



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Monday evening, November 23, 2020

Day 69

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Second Session

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New Democrat: 24

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Legislative Assembly of Alberta

7:30 p.m.

Monday, November 23, 2020

[The Deputy Speaker in the chair]

The Deputy Speaker: Good evening, hon. members. Please be seated.

Government Motions

COVID-19 Pandemic and Albertans

42. Mr. Jason Nixon moved:

Be it resolved that the Legislative Assembly commend the tremendous efforts of Albertans to protect lives and livelihoods throughout the COVID-19 pandemic and the consequent global recession and urge the government to pursue prudent policies that protect the vulnerable while supporting the broader social, economic, mental, and physical health of Albertans.

[Adjourned debate November 2: Mrs. Allard]

The Deputy Speaker: Hon. members, prior to resuming debate, I would like remind hon. members that pursuant to the unanimous consent request by the Government House Leader earlier this afternoon, which was granted, members of the Executive Council as well as the Leader of the Official Opposition will be permitted to speak to Government Motion 42 this evening even if they have already spoken in the debate previously.

With that, I will recognize the hon. Leader of the Official Opposition.

Ms Notley: Well, thank you very much, Madam Speaker. I won't go so far as to say that I'm pleased to rise to speak to this emergency issue today because, of course, it is an emergency, and it's one that is having a tremendously negative effect on the lives of Albertans all across this province.

Our caucus, of course, chose to bring in a motion in an effort to have a debate in this Assembly about the critical issues that Albertans are facing as a result of COVID-19 and as a result of the recently spiralling cases of COVID-19. We had ultimately agreed to delay an afternoon debate in order to have a debate just a little bit later with the hopes of being able to engage directly with members of Executive Council on what exactly we will see coming from the government as far as major initiatives that they might finally be getting prepared to implement. So it is unfortunate that in some cases we see, of course, that some members of Executive Council – we are not going to have as full a debate as I would have liked to see this evening.

Nonetheless, on behalf of all Albertans I will rise in the House this evening in order to outline the many, many concerns that have been brought to me by my constituents and by Albertans from across this province, from every corner, regardless of constituency and regardless of the partisanship of the MLAs that represent them. The depth and breadth of the concerns are quite overwhelming. Why is that happening? Well, I would say, in the words of the chief medical officer of health this afternoon, that this is a snowball, and it is getting very, very large, and it is moving increasingly quickly, and it's getting away from us.

How do we know that? Well, because what we have seen over the last 10 days is that case numbers have been skyrocketing and the capacity for our public health officials to keep track of where these cases are coming from is profoundly diminished. Indeed, we heard just today from the chief medical officer of health that in

schools, when someone is exposed to someone with COVID, they will no longer necessarily be told of that anymore because they are so backed up in terms of being able to process the new cases.

That's very troubling, Madam Speaker. People are sending their children to school under the expectation that this government has taken the appropriate steps to keep their children safe. Of course, we know that children were going back to school in contradiction, in some levels, to the best practices in that we knew that many children were going into classrooms where they cannot appropriately physically distance and where, for a variety of reasons, they cannot necessarily wear a mask throughout the course of the day, yet those children are in those unsafe circumstances. We have over 300 outbreaks across this province, and we hear today that children who are exposed to people with COVID-19 in that setting will not necessarily receive notification of that. That is deeply troubling to parents across this province.

But that's not all, Madam Speaker. It's been 10 days since the Premier has addressed the public on the matter of COVID-19, since he has presented himself in a press conference in order to answer questions about decisions being taken to deal with this incredible rise in cases in this province. Ten days. In that 10 days what has happened? Well, 73 people have died. We are now at over 13,000 active cases in this province; 84 per cent of those active cases occurred in the last 10 days, while the Premier has been MIA. We have more active cases in this province than any other province in the country.

Now, we should have seen this coming because I was telling people that we had more active cases per capita than any other province in the country for some time now. The degree to which we were leading the rest of the country in the per capita number of cases and the rate at which it was increasing made it very clear to anyone who was watching this that sooner or later we were going to surpass the rest of the country, even provinces three and a half times our size. And that's what we have done. Since Thursday alone we've seen more than 5,000 new cases. We set single-day case records on Thursday, Friday, Saturday, and Sunday. In the last two days we have eclipsed 1,500 cases.

Now, these are numbers, but they're not numbers; they are people. They are people with families, and they are people with jobs, and they are people who see other people, who go into our hospitals, who need care, who can't go to work, who get sick, some of whom may become critically ill. That's who that number, over 13,000 active cases – that number is people. The 11,000 cases that we have seen in the last, roughly, 10 days: those are people. We saw 23 new cases on the day the Premier declared a public health emergency last spring. Twenty-three. Today we saw over 1,500.

Today we didn't hear from the Premier, and we didn't hear from him yesterday, and we didn't hear from him the day before, and we haven't heard from him for 10 days. So we are very concerned. As our first point here tonight, Madam Speaker, on behalf of the many, many Albertans that we have been hearing from, they need to hear from the Premier, the person that has been elected to lead this province. Now, we heard today that the reason we're not hearing from the Premier is because he's in isolation. But I think that everybody in this House and, certainly, Albertans who are following the news ever are fully aware that other political leaders have had to go into isolation and have been completely capable of engaging with their citizens while in isolation. We were advised by the Premier's issue manager that he tested negative, just like, for instance, the Prime Minister when he was exposed to this virus very early on in the pandemic, during the spring. We saw him each and every day come out of his home and walk out and speak to the press. Every single day.

In 10 days we have seen an 85 per cent rise . . . [interjection] It's not funny. In 10 days we have seen an 85 per cent rise in cases,

active cases of people who are critically ill, who are spreading the virus, who can't go to work, whose lives are going to be changed. We've seen an 85 per cent increase in cases, and I'd rather that the members in this House not chuckle about that. I would rather that they join me in asking why Albertans have not seen their Premier over the course of an 85 per cent rise in cases over 10 days because I know that Albertans are asking that. Let me tell you that they are asking that.

7:40

He's in isolation, so we can't see him except, of course, he did manage to attend a UCP AGM on the weekend via Zoom. He was also able to attend a Canada India Foundation event via Zoom this weekend. That's great. Nothing wrong with attending an AGM for your party; nothing wrong, of course, with appearing at the Canada India Foundation. None of those things are bad things. That's what you should do. But if you can do that, Madam Speaker, you can get on Zoom and zoom on in to any one of the nine press conferences that the chief medical officer of health has had over the last 10 days about the 85 per cent rise in active cases, about the fact that there is no province doing as poorly controlling this virus than the province of Alberta. Leadership is about moments, and I will tell you that we've lost count of the moments that this particular leader has failed to show up.

Now, we know that there's a cabinet meeting, perhaps even a cabinet meeting going on right now, where conversations will be held about whether or not this government will finally step up and acknowledge that they have work to do, that they have tough decisions to do. They can't hide behind simplistic talking points because they are scared of their base and they would rather let Alberta have uncontrolled spread of the virus than speak up to their base. So they engage in simple talking points and a failure to act. That time is over, Madam Speaker. It is over. Albertans are demanding that that time be over. So there's a cabinet meeting to discuss how that ends.

