. This isn't new science. It's not new information. It's something that's been studied and continues to be studied, and we know that information is still coming out because there's medical imaging that doesn't show a concussion. It's symptom-based. It's looking at things like your pupils.

I know that my son was playing around in the front yard on his scooter, and he came in to the house and said, "Mom, I hit my head." I'm like: "Okay. Sure. You hit your head." He's off doing his thing, and he says: "No, mom. I think you really need to look at the video." His eyes were kind of shifting, so I made him sit down. I watched the video, because of course he's a teenager and wanted to record every cool stunt and trick. He flew off his scooter, and he smashed his head. I watched it bounce off the concrete in our front yard. I immediately, like, just panicked. I called 911, and I explained to them, and they said: don't move him. I mean, as a mom I think I'm pretty overprotective. When I heard 911 say, "Don't move him; don't touch him": okay; I didn't.

Paramedics showed up. They were talking to him, and they started to get a little bit more serious about what was happening. They had him lay down. They put him in a neck brace, and this was without watching the video. They just knew that he had hit his head and there was a potential of a concussion, so they were taking all the precautions based on his symptoms to make sure he was okay. When we were driving to the hospital in the ambulance, they said: we have to go hot. I didn't know what that meant. All of sudden the lights went on. My son had lost consciousness, and it was terrifying to think that something as simple as him banging his head was causing so much distress in these paramedics.

When we got to the Stollery, everybody there was incredible, but they were taking it so serious. I was scared. I was terrified. What my child had done to his brain: I didn't consider the impacts. It was terrifying, and it definitely wasn't being treated as something minor. It was something that . . .

Thank you, Mr. Speaker.

**The Acting Speaker:** I'm very sorry to interrupt, Member.

Other members wishing to speak? The Member for Drumheller-Stettler.

**Mr. Horner:** Thank you, Mr. Speaker. It's an honour to rise and speak to the Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020. I wanted to speak to Bill 41 because this is a very real issue for many Albertans all across the province. The current auto insurance system is not stable or sustainable. As the price of insurance, car maintenance, and other costs are on the rise, drivers and the insurance industry are feeling the effect, but people are the ones seeing it hurt their bottom line. This bill looks to target fundamental causes of rising premiums such as containing the costs of bodily injury claims. Helping insurers contain these costs means we can help stabilize Alberta's premiums for auto insurance.

Several other regulatory changes are aimed at minimizing red tape in the system, ensuring efficient oversight and better supporting the insurance industry in delivering consumer-focused services. The overall goal of this legislation is to help drivers. Albertans are looking to us for leadership to stabilize the cost of insurance, and this bill does that. By passing this bill, we could

benefit from better care and treatment outcomes through improved patient referral and dispute resolution. New insurance options such as pay-per-kilometre and greater flexibility in applying usage-based insurance will give drivers more choice and control over their own costs.

Privatizing and opening the market to more selection that is consumer focused will make the insurance process less expensive and painful. Lowering the cost of insurance for Alberta drivers is important, especially during the pandemic and economic downturn. Driving is an essential part of our economy from our food supply chain to Amazon deliveries, from driving to work and driving our families to extracurricular activities, just a few examples of everyday life that is impacted by the rise in auto insurance prices. I know in areas like mine driving and driving a lot is a way of life. When you live a hundred kilometres away from any services, all aspects of driving need to be affordable to ensure that Alberta is competitive.

These changes in Bill 41 are about people, about making life easier and more affordable. That was the focus of the Automobile Insurance Advisory Committee when the Minister of Finance set out the mandate of the committee to explore options to reform Alberta's automobile insurance system. Their mandate was to develop and provide a proposal for a way forward that would create a private-sector delivery model for automobile insurance; make insurance fair, accessible, and affordable for Albertans; have timely and appropriate outcomes when insurance claims are made; and create a viable, sustainable, and down-to-earth automobile insurance system.

Other fundamental goals that the committee highlighted are: to ensure appropriate medical benefits exist for Albertans injured in collisions; to have easier access to income-replacement benefits; to require insurers to be responsive to treatment, care, and compensation needs of people while being accountable for their decision-making practices; to significantly reduce or eliminate costs from the system; to stabilize and potentially decrease auto insurance rates in order to make them more affordable for Albertans in the long term; and to return the automobile insurance industry to long-term, competitive sustainability. These findings highlight how far the automobile insurance industry has strayed from being consumer-centric. From the beginning of their investigation the committee narrowed their focus to fundamental stakeholders and the impact that they faced under the current system. These people are the traffic injured and the Alberta motorists who collectively pay for the losses of injured people as well as the fees, expenses, and costs of various services provided.

Drivers are not in the consumer-insurer relationship by complete freedom of choice. It is important to have drivers on the road with insurance, but not giving people choice in coverage and providers is what solidifies this inequity. No reasonable Albertan would want to be injured in an accident, and no one wants to have to go through the aftermath of an accident without insurance. It is ironic if drivers cannot afford to pay for insurance in the first place if it costs almost as much to get physiotherapy, visit a chiropractor, or have other postaccident treatment.

Something had to be done. That's why Alberta's government took the recommendations to heart and is acting through Bill 41, amending the definition of a minor injury to include sprains, strains, whiplash, and joint injuries as well as other physical or psychological injuries that do not result in a serious impairment. This option is important for lowering costs and could help to stabilize injury claim costs and insurance rates. Changing the rate and starting time for prejudgment interest on pain and suffering damages will help to stop interest from beginning to accumulate from the date of the collision but instead from the date notice of

claim is given. While this change would result in a reduction in claim costs, the reduction in interest payable to the claimant would not be significant.

Limiting the number of experts is another example of pushing insurance costs lower for Albertans. By limiting both the plaintiff and defendant to calling one expert per side for cases under \$100,000 and limiting them to three per side in cases over \$100,000, the cost of litigation in the industry will go down and therefore lower the cost of automobile insurance.

4:50

Another part of this legislation that caught my eye is the removal of current restrictions imposed previously that limit the scope of usage-based insurance programs and pay-per-mile programs. Even the industry is in favour of removing limitations on these programs as they can better reinforce positive driving behaviours, leading to fewer collisions. The Insurance Bureau of Canada states that distracted driving is responsible for over a quarter of collisions, yet 70 per cent of drivers participating in user-based insurance programs reduce their distracted driving behaviour by 20 per cent. This can also benefit young or infrequent drivers who are able to prove that their driving behaviours do not involve distracted driving and potentially have lower insurance premiums as a result. The best part of lowering prices under a user-based system is that discounts and lower rates provided to select customers do not increase costs for drivers who do not participate in these programs.