My question is simply this. We overtook the rest of the country in terms of daily cases on Friday. Now, people here are probably tired of having to remember that there was a time when we on this side were in government. But we have also managed through an emergency, and I can tell you that it is quite possible to meet on a Friday, to meet on a Saturday, to meet on a Sunday, to meet on a Monday morning. So my question is: why was this decision-making group of the cabinet waiting until Monday afternoon to meet to talk about this 85 per cent rise in cases that has occurred over the last 10 days?

Albertans are looking for guidance, and we have heard many, many, many people call desperately for guidance. Just today we saw correspondence at a press conference that represented the views of hundreds of doctors begging this government to understand the consequences and the implications to our health care system and its ability to provide care for all of our loved ones, for all of their health needs. That happened today. But, of course, that's not all that happened. We had a larger number of doctors beg this government to step up last week. No response. No response.

What we are left with in the face of this Premier's unprecedented and shameful silence is this. We are left with his talking point from days and days and days ago: "You know what? We have to think of the economy first. You know, people that get sick: well, a lot of them were going to die anyway because the average age of people dying is close to the average age of people dying of old age. Therefore, we're going to put the economy first."

Now, separate and apart, Madam Speaker, from the inhumane nature of those comments, let me also say that that very frame, that very analysis is profoundly misguided. The fact is that pitting the

health of Albertans and the imperative to slow the pace of this virus's growth against the economy means that you fail on both. In fact, if we continue down this track, if we fail to take whatever options might be there to somehow desperately get off the road that this government's inaction has put us on, if we do that, that is the only way to support the economy because if this continues the way it is, the economy will be jeopardized and undermined and threatened in a way far more than any short-term limitations on economic activity might have done. That's not me saying that, Madam Speaker. That's the International Monetary Fund.

Now, I know the Premier prides himself as being kind of the smartest guy in the room sometimes, but I'm going to go out on a limb and say that the International Monetary Fund has folks there that have things to say, that you probably think people should listen to when you're talking about the economy. I'm just going to quote from some observations that were put out by the IMF very, very recently, in the last week and a half or so.

One enduring lesson from the COVID-19 pandemic is that any lasting economic recovery will depend on resolving the health crisis.

A little bit further on now.

The recession was also largely driven by people voluntarily refraining from social interactions as they feared contracting the virus. Therefore, lifting lockdowns is unlikely to lead to a decisive and sustained economic boost if infections are still elevated, as voluntary social distancing will likely persist. Lockdowns impose short-term costs but may lead to a faster economic recovery as they lower infections and thus the extent of voluntary social distancing.

That's the IMF saying the things that many, many other economists out there have said, which is that if you allow this to go uncontrolled, if we allow the cases to continue at their current rate and their current trajectory, then we are going to have much more severe and more long-term economic consequences to struggle with as Albertans. Let me also say that since we last sat in this House on Thursday, we also had the federal government introduce its modelling and share it with Canadians. Now, that modelling was not broken down by province, but it did say that we are looking at a significant – significant – increase in the number of cases if things continue the way they are now. Just judging from the amount of the current number of cases that Alberta has and Alberta relative to the rest of the country, we could see Alberta get up to 6,000 cases per day by the end of December. We had doctors today suggest that we could end up at 5,000 cases per day by mid-December. That will utterly shut down our health care system for anybody else.

Now, just today the Edmonton Chamber of Commerce put out a release in which president and CEO Ken Kobly said, "The rising COVID-19 case numbers show that the status quo isn't working. We can't protect Albertans' health and keep the economy running while still being lax on enforcing public health measures." That's the head of the Edmonton Chamber of Commerce. They're not celebrating the do-nothing approach of this government to COVID-19.

Now, when it comes to business, I'd like to take a little bit of time to talk about this because I know many, many people are concerned about the consequences to small and medium-sized businesses across this province. If COVID continues to spread in an uncontrolled way, as it is doing under the current leadership decisions of this government, or if lockdown measures have to take place, either/or, either way many, many, many small businesses are in great jeopardy.

Again, this is something that the government should be tackling head-on. They should be talking to these small and medium-sized business folks about what they will do to help them through these

difficult times. But what have we seen? Ten days and not a word – not a word – from the Premier about this challenge. Now, last week our caucus put forward seven measures – seven measures – to support small and medium-sized businesses should they lose significant revenue as a result either of uncontrolled case growth or as a result of short-term restrictions being imposed by the government.

7:50

We proposed tripling the funding for the small and medium-enterprise relaunch grant program that was offered by the government from \$200 million, most of which I don't think has gone out the door yet, to \$600 million and that we also increase the grant from \$5,000 to \$10,000 and that we lower the qualifying threshold from 50 per cent lost revenue to just 40 per cent lost revenue. That was one constructive proposal that we made. People out there can say that it's not good enough, that it should be different, that you should tweak the eligibility. There are lots of things that we could have a conversation about if we were all in here having conversations about how to make this better, but one thing I will say is that we need to be reaching out to these small and medium-sized businesses with proposals to support them through this difficult time.

Another thing we proposed was that the government use all and perhaps fund more if necessary of the 60 or so million dollars left over from the unmatched federal rent supplement program, arising from the fact that the federal program was poorly designed last time, so the provincial government's matching of it was reasonably undemanding of this government, shall we say. We take that \$60 million, and we basically match the 25 per cent that is coming from the federal government to small businesses so that they're getting 50 per cent of their rent rebated to them or subsidized for them by the two levels of government together. We know that we have \$60 million to start with on that, and if it takes more, it takes more, Madam Speaker.

We are also calling on the government to reinstate the commercial eviction ban that expired on August 31 for six months, to April 2021. I don't know why we're not in here doing stuff like that right now, but we're not. We've had this absence of leadership and commentary on this for at least 10 days and, frankly, weeks and weeks before that.

We're calling for a reinstatement of the ban on utility shut-offs for six months, and we are calling for the same thing that we called for when the legislation enabling that was first introduced last late spring, early summer, that it be amended to allow for and enable either a deferral or a rebate of those utilities. We've heard over and over and over and I'm sure members opposite have heard over and over and over that small and medium-sized businesses can only afford so much debt, so quite frankly, in some cases, we just may need to cut them a break on their utilities so that not only do they not get cut off because they can't afford to pay, but in the long term maybe they don't have to pay as much.

We also called for a 50 per cent reduction on small-business insurance, and we asked for that to be extended to June 30, 2021. One thing that we have heard over the course of the last eight months is that one industry, strangely, through all of this that is doing very, very well is the insurance industry. We have also heard from countless small-business owners about how their insurance rates have actually gone up considerably, and we've heard from even more that they literally shut their doors, they don't have customers coming in and out, there is no liability being incurred or tested or risked, yet they're still paying for their insurance, and if they don't pay for their insurance, they lose their lease. I would argue that this government has the ability to step in and address this unfairness.