Clarifying that the benefits under the automobile accident insurance benefits regulation can be used for equipment, vehicle modifications, and home modifications that are medically necessary is yet another example of this bill bringing the focus back to the people who rely on insurance to help them through the aftermath of an accident. This clarification does not add new elements, but it does make clear what is already true for some injured Albertans.

All injured people in Alberta should have consistency when it comes to accessing benefits. Bill 41 is a bill about making life for Albertans more affordable without jeopardizing safety. The reforms brought forward here will open up the insurance market to offer more options and more savings for the everyday driver. Whether the savings are aimed at costs in the industry or costs for consumers, the benefits are ultimately for the consumer. With driving being vital to our economy, we must make affordability a priority, especially as we go through our economic recovery.

I urge all members of this House to vote in favour of Bill 41, the Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020. Thank you, Mr. Speaker.

**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 41? The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise and join the debate on Bill 41. There's been a great amount of debate so far, so I appreciate members from both sides of the House sharing their thoughts. I want to especially touch on and comment and thank my colleague the Member for Edmonton-Castle Downs for her recollection of a number of stories and personal examples where this – I mean, first of all, you know, she talked at length about concussions, which I will as well, and the impact that they have and the fact that, for Albertans watching at home who may not be familiar with this, this bill makes a significant change by adding concussions to the minor injury list.

I think that's probably where I'll start, Mr. Speaker. You know, I have a number of questions for the minister. The first and foremost

is: who did you consult with? Clearly, you consulted with insurance companies. How many Albertans did you consult with? Now, this government had 18 months to consult with Albertans and bring forward this piece of legislation. They're about a year and a half into their term, so that list, I would imagine, should be fairly exhaustive as far as who they've spoken with. I would love to know, especially when it comes to concussions: how many doctors did you consult with? How many neuropsychologists did you consult with?

The reason I ask that, Mr. Speaker, is that a good friend of mine is a neuropsychologist, and we've had just some very brief exchanges about this very bill. The first thing that she said is that concussions should not be on this list. They are not a minor injury. In fact, many concussions are misdiagnosed or not properly diagnosed. Why? They don't show up through either an MRI – they don't show up. They aren't readily apparent initially after an accident.

You know, Mr. Speaker, as the Member for Edmonton-Castle Downs gave stories about athletes, I'd love to know how many athletes the government talked to, those that traditionally suffer a lot of concussions, where concussions end their careers and have lifelong impacts. Lifelong impacts. To put this as a minor injury is ridiculous. Like, if you actually think of it – and I encourage every member to talk to their families and people within their circles and their constituents who have had concussions and suffered from concussions and ask them what the repercussions were on their health for the rest of their lives. Like, to be put on this list where they can get maybe \$5,000, \$5,300 or something with inflation adjusted, is ridiculous. The only people asking for this, I'm pretty confident, are the ones that will benefit from not having to pay out. For an Albertan, please tell me how this makes their lives better. How does the fact that now concussions are limited and capped help any Albertan?

You know, the Member for Edmonton-Decore so eloquently described the lifelong consequences and impacts of concussions. Now, again, I recognize that I'm using the term "concussion" that covers a variety and a range of impacts, but the problem is that in the bill it doesn't discriminate or differentiate between the severity of a concussion. They are all categorized as now a minor injury. That's – I mean, concerning is an understatement. I honestly feel quite flabbergasted that this is in this, and members of the government stand up and claim that this is good for Albertans. Really?

Now, stepping aside from the concussion aspect of this bill for a moment, okay, I know that members of government have talked about how the cap on insurance rates was a Band-Aid solution. I don't disagree. I agree with you that it was a Band-Aid solution. I know that the Member for Lac Ste. Anne-Parkland had said that the caps were a Band-Aid solution. They were. It was a temporary measure, absolutely. But what it did do was ensure that rates stayed flat for Albertans, so there was a benefit. For four years insurance rates couldn't spike. I can tell you that since that cap has been lifted – so thank you very much – everybody I know, including my own, insurance has shot up significantly.

Do we need a solution? Absolutely. Do we need to revisit this model and, you know, bring it up to speed because it's been a while since this piece of legislation has been reviewed? Yes, I agree with that a hundred per cent. But some of the changes that are being proposed in this bill are not helping Albertans. Actually, when I looked at the bill, I thought, "Well, I can see clearly one perspective is being represented," and that is absolutely the lobbyists, the insurance lobby, who I know is a very strong lobby. I know that because they lobbied the heck out of us when we were government.

I'd like to know, Mr. Speaker – and I appreciate that this is second reading, so there's ample time to have a back-and-forth with the minister and members of the front bench as far as who they consulted with – how many Albertans, and how did these consultations take

place? Is there a report somewhere in government, which I imagine that there is, on your findings from these consultations and from this engagement with Albertans? Will you make that public? Will you table that in the Legislature so that other Albertans can see who you've spoken with and who's asked for some of these changes?

You know, it's interesting. Every time members of this government get up and go on about choice – we have numerous examples over the past year and a half where enabling more choice actually just enables higher costs and companies to charge whatever they want. Now, I get that folks will jump up and say: well, supply and demand, so the only price they'll be able to charge is what Albertans are willing to pay for. But there are also loopholes that some companies, not all, will take advantage of. I mean, at the end of the day if you don't have insurance, you can't drive. If all the insurance companies are upping their rates, then, sure, you can have more choice, but that choice isn't going to lead to a lower price. As others have pointed out on this side of the House, Mr. Speaker, there are some folks that are just going to be priced out, that won't be able to afford their insurance premiums and therefore won't be able to afford to get around.

5:00

Now, the member from – okay; my seating chart is not here. One of the rural MLAs here in the Chamber, Mr. Speaker, spoke just about his reliance on a vehicle because of his rural riding. It's very, very vast, and people just need a vehicle to get around, to get to the grocery store. I completely respect that and appreciate that. The challenge then becomes, you know, for that member and others in a similar situation, so many Albertans, that they need to drive. They need access to a vehicle because there isn't public transportation to get them to the store to feed their families. Those folks, then, are at the mercy of the insurance companies for what they charge. For many Albertans walking to the store, riding a bicycle or some other mode of transportation is just not possible. It's important that within this bill we are not just advocating for but that we are respecting and engaging different perspectives and different points of view.

Mr. Speaker, I'm curious to know why – I think this is a legitimate question – when the UCP formed government, one of the first things they did was remove the rate cap. Okay. Fair enough. What was the proposal in lieu of? You know, it was almost similar to what the government did with the tax credits for companies: eliminate them based on an ideological move. There were 18 months of nothing. There was a vacuum. There was a void. This is why my colleagues and I, and I guarantee members of the government as well, have been receiving correspondence from constituents saying: "Here are my new insurance premiums. They've shot through the roof. What are you doing about them?"

You know, I guess this bill took 18 months to draft. Now, I'll tone down the cheekiness a little bit. I mean, maybe it did take some time, so that's where, again, I'd love to see the list of who was consulted. But the question remains: if there wasn't a solution ready to go, then why was the rate cap immediately removed upon forming government? We know that people's insurance premiums went up, some quite significantly, others maybe a little more modestly. Regardless, Mr. Speaker, I think it's a question that I hope the minister will respond to during Committee of the Whole.

Yeah. In my notes here – I know I've spoken about concussions. You know, why would a concussion ever, ever be considered a minor injury? I'd love to see the correspondence between the insurance companies and the minister, whoever is on the other side arguing: "Oh, no, no. It should be a minor injury. Yeah, let's put it on that list." What are the arguments behind that? Maybe that's something we should FOIP. I mean, that would be an interesting conversation to take a look at. In what world does that help

Albertans? Please explain it to me because I fail to see how moving concussions to the minor injury list, where they then are capped, helps Albertans.

I spoke a little bit about how long it took to draft this bill. Again, I'll give the government a little bit of leeway. I appreciate that at times the intention may be to move quickly on a piece of legislation, and then, you know, when stakeholders are engaged and ideas are proposed, it sometimes takes a little longer. With that, that's fine, but it does tie back to their initial action.

Now, this bill, Bill 41, does four different things. It modifies the prejudgment interest, so this is lowering it from 4 per cent, I believe, to 1.5 per cent, and interest only begins accruing to the victim when a statement of claim or written notice of a statement is filed. Previously, interest on a prospective claim's final payout begins on the day of the accident as it often takes a long time to file a claim. I mean, it often actually takes about a year or longer to file a claim. So what this is doing is that the impact of this change is going to significantly reduce the final compensation that victims will be paid. Who benefits from that? Who would benefit from that delay of another year? Well, those that don't have to pay out the claim, I guess. Hmm. Okay. How is that better for Albertans? It's not. Okay.

Next, it limits the number of expert medical reports that can be used in a claim. Now, this one I'd love to get to the bottom of who proposed this and where this one is going. Essentially, you could have one expert report if under \$100,000 and three expert reports if it's over \$100,000. What we've deduced is: here's how insurance companies will benefit from this. Once a final statement is reached, insurers pay for medical reports and court costs. I don't know if you knew that, Mr. Speaker. I didn't realize that, that actually the medical reports are paid for by the insurance industry. So by limiting how many medical reports an individual or a victim of an accident can get . . .

**The Acting Speaker:** Sorry, Member.

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

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

**Ms Sigurdson:** On the bill.

**The Acting Speaker:** Okay. Thank you. The Member for Edmonton-Riverview.

**Ms Sigurdson:** Well, thank you, Mr. Speaker. It's my pleasure to join the debate on Bill 41, the Insurance (Enhancing Driver Affordability and Care) Amendment Act, 2020, presented by the Minister of Treasury Board and Finance. What we know is that since the UCP government was elected, insurance rates have gone up 24 per cent, and that's not because, you know, they've just gone up; it's because of some policy changes of the UCP government.

Of course, when we were government, we had a rate cap on that, and as my hon. colleague talked about, that was something to give consumers, Albertans, a chance to have a fair premium while issues were worked out. It's quite sad that the UCP chose not to continue that because we know that that sharp increase for many Albertans at a time when the economy isn't thriving – and I know this was pre-COVID but now exacerbated by COVID. It seems kind of heartless that we're, you know, choosing to support corporations over regular Albertans, which, of course, is a theme of this government, sadly.

This bill sort of seems to keep going in that direction: what more are we doing to support big business, and what are we doing not to support Albertans? Sadly, Bill 41, again, is not helping Albertans but certainly helping larger corporations. We know that insurance companies are profitable. You know, it's about a billion dollars this



year they've made in profits already. It doesn't mean that there are not issues in the industry, but this is just fact. It's not like they're struggling so much that they can't provide services. They absolutely can. They can cut into their profits a bit and support Albertans, instead of just taking more for themselves.

You know, about six months ago a concerned constituent of mine who works in the industry just felt ethically compelled to call and talk to me, and he told me: "I work in the industry, but I feel deeply concerned about what I'm hearing and the concerns. Please let me tell you honestly that the insurance companies are certainly not going to agree to any plan that doesn't support them and that they are doing just fine, thank you very much."

5:10

You know, this was against this fellow's own best interests, but he wanted his MLA to know that there is some significant unfairness towards the consumers, the Albertans who actually are using the industry and need to be insured, and that the insurance companies are absolutely taking care of themselves. Sadly, this government likes to spin a narrative that: oh, they're so hard done by and that these corporations just can't do and it's so difficult. Who cares about the average Albertan, certainly, at this crucial time? It struck me that that constituent felt compelled even though he worked in that industry. He just felt that the fairness wasn't there and that I needed to know that as his MLA, so I appreciated his candor and listened to his comments.

As we've heard, Bill 41 does a few things. There are some details. We've already talked about it quite extensively, that they do expand the definition of minor injury beyond sprain, strains, and whiplash to include related injuries that do not create serious impairment. That's what they say, but we don't really know exactly about that. We don't have a lot of specifics about that. As my colleagues have already articulated quite extensively, including concussions – and I know it says some concussions; not other concussions. I mean, whenever there is a grey area like that, how can we really be sure that Albertans who are insured who do end up with a concussion are going to be assessed correctly, you know, if a concussion may or may not be in there? Then, of course, the cap on what they can receive is just a little over \$5,000. Certainly, we know that there can be many long-term effects to concussions. This is a concern, and certainly I hope that the government sees fit to be much clearer about what the expansion of those minor injuries that do not create serious impairment actually looks like so that we all can understand what that means.

Another thing that this bill does is to limit the number of experts that can be used in litigation. Again, you know, I'm sure that's just a cost-saving measure for insurance companies. That's who would benefit from that. It's not going to be the average Albertan. Maybe there are extraordinary circumstances, and they need a specific expert to share reporting on their particular situation. But, I mean, it's just clear at face value that this is about the insurance companies not having to perhaps pay for that due diligence. So who's going to be hurt but the average Albertan?