The second-last thing that we called for last week was for the government to provide low-interest lines of credit of up to \$30,000. Now, I know I just said that many small and medium-sized businesses don't want any more debt. The problem is that what we know and what we are hearing from many of them is that many of them have already had to go into debt, and in many cases they're in debt in high-interest situations. What this would allow them to do is to convert that high interest rate debt to a much lower level of interest that the government, of course, is able to secure. In some cases where people still ultimately need to go further into debt, it's easier for them to consider it if they're not paying outrageous interest rates.

We know many, many small-business owners struggle to get access to affordable credit, so why can't this government do that for them? For heaven's sake, we just managed to find \$6 billion in loan guarantees for TC Energy for Keystone, even understanding that there was a very good likelihood that a President who was opposed to that very project would get elected. You would think we could find some money to offer low-interest loans to small-business owners so that they could stay afloat, should either this government's failure to get the virus under control or necessary limitations in business activity introduced by the government result in these businesses being at greater risk and suffering revenue loss.

These are not unreasonable proposals. These are the kinds of proposals – and let me be clear, Madam Speaker. I'm sure members opposite, probably many members who are not in Executive Council, have their own ideas about how best to support small-business owners in their communities, and I think we should hear them. I think, most importantly, that this government should act on them. I think that the urgency of acting on them has been brutally apparent to anybody reading the news and, you know, just doing the basic research for some time. If it hasn't been done already, I would urge members of this government to push their Executive Council to get moving on these packages for small businesses and medium-sized businesses because we've known for some time that they need it.

This is a time for the government to step up. If you claim you're worried about the economy, if you claim you're worried about job creators, then, for heaven's sake, do something. Don't just use the talking points; actually do something and support them. Either way, restrictions or continuing down this path and pretending there's no problem, of sticking your head in the sand: both strategies are likely going to threaten small-business owners. So why isn't this government stepping up given that they claim to be the champions of small business?

Now, we also need to focus on protecting – oh, sorry. The last thing – this is really critical – that we proposed with respect to small business, although it actually applies more broadly to all Albertans, is that we basically parroted the call of the Edmonton Chamber of Commerce to develop a COVID-19 risk index that gives businesses the ability to plan for moving up or down a stage of the relaunch strategy. What has actually been suggested by many groups across this country and in some cases introduced by provincial governments is essentially that the relaunch not be that stage 1 will be done by May 15, stage 2 will be June 15, stage 3 will – well, we're not actually sure when they announced stage 3. It just sort of suddenly organically occurred, and suddenly everybody was like: "I think we're in stage 3. I don't actually know. Do you know if we're in stage 3?" "I don't know." Anyway, that is not the right way to go.

The way you make decisions about whether you're in this stage or that stage is that you look at a risk index and you look at triggers and you look at what those triggers might be, and you rely on your public health officials and their modelling to tell you what the

appropriate triggers should be. Then you share that information with Albertans, and you say: here's what we relied on, and these are the triggers. It's the number of cases, it's the R index, it's the number of active cases, it's the number of hospital admissions, and it's the number of ICU admissions. It's, you know, all of these things.

I'm not an expert, but what I would suggest is that these kinds of metrics are relatively easily established now. We're eight months into this. There's a lot of good knowledge about this all around the world. You establish those measures, and then you report on them daily, and you say to people: you know, if we get to this point, this kind of activity will likely be limited, and if we get to that point, that kind of activity will be limited, and if we get there, well, then that kind of activity will be limited. You make it very clear to people when these kinds of things will come into play. That allows all Albertans, not just small and medium-sized and large-sized business owners, to predict when changes are coming. They can watch how their actions are connected to those metrics, how close they are, whether we're getting close to them, whether we're stepping back from them, whatever they are. But we don't have that number. We have much less information available than most other provinces.

8:00

Our stages have kind of gotten really fuzzy, and nobody knows what they are anymore, and they weren't consistently applied. It just all got very muddled. Then at a certain point we came up with new triggers, which were ICU, a certain level of ICU admissions, a certain cumulative rate of increase in hospital admissions, but it was stated in such a way that nobody could actually calculate what that was, and nobody ever actually reported how close we were to it. So the whole thing just got muddled.

Really, no one could actually tell how close we were to a dangerous situation until suddenly, you know, 10 or 11 days ago the CMO announced that we have blown about 50 per cent past one of those indicators, so maybe we should do a couple of things. Then they just kind of randomly described a couple of things, surprised the people who were subjected to those restrictions because they had no idea that that was the trigger and that they were the outcome of that trigger, because nobody ever set it up or told them, nor was there really any evidence to particularly connect them to the triggers. So those folks feel rather left out in the cold because they got no warning.

Then, of course, as I've just outlined, there's a whole suite of things that this government could be doing to support them if they had gotten ahead of this train in the summer, but of course, then, that would have required one in the summer to be aware that there was, in fact, a second wave coming. Anyhow, those are all things that we would have liked to have seen.

I will tell you that this risk index is very critically important. It's also important for all Albertans to be able to see how we're doing, to see how close we are getting to where new changes will come in to impact them and the lives that they live, how close we are getting to their neighbours' lives being impacted or their friends, their ability to go to work, to not go to work. All those things would be clear to folks.

Now, another element of the risk index, of course, comes down to the capacity of our health care system to treat Albertans. One of the things that we've learned is that it's all fun to sort of talk about how many ventilators we have and how many spaces we can find to put beds in that are adjacent to ventilators that can plug into the wall, but somebody forgot to talk about the fact that for every ICU bed is a series of highly trained staff.

An Hon. Member: It's supposed to be.

Ms Notley: It's supposed to be. That's the point. An ICU bed is not just the bed and the ventilator and the oxygen and those things; an ICU bed is also a series of very highly trained staff.

That gets to another area, which is the degree to which we have been managing the staffing that is necessary to keep Albertans safe, and I will argue that there are a number of fronts on which this government has again dropped the ball.

Now, generally speaking, we know that this government has engaged in a pretty much full-frontal attack on health care workers since before the pandemic. We had Black Friday right around this time last year, when workers of all types throughout the health care system received letters from AHS telling them that over the course of the next six to 12 months, you know, thousands of them were going to likely lose their jobs. This was after, in some cases, the obligation to negotiate with many of these health care workers had been ripped up and delayed and deferred, and of course we'd also seen the attack on doctors and the ripping up of their contracts. All of this was going on. Life was not good. People were not really feeling super appreciated in the health care sector, and then the pandemic arrived.

To be clear, officials in this government ought to have seen and known that the pandemic was on the horizon before they made several of these decisions. I can only assume that they did and that they chose to ignore them.

In any event now we've got people being told that they were proposing to cut everybody's salary by at least 4 per cent. Those are the people, of course, who were lucky enough not to get fired, part of the 11,000 people who were told that they were going to be fired in order to save maybe \$2 million, maybe zero. We don't know. It's your own documents that say that. For all we know, we're firing 10,000 or 11,000 to save nothing.