Also, the addition of dentists, psychologists, occupational therapists as adjunct therapists, up to \$1,000 in treatment by a combination of these professionals: it sounds like it's a maximum of a thousand bucks for all of those. I don't know. If you've been to a dentist, psychologist, or occupational therapist these days, I mean, that will be used up very quickly, so that seems like really innocuous, almost nothing, you know, almost nothing in compensation to support people to get the treatments they really need, so it is kind of laughable, that small sum.

Sort of getting into the weeds a little bit here, one of the other things that this bill does, Bill 41, is that it modifies prejudgment interest. It lowers it from 4 per cent to 1.5 per cent, and the interest only begins accruing to the victim when a statement of claim or written notice of the statement of claim is filed. Okay. So that is a significant difference. Of course, who is benefiting from this? Whenever you look at a policy, that's the fundamental question you always need to ask yourself. Who's benefiting? So despite the rhetoric, despite what we're hearing from the UCP about who benefits, it's here in black and white. The insurance companies are benefiting, clearly, from that.

There are sort of two significant ways that they benefit. First, the change in interest rates and timing of when it applies saves the insurance companies money, right? If they don't have to put that out right away and the lowering of that interest rate: you know, they don't have to pay as much money out to the person who has been insured. Second, it changes the playing field in favour of the insurance companies at the expense of those who are seeking support because the interest rate of 1.5 per cent is so low that insurance companies have no incentive to settle. And, please, let's not be naive here. Insurance companies, you know: the purpose is to make sure that they have the biggest profit possible. Are they going to be – if they only have to pay that little percentage, what's their motivation to settle? That could leave people hanging for a while.

I just want to add – and, I mean, call me old-fashioned, but I still read a, you know, hard-copy newspaper every morning, and I like to read the letters to the editor. Yesterday there was a great letter to the editor from a fellow from Spruce Grove, Shawn McCauley. He talked about sort of this slippery slope we know we're on. Certainly, the report from the automobile committee that was set up by the government does talk a lot about no-fault insurance, and this legislation moves us towards no-fault. He starts his letter by saying:

This is the same government who wanted to cut back funding for AISH recipients and is privatizing health care in the middle of a pandemic. Now, through no-fault insurance, they say it will save the consumer money on their premiums. This is so ridiculously out of touch it's not even funny.

They're going to allow up to \$1,000 for treatment by dentists, occupational therapists and psychologists? This covers almost nothing and if anything it's an insult to Albertans.

Who benefits from no-fault insurance? The insurance companies and no one else, except maybe their paid minions in this ridiculously out-of-touch government.

Those aren't my words. Those are from a constituent and Albertan out in Spruce Grove. I'm happy to table that tomorrow, what I've just quoted.

With that, I will take my seat. Thank you.

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

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

Seeing none, the Minister of Justice and Solicitor General.

**Mr. Madu:** Thank you, Mr. Speaker. With that, I would like to move that we adjourn debate on Bill 41.

[Motion to adjourn debate carried]

## Government Bills and Orders Committee of the Whole

[Mr. Hanson in the chair]

**The Acting Chair:** I'd like to call the committee to order.

**Bill 37**  
**Builders' Lien (Prompt Payment)**  
**Amendment Act, 2020**

**The Acting Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? I see the hon. Minister of Service Alberta.

**Mr. Glubish:** Thank you, Mr. Chair. I'm very pleased that this important piece of legislation has passed second reading, and I'm looking forward to robust debate on it during the committee stage. I noted with interest a number of the comments and questions from all members of this Assembly, and I'm going to take some time here in my opening remarks to answer as many of those questions as I can and also to correct the record on a couple of items.

To begin, I want to answer questions that multiple members across the aisle raised around the consultations that we held. I was really pleased to be able to have immediate public support for this legislation from the Alberta Construction Association, the Alberta Trade Contractors Coalition, Building Trades of Alberta, Calgary Women in Construction, Electrical Contractors Association of Alberta, Alberta Roofing Contractors Association, Concrete Alberta, and Westcor. But let me be perfectly clear. That support for this bill ranges far beyond those eight that I've mentioned.

This legislation has overwhelming support from all throughout the construction industry, from general contractors to subtrades, big and small alike, as well as from municipalities. We certainly consulted with the cities of Edmonton and Calgary as well as the AUMA and RMA and are happy to have their support. We have not heard of any unintended consequences from municipalities and other jurisdictions.

I will say that on multiple calls with multiple construction members as well as in correspondence received, I and my team have received numerous compliments about the work we've done, the collaborations we have undertaken, and the listening and understanding that those members witnessed from us.

5:20

I'd like to take this moment just to thank all of the staff who worked so hard on this. That would include my press secretary, who has worked extremely hard at co-ordinating with all of these different folks in the construction industry in these collaborations, but also my ADM, Brandy Cox, who is responsible for this file. They both put in a ton of work, and I want to recognize them for that. I also want to thank all those in the construction industry who've helped work with us to reach this point.

[Mr. Milliken in the chair]

The prompt payment file is extremely complex. It's very technical, and it was important that we engaged so extensively in order to get this right. We have continued to consult on this even since the bill was tabled, and my commitment is that we will not stop until this legislation, if passed, is proclaimed.

Should this legislation pass, our next steps are to begin work on the regulations, which will be done through continued consultation with the construction industry and others affected. Work on this legislation has been a collaborative process between this government and the industry, and it will be from start to finish. In those regulations we'll work out many details such as what the qualifications are for adjudicators, what the process is for selecting authorized nominating authorities, what the interest rate is on disputed amounts, and what a statement of account is. There is a lot that will be finalized in the regulations, and I'm confident that that's

the right decision and that that process will work because this will be done with further extensive consultation.

In answer to the Member for Edmonton-Meadows I would like to point out that the legislation is separate from the Consumer Protection Act. A subcontractor hired by a contractor for a renovation project is covered by this legislation. However, homeowners with concerns or complaints about licensed contractors they've hired who did not do the work that they promised should certainly contact our consumer investigations unit, which does excellent work investigating issues like that and applying orders or charges where appropriate. I'll also note that the alberta.ca website contains information on what type of things consumers should consider when hiring a contractor or signing a contract.

Additionally, last year I announced the launch of BEST, the business enforcement search tool, which enables Albertans to look up the name of the company or individual they're hiring to see if they've received any enforcement actions.

That member also had a question related to the trucking industry. Well, if a truck is rented or hired for use on the project as an on-site vehicle, then that would be covered under this legislation. Trucks hired to deliver supplies and products from a third-party supplier are not covered as they're not hired specifically for the project itself but for delivery purposes.

In answer to the Member for Edmonton-Castle Downs, as noted by the proposed amendment to rename this legislation to the prompt payment and construction lien act, this legislation is specific to the construction industry. Everyone who is covered by the current legislation will be covered by the amended legislation. Several members also mentioned a 1-800 number, and, for clarity, that number is used specifically for Alberta infrastructure projects, which are covered by the Public Works Act, which is completely separate from this legislation.

A couple of members asked about the coming-into-force date. This legislation will come into force upon proclamation, which will be in July of 2021. That gives companies in the construction industry time to prepare, and any contracts that are entered into before the legislation comes into force will operate under the current rules. Tying this in to a question from the Member for Edmonton-Whitemud, the authorized nominating authorities, or ANAs, will be appointed in April of 2021, and they will, in turn, appoint adjudicators in May.

The Member for Edmonton-North West seemed to think that by creating more transparency, the public would have access to information related to projects. I would like to clarify that this is not the case. It is true that we are increasing transparency for those involved in the project and not just lien holders, but we are not opening up specific details to competitors or the public, which could have numerous consequences that negatively impact business interests.

The member expressed concern about the increase in the minimum amount of a lien. The increase, Mr. Chair, is from \$300 to \$700. Now, as I'm sure everyone in the Assembly knows, the Builders' Lien Act was originally passed in 1983 – it's almost as old as I am – and that minimum lien amount has never been amended. It is out of date, and, as such, the proposed new minimum of \$700 is simply \$300 of 1983 dollars adjusted for 37 years of inflation.

I'd also like to take this opportunity to correct the Member for Edmonton-North West around lien periods. I'll just note for him that we have not made changes to the lien period for oil and gas. That remains constant at 90 days. We have, however, extended the lien for the concrete industry to 90 days. This was an important change to make because concrete is unique. I encourage the member and all members of this Assembly and all Albertans to take

a look at my social media, where I have been posting conversations with various members from industry. One of those conversations is with Sean Tymkow from Concrete Alberta, who explains why the 90 days is so important to them.

But, Mr. Chair, to be helpful here and now, I'll provide some quick context. When the suppliers or installers of nonconcrete materials such as lumber, drywall, glazing, or cladding perform their scope of work, that work can be evaluated immediately upon completion of the installation or provision of the materials. Concrete, however, is typically not evaluated for compliance with all requirements until the 28th day of the lien period and, increasingly, the 56th day after it is supplied due to the inherent nature of the product and the need to evaluate those 28- and 56-day properties of the concrete. Fifty-six days is long after the original 45-day lien window and very close to the proposed new 60-day lien window for the rest of the construction industry.

As members from Concrete Alberta have told me, pick a tower in downtown Calgary or a grain-handling facility in Camrose or an oil field shop in Grande Prairie, and chances are pretty high that at least some of the concrete in those structures requires 56-day mixes, so it does not make sense to have a lien period for concrete that expires before the testing of the finished product is conducted.

The change for the remainder of the industry to go from a 45- to a 60-day lien period is also important as payment right now in the industry currently averages closer to 70 days. A healthy, prompt payment system needs to be more than just enforceable timelines for payment; it needs to have realistic lien periods. That's what this legislation will address.

Again I'll reference a video on my social media for those going to take a look. It was posted Friday and can be found on my Facebook page or on Twitter and Instagram. I'm easy to find. Just look up my first and last name, and be sure to like and follow for more updates.

Karen Rutherford from the Alberta Roofing Contractors Association said that even the average of over 70 days for payment has increased lately to over a hundred days. The downturn in the economy of the last five years or so has been bad enough, but the pandemic has made it even worse. Several members asked questions about the impact a lack of prompt payment legislation has had on industry, wondering in part about the number of dollars outstanding. In 2014 and 2015 the Alberta Trade Contractors Coalition commissioned an industry survey and found that 86 per cent of companies surveyed said that late payments were a moderate or serious problem and that the average outstanding amount for accounts 60 days or more overdue was just over \$223,000 and the average bad debt was just over \$17,000. These companies also reported roughly 4.8 hours per week in lost productivity in order to collect late payments. This is a real problem with real financial consequences.

I'll note that nearly all of the members opposite have tried to take credit for this legislation although for as much as they say that they were so concerned about it, I'll note that they didn't act on it and also that, in fact, throughout their entire four years in government, they never had a statement, a set of questions, a motion, a bill, or a committee conversation on this topic. If you don't believe me, I encourage you to check the *Hansard* transcripts available on the assembly.ab.ca site.

Mr. Chair, perhaps prompt payment was an issue for them similar to the issues raised by residents of mobile-home communities. We know that the NDP government and their leadership actively suppressed advocacy on these issues. The fact is that it was this government that acted to address those concerns about accessing the residential tenancy dispute resolution service for disputes between landlords and tenants. The fact is that the opposition failed

to address this for four years and actually suppressed advocacy on those issues, ultimately leading to the departure of one of their caucus members.

I know the opposition loves to point out that addressing prompt payment was in their platform, and that's all well and good, Mr. Chair, but what really matters is who is taking action to address this issue. We know this issue has persisted and grown for many years. Industry has been asking for help, and the fact is that the opposition chose to ignore those calls for help for four years when they were in government.

Mr. Chair, I've been here for barely 18 months, and here we are with concrete action to address this problem. By the time the opposition got enough together to put forward a motion, we had already begun our extensive consultation process, and out of 112 sitting days in the current Legislature prompt payment has never been a topic of an opposition question or a member's statement, which I find odd for something that was supposed to be such a priority for them. In any case, I'm proud of the fact that I and my colleagues in this government have once again proven to be listening to Albertans and acting on their very real concerns, solving problems, ultimately, that the NDP left behind. I'm happy to hear that so far, Mr. Chair, it sounds as though there is broad support for this important piece of legislation.

5:30

The Member for Calgary-Mountain View raised the question of costs. I'll note that the fees to go through the adjudication process will be determined in the regulations, but it is not necessary for parties to use lawyers during that process although they may do so if they choose. Members should also know that whichever party files the dispute may choose which venue they wish to use, similar to the process of the residential tenancy dispute resolution service.

Since Ontario's legislation came into effect, in 2019, there have so far been only approximately 35 disputes that have gone into adjudication, because parties have either paid on time or have worked to resolve disputes without needing to go through the formal process.