Then also we have the attack on the doctors. We proposed a 4 per cent pay cut for those health care workers who are lucky enough to keep their jobs. We are threatening to fire 11,000 front-line health care workers in order to save maybe \$200 million, maybe one dollar, and we ripped up the contract with doctors. Then we're wondering why health care workers are stressed in the middle of a pandemic.

But to be clear, that's not all. On top of that, what we saw in the spring was a deadly and heart-wrenching experience in our continuing care centres across this province, and Alberta was not unique in that. In provinces across the country we saw the slow, painful demonstration of how poorly every jurisdiction has been investing to care for vulnerable citizens, primarily seniors, who require continuing care support. We saw devastating impacts across the country. No question about it. Because Alberta is a younger province demographically, at a per capita level we saw fewer fatalities relative to the rest of the country, but as human beings who care about our grandparents and our aunts and uncles and our neighbours and our friends, we saw far, far too many fatalities in continuing care in this province.

What became clear to people in many other provinces and should have been clear to people in this province is that we had a broken system and that we needed to take this summer to get it right because we knew that a second wave was coming. What did getting it right look like? Well, we needed to make sure that people who provided that kind of service, you know, LPNs and primarily health care aides in many of these settings, were fairly compensated, were not allowed to move from one centre to another but were compensated for the financial loss they experienced as a result of that rule, and that we had more people recruited into that work and trained. If we struggled to find people to recruit into that work

because – let's face it – continuing care centres can be perceived to be very dangerous places given the rate of fatalities that we saw in them, we would pay them more to account for the level of danger that they were experiencing by going into those facilities.

You saw in other jurisdictions, Madam Speaker, the government take the summer to actively hire and train more people. You saw the government in B.C. more actively co-ordinate the workforce strategy of people who work in these centres. But what did we see here? Well, it was like: "Well, we wrote a cheque for \$128 million to our friends in the private sector, primarily in continuing care, and we've washed our hands of it. We've done it. We've left it up to them. You know, we cross our fingers and hope it's all good."

Well, here's, of course, what's actually happening. What we've heard is that the vast majority of health care front-line staff in this sector did not get any kind of pay bump. We heard that those who were barred from working in more than one facility did not get appropriately compensated for their loss of income. We've heard that we did not actively start recruiting more people to work in this sector. We've heard that those who get sick have a broad range of disparity in terms of whether they have sick time, whether they don't have sick time, whether they have to exhaust their sick bank, whether they have to use their vacation, whether they have to use their overtime, whether they have to apply to the federal government for \$400 a week, or whether they have to live off food stamps or borrow money from whoever they run into on the street. It's a very broad range of what happens.

8:10

Moreover, in addition to those various options that exist for these health care aides, on top of it, if they have to stay home because, say, a child is sick and they need to stay home because they need to isolate, they don't get any coverage for that. If they are exposed at work and have to stay home even though they're not sick, well, they're not getting consistent coverage for that. These things exist throughout there, and it's a patchwork of profoundly inept administration by a government that thinks that digging in to get things done right in a systematic way is somehow getting your hands dirty. Well, news flash: that's actually leadership in the middle of a pandemic. Washing your hands of it and saying that it's someone else's responsibility is not leadership.

The reason I say this is because we are now in the second wave of the pandemic, and we have heard story after story after story of continuing care centres where they just desperately cannot find the staff to care for people, where almost all the staff are infected, where all but three of the residents are infected, where staff have to go home, where residents are told that they will not get the basic care they need because there just aren't the people to provide it to them. Well, I hate to break it to you; this is not an act of God that you couldn't predict. It might have been an act of God you couldn't predict in April, Madam Speaker, but now, five, six, seven months later, it is not an act of God you couldn't predict; it's an act of God you chose to ignore. The people who are suffering as a result can rightly turn to you and say: "Why? Why did you not take action to protect me, to protect my loved ones, to protect my grandmother, my grandfather, my aunt, my uncle?"

In addition to the failure to support those workers, we also know that this government is in the midst of trying to jam through legislation that would actually statutorily roll back the rights of workers to keep themselves safe in their workplace to somewhere where it was in the mid-1970s, Madam Speaker. They would redefine imminent danger, which is associated with the right to refuse unsafe work, so that somebody with a health condition literally could not say: "You know what? Going to work on that COVID-19 unit is dangerous, and I can't do it." They are literally

telling these front-line health care workers that they do not have the right to keep themselves safe at work, and they are changing the legislation to make darn sure that they don't even try. At a time when health and safety in the workplace is the absolute most important thing that any manager could focus on, we are eliminating joint work-site health and safety committees, and then if people get sick, we are changing countless rules of workers' compensation to make darn sure that they don't get compensation as a result of getting sick because they went into work to do the job of heroes each and every day, even as this government turned their back on them.

It is jaw-dropping to me that in the face of what we knew was coming this fall, in the face of what we saw front-line health care workers doing this spring, the members over there thought it was morally appropriate to bring in a bill that attacks the health and safety rights of working people. What were you thinking when you had that caucus meeting? Good Lord. I would suggest that as part of your response to the skyrocketing COVID-19 cases, the fact that we are leading the country in terms of the spread of this disease throughout our communities, one of the things you can do is pull that ridiculous piece of bad judgment off the table and apologize to the front-line health care heroes who are actually showing up for work to keep people safe, who don't have the benefit of four weeks of continued pay when they go into isolation, and who don't have the right to go dark for 10 days if their employer tells them they have to work from home while they're isolating.

Now, we also are very concerned about how this government has been managing the issue of health care capacity. More importantly, we're concerned about where it leaves Albertans with all conditions, of all stripes, should they need health care. We talked about, you know, some of the triggers that the CMO has identified, and one of the triggers she identified was that if we get to 70 ICU admissions, that's a problem. That takes us into a new phase, and with that phase we need to engage in new measures to protect Albertans. Now, one of the things that, of course, I mean, she has certainly acknowledged is that although we haven't hit 70 across the province, in certain parts of Alberta we've far exceeded that region's contribution to that number of 70. For instance, in Edmonton I think we passed it two or three weeks ago, and I think that in Calgary we passed it a week or so ago.

So what does that mean? Well, actually, the Member for Edmonton-Glenora whispered in my ear when I was talking about it: what it means is that we're going through this process here in Alberta of redefining what an ICU bed is. We are pulling away staff, we are pulling away specialization, and we are pulling away expertise. At a certain point we're actually taking the bed and moving it out of the ICU, and we're putting it into a different part of the hospital, and we are hoping the people in that different part of the hospital, who have never gotten their ICU training, can somehow learn to provide a semblance of the support that that ICU patient requires. That is incredibly stressful, obviously, and dangerous for the patient. It's stressful and anxiety provoking for their family and their loved ones. To be very fair, it is stressful and anxiety provoking for all the staff who are involved in this process.

Let us be very clear. That's what, quote, unquote, surge capacity is. Surge capacity is significantly undermining and diluting and diminishing in a very conscious way the quality of care received by the sickest Albertans in our hospitals. That's what surge capacity is. So a government that manages a pandemic on the basis of an assumed reliance on surge capacity is a government that is fundamentally choosing to jeopardize the health of the sickest and most medically fragile Albertans across the province.

I would argue, Madam Speaker, that that needs to stop, and I would also argue that that information needs to be made public to

all Albertans. They have a right to see the dice that this government is rolling on their behalf, because that's exactly what they're doing. They are rolling the dice because they are wrapped up in an unwise and unsustainable theory that they need to risk Albertans' lives in order to allegedly save the economy even though, as I have already argued, in the long run they're actually just going to do more damage. That needs to be addressed better, and how better do we do that than to allow for regular reports not from the CMO, because the CMO is not an expert in hospital care, but we allow for hospital providers to be very clear with Albertans about what these different levels of ICU mean and what it means for care so Albertans can see how close we are getting to collapsing our system as a whole.

Now, this government also – we've had lots of debate in the House over this issue, but I will just raise it once again, the issue of contact tracing. Now, I will say that the Minister of Health likes to imply that, you know, they've been hiring contact tracers all along. I think what we know to be the case is that much earlier this year the minister talked about having 800 contact tracers, and then they stopped looking. They were just kind of: "Oh, look at us. We have 800 contact tracers. We're the best. Yay." But as it turned out, first of all, unbeknownst to many of us, they weren't full-time contact tracers; they were part-time contact tracers. So whether it was a full 808 FTEs or 150 FTEs, we really don't know.

8:20

But in any event it wasn't until mid-October that they suddenly realized that they had to hire more because they were falling way, way behind. But they didn't move quickly to do it. The actual outward-facing public posting for new contact tracers, as far as we can tell, actually went up online two days ago, Madam Speaker. Two days ago. I have raised in this House before, as have other members of my caucus, the Harvard Medical School journal article on this that suggests that with our population we were going to ultimately need about 1,300 full-time contact tracers. We're nowhere close to that. They are finally hiring. That is good. They're telling us that we should expect to have 400. I don't know if they're full-time or part-time. That's an issue that we cannot get a straight answer out of this minister on. You know, it doesn't matter what we do, he just will not give us a straight answer. Anyway, we should be up to 1,200 something or other by January.

That, Madam Speaker, is a little late because, of course, what we know right now is that 88 per cent of new cases: we have no idea where they came from. Even the Premier, early on in this pandemic, revelled in lecturing Albertans that the way to stop the pandemic was to test and to trace, to test and to trace, to test and to trace. That's what he said. He was quite enamoured with that, but then we dropped the ball on tracing, and quite frankly we're not doing all the testing that we should be doing either.

So we are where we are. We don't know where 88 per cent of the cases came from, and we are no longer advising a great, large number of people who we know have been exposed. All of this, of course, while holding on to the mythology of their broken app, which was the most – I mean, you know, the members opposite love to honour the memory of former Premier Ralph Klein. One thing I will say about former Premier Ralph Klein is that he was an artist at acknowledging when he was wrong, saying: oh, my bad; I'll do better next time. It was one of the things that made him so popular with Albertans. This Minister of Health has done the most ridiculous intellectual and honesty acrobatics that I have ever seen in this House in terms of refusing to acknowledge that that is one of the biggest boondoggles. It wasn't a super expensive boondoggle – in the world of UCP boondoggles this was relatively a baby boondoggle as far as the cost – but as far as the implications to people's lives it's actually one of the biggest boondoggles, and he

won't admit it. Everyone knows it to be true. It's why he is, I'm sure, the least respected Health minister that the government of Alberta of any stripe has seen in probably 50 or 60 years. So we have that.

Then we have the modelling. Again, other provinces are releasing modelling. You know, some of us over here who can do basic math knew that we were going to get to where we are now. The thing I don't know exactly is where we're going to be two months from now, but Albertans deserve to know. This idea that no one has done modelling since May is balderdash, shall we say. It is unbelievable. It is not an acceptable presentation of information in this House, Madam Speaker, because it means one of two things. It means that it exists and they are simply not giving us the facts in this House, which is quite disrespectful to this House, or it means they actively demanded that the modelling stop, which I think is criminally negligent, to actually demand that health officials stop doing the modelling.

Yeah, we know that the modelling that the Premier did his TED talk on back in April was wrong. That's not the Premier's fault. It also wasn't the fault of the public officials who developed that modelling because modelling gets better with more information. Guess what: in April we had a month and a half's experience with this virus. Now we have eight months' experience – I have to do the math; anyway, seven or eight months' experience – with this virus and evidence from all around the world.

You know what that means? It means that the modelling gets better. It means that the people of Alberta, a modern, progressive, forward-looking province where people still have an education, have every right to expect that their government is continuing to do the modelling, and they have every right to expect that the government is sharing this information with them because it is an emergency. When you have an emergency like this, Madam Speaker, you don't get lost in playing hide-and-seek. You simply speak honestly and openly to the people of the province that you have been elected to lead through a once-in-a-generation crisis. That's what you do.

We need that modelling because we need to know: what is the best move? What do we do next? How do we keep ourselves safe? How do we get this virus under control? How do we keep our economy safe? How do we support those small businesses that we all talk about? How do we keep our front-line workers safe? How do we keep the most medically fragile Albertans still able to access the care that they need in what was our absolutely world-leading health care system? How do we do that? We can't know the answer to that if this Premier insists on hiding the modelling. That needs to change.

Now, as we go forward, as best practices are identified by the CMO and others and as this cabinet even reluctantly agrees to offer up certain recommendations to people, the question becomes: how do we make sure that people follow it? We need to properly enforce the measures that are being recommended by the CMO. We have multiple, multiple tools for that enforcement. Way back in March, back in the day when we used to get briefings, because we did get briefings from this government for, I don't know, the first month or so or a little bit less – it wasn't super frequent. Just to remind you, Madam Speaker, you were here at the time when we were in government and there was the fire in Fort McMurray. We gave the opposition daily briefings, if that's what they wanted, with public officials. That kept going until people moved back to Fort McMurray. The same cannot be said for this government's handling of this emergency.

That being said, very early on we did get a couple of briefings. Our labour critic, the Member for Edmonton-Mill Woods, asked at the time to the labour minister: "You know what? A lot of the places

within which you're going to have to keep people safe are also workplaces. You have health and safety laws. You have health and safety inspectors, who understand the issue of prevention and safety. You already have them on staff. You should hire more, and then you should get those people out the door inspecting in order to make sure that people are following the rules." So it is a bit ridiculous that the CMO is asking the police to enforce public health bylaws when we have a government that has enforcement officers built into it who already have the expertise to investigate safety and prevention issues.