The Member for Edmonton-Whitemud asked about adjudication timelines and referenced the fact that Ontario has very strict guidelines laid out in the legislation. Our intention is also to have strict guidelines and timelines, and those timelines will be worked out in the regulations, again, in consultation with industry.

The member also asked about our decision to make adjudication decisions binding, as opposed to Ontario, where decisions are binding only in the interim. Our decision on that front is based directly on the feedback from industry members. Ninety per cent of them asked for decisions to be binding. Some of the comments they shared with us included that for time and money not to be wasted, the process needs to, and I quote, have teeth. Others were concerned that without a binding decision, the process would ultimately be circumvented. For additional clarity, if there is a binding decision, a lien may still be filed and would be accepted by the land titles office.

It's also important to note that there are multiple ways in which disputes can be addressed such as arbitration, where permitted, or through the courts. Now, in the case of the adjudications, the adjudicators will be from industry, from the construction industry, so they will have the appropriate knowledge and expertise to make informed decisions. This process as well as the ability to receive an enforceable decision is consistent with similar tribunals such as the Municipal Government Board, the Surface Rights Board, the Land Compensation Board, and the residential tenancy dispute resolution service. Again, more will be fleshed out on this in the regulations

to ensure we have the flexibility to address changing circumstances, and I am looking forward to having further engagement with members from the construction industry on this important element of our system.

The Member for Calgary-Mountain View asked about primary concerns for the Building Trades of Alberta. Without going too far into specifics, they expressed concerns around pay-when-paid provisions and how that shifts risks on to the subtrades. Ultimately, what we are doing is making sure that folks are going to get paid in a timely manner, and I'm confident that the direction we are going is going to get that done. Related to that concern, Mr. Chair, there were also a number of questions around the 28-day timeline. In our consultations we heard that the prompt payment was the most important piece.

Now, as I've mentioned, we've continued to have conversations on this legislation, so I'd like to move an amendment here that will clarify the rules around the 28-day timelines and some other questions folks have had, and I do so noting that these amendments are broadly supported by members in the construction industry. I have the original and the requisite copies. Once you have it, Mr. Chair, with your permission, it is a little bit long, so I'd rather just maybe walk through the practical applications of this instead of reading it word for word.

**The Deputy Chair:** That sounds like a great idea. Go ahead and start.

There will also be copies of the amendments at the side tables for anybody who wishes to receive one.

**Mr. Glubish:** Thank you, Mr. Chair. The amendment will, in brief, make some small amendments to section 32.1 and add sections 32.2(1), 32.2(2), and 32.2(3). This covers quite a few changes, so I'd like to walk through the amendments before you in detail.

Section 32.1 will be revised so that only the general or prime contractor can issue a proper invoice. Just like before this amendment, this will be payable within 28 days. This essentially starts the flow of funds from project owner to general contractor for work completed, which then gives the general contractor the resources they need to pay their subcontractors.

What I heard loud and clear from subcontractors was that for a prompt-payment system to work, we needed to ensure a regular frequency of invoices from general contractors to owners. If the owner and the general contractor were free to negotiate quarterly payments, for example, the 28-day clock on payments would only start once every 90 days, and that is not compatible with a healthy prompt-payment system. As such, section 32.1(6) obligates the general contractor to issue a proper invoice "at least every 31 days", except where stated in regulation or in respect of an improvement that must be tested before invoicing. Of course, contractors may issue proper invoices more frequently if so desired.

What happens next, then, is how the general contractors must pay their subcontractors. Under section 32.21(1) the general contractor must pay their subcontractors within seven days of the general contractor receiving payment from the owner. Now, if the owner only makes a partial payment, sections 32.21(2) and (3) make clear that the partial payment must still be distributed to subcontractors, with those implicated in a potential dispute being paid after those who are not.

In the event an owner does not pay fully or at all, the contractor can, under sections 32.21(4) through (7), do one of the following things: first, they could choose to pay any further outstanding amount to the subcontractor within 35 days of the proper invoice being issued out of pocket; second, where the owner has not paid the general contractor, the contractor can undertake to take the

matter to adjudication to resolve the underlying issue; third, in the event the general contractor themselves has a concern with the subcontractor's work, they can refuse to pay the subcontractor and provide notice explaining why. As you can see, these sections are very flexible and ensure that contractors either pay within seven days of receiving their own payment or explain and address any nonpayment.

To ensure all levels of subcontractor are advised where there may be payment issues, section 32.22 requires contractors and subcontractors to advise their own subcontractors of these notices.

Section 32.23 operates in the same fashion as 32.21 but obligates subcontractors to pay their own subcontractors in the same fashion. This ensures that payments continue to flow through the construction pyramid.

I'd also like to note that we are removing the prohibition on pay-when-paid clauses in section 32.3. The problem that subcontractors raised regarding pay-when-paid clauses was that they were unlimited and open-ended, but now that we have clarified the payment timelines, 28 days from owner to general and seven days thereafter from general to sub and so on and so forth, the use of pay-when-paid clauses can no longer be abused to delay payments. As a result, this blanket prohibition is no longer needed as we have clarified the full payment timelines in the act itself.

Another amendment I'm proposing is that we amend section 24.1 to require the release of holdbacks where the criteria in the section are met. As I mentioned before, we have been in discussion with industry, and we know that the majority of them want this to be mandatory. It's common sense that on long-term projects where significant progress has been completed, a commensurate amount of the holdback should be released. Making progressive release of holdbacks mandatory will ensure that this happens, further accelerating the timeliness of payments for completed work.

Mr. Chair, I think I've covered a lot of ground here, and I hope that all members of the Assembly have had most or all of their questions answered. I'm looking forward to hearing the debate continue today, and I urge all members to vote in favour of this amendment as it provides clarity and has support from those in the industry.

Thank you.

**The Deputy Chair:** Thank you, hon. minister.

Are there any hon. members looking to join debate on – I believe I see the hon. Member for Edmonton-West Yellowhead.

**Mr. Carson:** Edmonton-West Henday.

**The Deputy Chair:** Edmonton-West Henday.

**Mr. Carson:** Thank you, Mr. Chair. It's a privilege to rise this evening and, you know, hear about the amendments that are being proposed to, of course, Bill 37, which is in committee. Traditionally, while the opposition would be the ones proposing amendments to legislation that the government has put forward, here today we have the government amending their own bill before it's even gone through the Legislature. So that is very interesting.