The cities. Some of the cities have also been asking this government to redeputize, if you will, the bylaw officers that they have because they have people that are equipped to go into businesses and other places to assess whether they are following the rules. Those bylaw officers can do it, but they don't currently have the authority. This is something that this government needs to be moving ahead on.

Now, we talked a bit about masks. I've got to say that it is shocking. This province is the only province in the country where there is not a provincial mask mandate. What's the problem, folks? Like, seriously, the evidence is clear that masks help prevent the spread. I know you've got your weird John Carpay doctor, but he's been discredited multiple times on multiple fronts. I know you've got your Member for Lac Ste. Anne-Parkland. I'm sure you guys know well enough that this is probably not your go-to guy for your science information.

8:30

The fact of the matter is that 99.9 per cent of people know that masks help spread – sorry. Help stop the spread. Gosh, I'm starting to sound like Lac Ste. Anne-Parkland myself. The masks help stop the spread of the virus, and that is why you see provinces across this country adopting province-wide mask mandates. In this province, again, what are you folks scared of? Why is there not a mask mandate, at the very least, in those communities that have been identified as virus hot spots by the CMO? Why are there no mask mandates there? What is going on? It's overwhelming. Then I listen to the Health minister, you know, go through his empty talking points, and it's so disheartening because it's so irrational, and it just makes one ask: what are you afraid of? We know that from Medicine Hat to Cold Lake, all across this province, there are jurisdictions that don't have mask bylaws yet, and that means there's greater spread there. It's that simple.

That needs to be changed, and I would urge the members opposite to get with the program that the rest of the country of Canada has already identified as probably a good idea. I don't know if you think that somehow that's a declaration of failure, that you're going along with the rest of the country of Canada, but, I mean, it's not like you're going along with the federal government. You're actually going along with other provinces, with other Conservative leaders, who have also made these decisions. So for the sake of Albertans in those communities that do not yet have mask mandates, I would urge you to get with the program on that one.

I have two more things that I want to talk about very quickly here. Again, schools: we have more than 300 schools with cases of COVID-19, and as I said before, today the CMO said that things have gotten so bad that not all close-contact cases linked to schools will get a call notifying of their close proximity or their exposure to someone with COVID-19. Now, this is not news for any of us who've been following this issue. I don't know about you, but I have been hearing from people for some time about – I've been hearing from teachers about the fact that they'll get a call from a parent saying: "I just got a positive test for my child. I'm really sorry. I just want to let you know." Then the schools for the longest

time were waiting to be notified by AHS that they could actually implement class exposure protocols, and this was happening a month ago, that they were waiting. They were waiting days. So that was the first sign.

We in the opposition knew over a month ago that there was, like, a canary in the coal mine, that this contact tracing was in trouble. But, in any event, notwithstanding the failures in contact tracing and the degree to which that led to people being in classes, you know, far too close together and all the other things, what we know now is that we have over 300 schools with cases of COVID-19.

You know, the Education minister confidently assured us that it was only half a per cent of schools that were impacted: "Oh, no. You guys are Chicken Little. It's only 1 per cent of schools that are impacted. Oh, no. You guys are just creating problems where they don't exist. There are just now 2 per cent of schools that are impacted." I don't know. How many schools are impacted now?

Ms Hoffman: In Edmonton it's over 40 per cent.

Ms Notley: Now in Edmonton over 40 per cent of schools are impacted. Our confident Education minister probably wants to rethink her Chicken Little routine a little bit and maybe listen to people who apparently were better briefed than she was.

The other part of it, though, that is concerning is that what we've been seeing just in the last month or so is that – we're seeing more academic research come out saying that in different jurisdictions there are studies that are now suggesting that, in fact, contrary to the assumptions that drove this government's extremely reckless and inadequate approach to children going back to school, children do get COVID-19, and children do spread COVID-19. In fact, they may actually spread it more effectively or more, well, efficiently. All those are sort of positive words, but, whatever, they may spread it more than even adults. There's literature out there to suggest that that is the case.

That's the thing. Previously, you know, we had assurances that: oh, no, if we're getting cases in the school, it's just a reflection of what's going on in the community. The way to keep our kids who are in the schools without masks jammed together like little sardines in sardine cans safe is for adults to, quote, unquote, knock it off. Now it seems that perhaps the literature is suggesting that it's not quite so black and white and that, in fact, perhaps the schools do actually play a role in enhancing the rate of spread. We don't know. All I'm saying here is that we don't know. There's literature to suggest both.

So how does this government deal with it? Well, they send children back into schools with less money than they had the year before and less money than they had even before that. The schools are struggling, and then they tell them to implement a bunch of protocols without the resources to do it. Then, thank goodness, the federal government actually puts in some money. I don't know if folks here would actually ever admit it, but I know that I've been to enough schools and had enough administrators and teachers and parents say: "Oh, yeah, once the federal money got here, we noticed a difference. It made things a little bit easier. A couple of extra people were hired here, this was done there, blah, blah, blah." It made a difference. The problem was that it wasn't enough because it was going into the black hole of need created by this government's systematic cuts on funding that they had introduced over the course of two years while pretending they hadn't. What it meant was that our schools were going in more vulnerable than pretty much any other schools in the country.

We put forward a plan to limit class sizes. We put forward a plan to keep children safe. Yeah, that plan came to almost a billion dollars. You know what? I'll tell you something. Think back now:

\$1.5 billion on Keystone, that may or may not continue construction six months from now, a \$6 billion loan guarantee that may or may not become payable – we don't know – but \$1 billion to keep our children safe and perhaps stop and prevent the very outbreak which is the worst in the country, throughout this whole province, the greatest number of cases, the most negligent management that we have seen anywhere in Canada. One billion dollars to do that, hmm, might actually have been a pretty good investment. Either way, what we know is that in jurisdictions where those kinds of initiatives were put in place, the spread was reduced, and schools did not become a part of or associated at all with the kind of massive growth in cases that we are seeing in this province now.

With all this, the question then becomes: why? Why have these decisions been made, and what is the barrier to making better decisions going forward? Well, I hope very much, Madam Speaker, that at the end of the day, there is no barrier to making better decisions going forward. I hope that with the dramatic increase in cases that we have seen over the last few days, I hope that with the hundreds of doctors, you know, declaring that we are in very, very dangerous waters with respect to our health care system, I hope that with the modelling being done by other levels of government in this country that show how bad this is and where it's going, I hope that with the examples being set by other provinces that have managed to flatten their curve so that they don't look like the reckless bunch of cowboys that this government currently appears to be, I hope that with those examples we will see this government, as a result of their deliberations tonight in cabinet, bring forward meaningful measures to protect the lives and livelihoods of Albertans.