I appreciate that the minister took time to answer many of the questions that opposition members have raised. I very much appreciate that. It doesn't happen very often in this House from this UCP government. It's good that once in a while a minister is willing to actually listen to the debate and share some of the thoughts and answers that we request. I appreciate that.

You know, when we received the technical briefing on Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020, the idea that what was originally proposed – it was going to be restricting on certain players within the construction industry. We didn't get very clear answers, so it's interesting to see such major

changes happening through this amendment. I have to question why. The member said: the legislation is so good, and everyone supported it. But here we are already amending it so quickly before it's even moved through the House.

5:40

While I appreciate that the minister is very proud of this legislation – some work has been put into it, and the construction industry most definitely overall shows support for this and has for quite some time – there are questions: why it wasn't done right in the first place, and why we're already amending it. Once again, while we had shown support for the original bill as proposed, judging by what we've heard within the last five minutes, with these substantial amendments to the legislation I believe that it's going to take a little bit of time, Mr. Chair. Of course, being in Committee of the Whole, we will have some questions that will hopefully be answered in terms of: if they didn't get it right the first time, what makes them think that it's right now?

With that being said, from what I've heard from the minister at this point – I think that, you know, when we compare it to other provinces, as we were trying to do during the technical briefing, the amendments that are proposed are very similar to the legislation that we've seen passed in Ontario. I think that was the right decision of this minister. Once again I question why it wasn't done in the first place. I think that it was something that we heard from industry, ensuring that after payment is made, there's an opportunity, that seven days that has been talked about, as it goes down the line from general contractor to subcontractor. Those are important amendments that should have been in the legislation in the first place. Once again I question why we're already here making these changes when it should have been done in the first place.

You know, this really is a substantial amendment to what was originally proposed, and it's concerning because if consultation wasn't done properly in the first place, before this legislation came into the House, once again I have to question whether, with the amendments proposed, ample consideration has been given to these amendments as well. While I appreciate that it is similar to what Ontario has proposed and other jurisdictions have moved forward on, hopefully this time around the minister got it right.

You know, I can appreciate that the minister is very proud of this legislation and wants to attack us for putting such an important piece of legislation in our platform commitment. It obviously was a big concern for us as well. The Member for Edmonton-Ellerslie has spent a lot of time consulting with stakeholders in the construction industry and made sure that it was in our platform in the last provincial election, so to say that members on this side didn't care about it at all is simply ridiculous.

With all that being said, I want to give some time to other members on our side of the House to share their thoughts on this. But, you know, at first glance it seems like something that we will likely support or that I will personally likely support, just as I would have likely supported what we saw in the first place. I think these amendments do make it stronger, if anything. Once again I would just say, like: if you took the time to consult on it in the first place, why are we proposing such massive amendments at this time?

With that being said, you know, I appreciate once again that the minister was willing to stand and address many of the questions that members within our caucus had raised over the debate up to this point. I appreciate that sometimes we don't get things right the first time around. We've seen many other pieces of legislation from this government which really could have been beneficial if the government took some sober second thought to what they were proposing, so I can accept that this time around they're willing to make the legislation that they proposed better.

With that being said, I look forward to continuing this debate as I have some opportunity to spend time with this amendment as proposed and will have more chances to speak to it in the future. Thank you.

**The Deputy Chair:** Thank you, hon. Member for Edmonton-West Henday.

Joining debate, I see the hon. Member for Lethbridge-East.

This amendment, just for the benefit of everyone, is A1.

**Mr. Neudorf:** Thank you, Mr. Chair. I appreciate the opportunity to rise and speak to Bill 37, the Builders' Lien (Prompt Payment) Amendment Act, 2020, and the amendment before the Legislature right now. As many in this House may know, my background is in the trades. I am a red seal journeyman carpenter and a gold seal project manager. For over 25 years I worked in the construction industry, and about eight years ago I went to the Canadian Construction Association national meeting, where prompt payment was discussed. Prompt payment has been an issue for this industry for a very long time.

Not only did I work as a general contractor, but I also worked as a millwork installer for different millwork providers, and often was in the place of a sub-sub. I have worked on many prominent projects all over the province and all over Canada, and there were times where it took many months for me to get paid. I can personally attest to the difficulties in supporting a family when you are not necessarily sure when your next paycheck will come.

Mr. Chair, I do not just support this bill; I care about this bill and recognize its importance to families and individuals in the construction industry. Prompt payment has been a concern for the industry for many years, and this legislation is an incredible undertaking of the minister with over 12 months of consultation with involvement and engagement of industry. It should be noted that there are significant differences between legislative procedures here in Alberta and Ontario, which is why it took some time to clarify the differences in those legislative structures.

The construction industry is a multibillion-dollar industry in Alberta and accounts for roughly 10 per cent of Alberta's jobs. It is also Alberta's second-largest industry employer, so this is significant legislation. Mr. Chair, we ran on a promise to create jobs, and prompt payment legislation does add to that promise. It creates more job and payment security for all contractors and subcontractors and sub-subs, like I once was, so they can now count on being paid in a timely manner.

Mr. Chair, this year as part of Alberta's recovery plan our government has announced \$10 billion of investment infrastructure, creating close to 50,000 jobs. Many of them will be in the construction industry.

This legislation is as timely as it is important. This legislation proves our government's and this minister's commitment to listening to industry. Because of that commitment he has continued to discuss with them, even upon tabling this legislation, and made some changes in the amendment today. It is a step forward in tackling a complex relationship between general contractors, subtrades, owners, suppliers, architects, and engineers.

I'd like to share a little bit of a story of my life as a project manager and why this legislation needed to be amended. When you start to understand how industry works – when I was a project manager for the previous company I worked for, out of my office alone I would often have, on average, about 30 independent jobs per month. On those 30 jobs I could have up to five subtrades on each of those jobs, creating over 150 unique individual invoices each month.

To be able to make sure that those invoices were handled properly with supporting documents, with things like statutory declarations, making sure that they came into the office and were verified, to be able to make sure that flow is passed up to the architects and engineers or the owner's representatives, again, passed up to the owner and their financial representatives – at each stage being independently verified adds time to that process as well as it coming back down, which is why I'm very pleased that the minister took the time to make sure that he got this legislation correct and added those step clauses, those seven days to allow for the practical administration of moving that money up and down the chain.

One other comment just on those invoices, as some of my colleagues would attest to: most of those invoices are not e-mailed. Even in this age of technology, they need to be mailed because of the verification and distinct nature of those pieces of paper. Mr. Chair, the significance of this legislation cannot be understated.

One other significant part of this amendment is when you start that step clause, the 28 days, the seven days and the seven days and the seven days, it needed to be clearly understood and clarify when that clock starts. This amendment more clearly makes sure that people understand when that clock does start. It now starts upon the owner receiving a proper invoice. Therefore, everything can be determined from that point on.

With this amendment and that time frame being put into place, one other request from industry was: how do they know the regularity of that billing cycle? Which is why, again, the minister responded to industry and added the 31-day part to the amendment, where subtrades, sub-subs, and suppliers now know that the regularity of invoicing can be no longer than 31 days. That will, again, continue to help industry and the cash-flow which this is meant to support and help maintain and provide stability for.

5:50

The milestone of making progressive holdback release mandatory is another significant piece. The minister was providing flexibility by adding this in there and recommending that that continue to move on. The fact that he's amended it to make it mandatory at the industry's request is significant. Many of the commercial projects that I've worked on over the years would go for two or three years, and industries and subtrades and projects that these contractors worked on at the very beginning of that job would often have to wait two, three, and sometimes even four years to get their holdback released. That is an inordinate amount of time, and making that progressive holdback release mandatory now gives those subtrades confidence that they'll get paid in a timely manner, including that holdback.

Many people outside the industry don't realize that the average profit margin for a general contractor is 3 per cent. Subtrades may range as high as 15 or 20 per cent, but to withhold 10 per cent for years, that would often represent the entirety of the profit on a project. To be able to move that through and allow companies to be able to receive the profit from the work that they did in a timely manner is incredibly important to industry, and I'm incredibly proud of the minister for standing up for that, the first one in Alberta to put forward legislation like this.

The adjudication structure and the importance that is dedicated to this industry to be able to resolve those disputes is another huge factor. Prior to this if a subtrade wasn't paid for work done, they would have to file a lien within the 45-day period, and often it would take a long time to work through the legal process. Their only recourse after that was to go to court, which would take a year or two years, in no way helping that subtrade as well as damaging their relationship with the general contractor or owner or other

representatives within the industry. Having this adjudication structure dedicated to industry to help circumvent that, to help respond in an appropriate and timely manner without incurring increased legal costs is a significant piece. It will add to the efficiency, it'll add to a streamlined process, and it is benchmarking the ability and is foundational for this legislation to work and go forward.

Mr. Chair, this is a platform commitment not only for the government but even acknowledged by the members opposite, the opposition party. Although we may be divided on many issues, I'm very glad that we can stand here today united on this. This is very strong legislation, and I'm very proud that the minister took the time to work at great lengths to make sure that he got it right.

Mr. Chair, the minister and this government have shown their dedication to industry. The relationship that the minister has built with the industry to establish this legislation and the future regulations will be foundational for the years to come in the corrective effort to address delayed payment in the construction industry.

In summary, I am fully supportive of this initiative, and these amendments are another example of the minister's willingness to support and listen to what the industry requires. I'm urging everyone on both sides of this House to vote in support of this amendment and this bill.

Thank you, Mr. Chair.

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

Are there any other hon. members – I see the hon. Member for Edmonton-Decore has risen to join debate.

**Mr. Nielsen:** Well, thank you, Mr. Chair. I appreciate it. I know time is running a little bit short here. I will try to keep my comments brief to hopefully get as much in as I can. You know, I guess I will start off by respectfully disagreeing a little bit with the Minister of Service Alberta, who brought in Bill 37 here. There was work that was done around this type of legislation by the previous NDP government, but I guess when you're in a situation where no one else is patting you on the back, sometimes you have to pat your own self on the back to try to at least get something.

I do absolutely, you know, give credit where credit is due. I've never been afraid to do that, so when we've asked the Minister of Service Alberta about who were some of the players that were consulted with, he very graciously did provide a list to us here of some of those names. I am appreciative of that because it seems that every time we've asked other ministers around, "Who have you consulted with? What kind of information led you to the decisions that you've made with regard to the proposed legislation?" we've gotten radio silence and sometimes even a berating over it.

Again, you know, credit where credit is due. He did take the time to specifically answer questions that members of the opposition posed, including myself, so I am appreciative of that. My question, of course, did actually revolve a little bit around amendment A1 that's before us here for Bill 37, around timelines, how things will work, what we have when a case of a bad actor shows up.

I do remember in the previous Legislature that any time the government brought in an amendment of its own, the opposition was very, very quick to berate the government for amending their own legislation. I'm not going to do that. I asked legitimate questions. I wanted to know how this works. I think this amendment will address that. I mean, obviously we just received it here this evening. I would like the opportunity to study it a little bit more. But I'm not going to do that because when we have legislation that we know potentially might be lacking in an area that could be made stronger, it's amendments like this, even if they come from the

government, that enable that legislation to be better, to be able to function better. I am appreciative of the fact that the government is willing to come to the table here with an amendment to its own legislation and make it stronger.

At the end of the day – and, you know, the previous speaker had mentioned this, about having to fight for getting paid to be able to pay the bills for his family. It's no secret in this House that I'm always in favour of what's best for the workers, the ones that always seem to be caught at the bottom of the list, wondering: is it going to be a couple of months before you get your darn paycheque? That shouldn't be the case. This, I think, if these amendments are doing what I'm suspecting that they are, will enable that process to move a lot quicker, so at the end of the day the person at the bottom of the list gets paid sooner rather than later.

As I did mention earlier, Mr. Chair, it's too bad that we have seen other pieces of legislation that have negatively impacted workers and that bottom-line paycheque, you know, losing out on holiday pay, losing out on overtime pay, minimum wages for young workers below the established \$15 an hour. In this case this is an example where you don't want to look a gift horse in the mouth. This will help workers a little bit, and perhaps as we move along in other

sessions and other pieces of legislation, we'll get an opportunity to try to convince the government that maybe there are other things that they can do to support workers, and it's not necessarily at the expense of businesses. I'm always saying that when hard-working Albertans have money in their pocket not only are they spending it on the things that they need; they're going out and spending it on the things that they want. That's what helps move the economy along.

As I said, should these be the changes that are needed, I think that will enable workers to be able to go and participate in the economy much faster than maybe they normally would.

With that, Mr. Chair, I suspect my time is probably up, and you'll ask me to take my seat. Maybe what I'll do is beat you to the punch, and I'll actually take my seat and look forward to the remaining debate as it moves forward.

**The Deputy Chair:** The hon. Member for Edmonton-Decore read my mind.

Under Standing Order 4(4) the committee stands recessed until 7:30 tonight.

[The committee adjourned at 6 p.m.]









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