I will say that I worry a bit. I've talked about this before. We know that there are a few members of the UCP caucus who are a little bit wrapped up in denial, whether it be the Member for Banff-Kananaskis, who claimed that the worst of COVID is behind us and who then, you know, had every option to say, "Oh, gosh, I wrote that in July; that was a mistake; my bad" but instead doubled down on it – okay; fine – the Member for Lac Ste. Anne-Parkland, who, again, called masks virtue signalling and suggested that they actually drove the spread of the virus, the Member for Central Peace-Notley complaining that kids washing their hands 14 times a day is unacceptable because it's just too much effort to stay protected from the virus, the Member for Red Deer-South saying, "Well, not a single school-aged child has died from COVID in Alberta, so this is excessive risk aversion." Good Lord. Did anybody in that caucus talk to him after he said that? I hope so, because that is embarrassing.

8:40

When it comes to keeping our children safe, I don't know that there is such a thing called excessive risk aversion, quite frankly. Knowing that they go home to moms and dads and aunts and uncles and brothers and sisters who may have medical issues or frailties, knowing that they are part of our community and that they can transmit the virus, there's no such thing as excessive risk aversion. There's simply responsible governance, for heaven's sake. That member should be apologizing. He should be apologizing to his caucus for the amount of embarrassment he causes them every day, and then he should turn around and he should apologize to this Assembly for us having to listen to that ridiculousness, and then he should apologize, most importantly, to the Albertans that he is misleading.

The point is this. I worry that those are four examples of people within that UCP caucus who clearly are not capable of grasping the severity of the situation that we are dealing with right now. I very much hope that this UCP government and this absent Premier will make choices that are better for the health and the safety, for the lives and the livelihood of Albertans going forward. We are going

to be leading the country now for weeks to come because it will take that long to stop this snowball, as the CMO described it today, and for it to roll itself out. It doesn't happen overnight. It's going to take time.

We'll see cases continue to increase, but the point is that we want them to not increase as much or as quickly, and we want them finally to stop increasing, and then we want them to slowly come down, but it's going to take a while. That has to happen, because if we continue at this rate for another week, another two weeks, our health care system will collapse. Our economy will be extremely damaged, and it will do so in a way that is far worse, far deeper, far longer than what shorter term restrictions would create.

There's an opportunity now for this government to act, having seen the reality of what this virus can do if it is left unattended, unrestricted, unaddressed. That opportunity has now been revealed, and it is an emergency.

I swear to God – this is absolutely true – I was walking home on Thursday, and I was bundled up from head to toe, so heaven forbid that anybody could actually tell who I was even. I was walking across the street, and I look up, and there's this vehicle that has driven and has just stopped beside me, and I see they want to talk to me. They roll down their windows, and they just yell: "Are they ever going to do anything? What's going to get them to do anything? How can we get them to do something?" That was just one person in that one time. I will tell you that that is what I hear from people. I've lost count of the number of times I've heard that from people in the last two or three weeks, but it's getting more and more and more frequent.

I would urge members opposite, if you don't think that the reasons that I've outlined and the need to protect our children, to protect our neighbours, to protect our grandparents, our aunts or uncles, our loved ones who are medically fragile, to protect small-business owners, to ensure that our economy suffers the least damage possible – if none of those things generate the level of activity that is required, consider asking the members of Executive Council to give you a real look at the polling right now, because I will tell you that it's not looking good for any of you, and you've lost Albertans on this. They are frustrated, and they believe that they don't have leadership. They need their government to step up and do something very different from what they have been doing over the last few months.

It doesn't matter the pollster; they'll all tell you that, and I hope to goodness that you folks are getting that information from your leadership, because at the end of the day you need to know what Albertans are asking for and demanding. Not just a few. I mean, I know there's the base, and I know there's 10 per cent or 15 per cent that are very loud and perhaps very scary – I don't know – and perhaps people are concerned that they're going to start their own party. I don't know what the dynamic is, but I do know that they are the minority, and the vast majority of Albertans need a government that will step up and do its job. I hope that that is what we will see from this Premier and this Health minister and other members of this government within the next 24 hours.

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

[Motion to adjourn debate carried]

Government Bills and Orders Third Reading

Bill 36 Geothermal Resource Development Act

The Deputy Speaker: The hon. associate minister of natural gas.

Mr. Nally: Thank you, Madam Speaker. I rise today to move on behalf of the Minister of Energy third reading of Bill 36, the Geothermal Resource Development Act.

The passage of this bill will help facilitate the development of clean geothermal energy as part of the government's multipronged approach to diversifying our economy sector and growing our economy. Currently Alberta Parks regulates shallow geothermal development; however, there's no policy or legislative framework to regulate geothermal development below the base of groundwater protection.

This legislation addresses that gap by creating the Geothermal Resource Development Act, which will provide rules and processes for industry, establish a framework and legislative authority around land use and liability management, and protect landowners and mineral rights owners.

Modelled after the Oil and Gas Conservation Act, this bill will establish a regulatory regime administered by the Alberta Energy Regulator, or the AER, for the development of this low-emitting emerging resource.

While this legislation is specific to geothermal resources, it is also aligned with the purpose and mandate associated with the management of Alberta's other energy resources. As such, a number of consequential amendments to several existing acts are also required, including to the Environmental Protection and Enhancement Act, the Mines and Minerals Act, the Oil and Gas Conservation Act, the Pipeline Act, and the Responsible Energy Development Act.

Several companies have expressed an interest in deep geothermal, and these amendments will help facilitate the exploration of resource potential, especially in the west and central portions of this province, repurposing of inactive oil and gas wells and sites, utilizing coproduction with oil and gas to maximize the use of energy and reduce emissions, and providing electricity and heat to municipalities, industry, indigenous communities, and remote areas of the province.

This legislation will provide the AER with the regulatory authority to provide for the efficient, safe, orderly, and responsible development of Alberta's geothermal resources. Similar to oil and gas development, Alberta will uphold the polluter-pay principle for geothermal development and allow the regulator to act and step in, if necessary, as well as recover associated costs in instances where it must take action. While we want to encourage development of this emerging resource, we are absolutely committed to ensuring it is done in the best interest of Albertans.

To ensure that Albertans receive their fair share, these amendments establish the ability for the government and taxpayers to receive revenue from development such as royalties through future regulation.

In addition to a new act, further amendments to regulations and the creation of new rules and directives will be required to implement a full regulatory framework. This bill provides the ability to ensure that the geothermal resource regulatory framework is robust and effective and also flexible enough to address a changing and emerging sector as it evolves over time.

Alberta's position as a world leader in drilling and developing our resources lends itself naturally to the development of geothermal energy, attracting new investment and creating jobs in the process.

Now, Madam Speaker, the previous administration had four years to do something about geothermal, and they did nothing. I would invite them to right that wrong and support us in passing third reading of this important legislation.

With that, Madam Speaker, I conclude my remarks.

The Deputy Speaker: Are there any members wishing to join debate on third reading of Bill 36? The hon. Member for Edmonton-West Henday.

8:50

Mr. Carson: Thank you very much, Madam Speaker. It's an honour to rise to speak to Bill 36, the Geothermal Resource Development Act. While I've had the opportunity to propose an amendment on behalf of the Member for Calgary-Mountain View over the last week, this will be my first time having the opportunity to speak directly to the bill. I appreciate that. I think that there's a lot to be said, and I appreciate the comments coming from both the government side as well as my colleagues in the opposition regarding the need for developing a framework for the geothermal resource industry. It's incredibly timely, I suppose.

Now, you know, we heard the associate minister of natural gas speak about a multipronged approach. Unfortunately, even before the pandemic, as we've said in the past, we have seen this government completely fail to create jobs in our province, with 50,000 jobs lost before the pandemic. Moving forward, we see hundreds of thousands of Albertans continue to be out of work and a complete lack of any kind of action or direction from this government to put those people back to work, contrary to what their election platform was.

While I appreciate that we have this framework before us and I think that in many ways the government has been working on this piece of legislation or the framework for this legislation for many years in the making, so it's nice to finally see it come forward, unfortunately I share concerns, like many of my colleagues in the Official Opposition NDP caucus, that while it is a framework, by no means is it enough to get these companies off the ground and running. We've raised this point, specifically the idea that programs that this UCP government axed when they came into power – when we talk about the Alberta investor tax credit, it was an opportunity for companies like those who will be affected by this legislation and be enabled by this legislation. Unfortunately, the decision of the UCP to get rid of that program is actually going to harm the very companies that they are trying to incentivize through this legislation.

Once again, when we look at the idea that this government instead moved forward with a \$4.7 billion handout to the largest, most profitable corporations – and we've seen the result of that: you know, stock buybacks from these companies, using that money to transition out of our own backyard here in Alberta. Unfortunately, that is not the direction that we expect to see our money being spent and used for. While, once again, they axed programs, important tax credit programs and incentives that would support these businesses to create and get new capital into our province, unfortunately it's gone quite the opposite way.

When we talk about what we see in this legislation, once again, the idea that we are creating a regulatory framework that has been in the process since 2017, unfortunately there are many holes in what we see before us, in what is being proposed, primarily in the lack of a royalty regime, which is incredibly important as we talk about getting these companies off the ground and ensuring that Albertans are getting their fair share from these royalties. We've had this ongoing conversation in the oil and gas industry, and of course over the last several years that has become quite a complex conversation as the price of oil has been impacted so hard and has hurt our provincial budget.

You know, being able to ensure that we are investing in education and health care and all the other important programs that Albertans so desperately need now more than ever – energy royalties are incredibly important. We don't see that addressed in this legislation.

I appreciate that the previous minister to speak addressed that this was lacking in the legislation and that they would participate in consultations to ensure that this is done properly in the regulations. Unfortunately, once again, when this government of all governments is doing these types of, quote, unquote, consultations, it often is happening behind closed doors. We've seen that the surveys that they've put out are very one sided, often leading them to the conclusions that they want to see. That does not bode well for Albertans who want to have their opinions heard.

[The Speaker in the chair]

Secondly, in terms of actual proposals that our NDP opposition has put forward through our consultations with albertasfuture.ca – very proud of the work that the members on this side of the House have done through those consultations. The second proposal is that we are asking to build and promote local private markets for geothermal in Alberta. Once again, while a framework is being proposed here and it's important that we move forward on that, we must support the local private market to ensure that these companies and these projects are viable for the future. Just like we did at the beginning and ongoing with the oil and gas industry, we must incentivize these types of natural resource developments here in our province.

The third proposal. Once again, this government has done a complete one-eighty compared to what previous governments have done. Governments of all stripes, Conservative governments included, have worked hard to support their municipalities and the idea of community generation. Unfortunately, what we've seen from this government are actual conversations completely changing even from when they were, you know, putting forward ideas in their election platform around how we support municipalities. They said that they would do a better job than the NDP did in our four years, but unfortunately it's been quite the opposite.

We've seen money taken away from these municipalities for day-to-day operations, for important pieces like rural policing. I mean, the list is long, and I can't get into all of that here tonight. Unfortunately, more recently we've heard that they would be considering changing the tax structure for energy projects or energy companies that often support their local municipalities. Once again, I mean, the ideas that this government is bringing forward on how to support municipalities across the province are completely backwards. You know, primarily these are municipalities that are represented by the UCP members themselves, so it's very hard for me to understand how private members in the UCP are willing to once again sit by while this Premier attacks their municipalities, attacks the funding that is so vital and important to keeping those municipalities alive and running for the future.

Once again, similar to the second point that I made, incentivizing geothermal innovation in Alberta, when we look at the track record of this government in terms of supporting postsecondary institutions, I know that they are very worried, one, about the idea of performance-based funding coming forward, you know, the government trying to choose based on whether it be the highest paying jobs coming out of the university or whatever other arbitrary ideas that they put forward which are an indicator for the performance of a postsecondary institution. Students and faculty across the province are very worried about funding for themselves, whether that be in programs like geothermal or in more liberal arts programs, whatever it might be. We need to ensure that as we are setting up our advanced education system, as we are setting up incentives through tax credits or others means, we are ensuring that programs like the ones before us today are going to be, well, accessible and able to continue in a productive and successful way.

Needless to say, Mr. Speaker, there are a lot of pieces that are missing from this legislation. Once again, while I appreciate the idea that this is a technology that – considering the other conversations that we're having about abandoned wells in our province and the tens of millions if not hundreds of millions of dollars that have been abandoned across our province and have had negative effects on our municipalities across this province, we need to find solutions, and this is one of those solutions as long as we are ensuring that there are further incentives to come along with this. When we look at the record of this government, their total axing of energy efficiency programs and other funds that were often used to incentivize and create job opportunities in these emerging industries, unfortunately it doesn't seem that the government is too concerned about actually creating jobs. You know, we can appreciate that the framework is there. Maybe the next government will come along and actually create some jobs in this industry, but it doesn't seem like it will be happening under this government.

With that being said, I will give my other colleagues the opportunity to speak to this legislation. We'll hear some more conversations, I'm sure, and I look forward to making a final decision on this in the near future.

Thank you, Mr. Speaker.

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

Seeing none, the hon. Member for Drayton Valley-Devon to add to the debate.

Mr. Smith: Thank you, Mr. Speaker. I won't take long in this House. I've had a chance to speak to this bill to this point. I'm very grateful to be able to speak to this bill in third reading, Bill 36, Geothermal Resource Development Act.

9:00

Mr. Speaker, I can remember in 2015, I got elected. I was this social studies teacher that all of a sudden found himself sitting in an MLA's office and wondering: okay; what does this job really mean that I have to start doing? One of the things that happened literally in the first couple of months that I was an MLA was that I had a series of oil and gas companies come through my office. They sat me down, and I'd say: why is a president of, you know, a large oil company coming into my office as an MLA in Drayton Valley?

Now, I realize that Drayton Valley is a hub for oil and gas activity. We can't have lived there for 30 years and not have realized that and the importance of oil and gas. They sat me down, and they said, "You know, Mark, we're very concerned. When we take a look at where we believe the NDP are going to go, when we take a look at what we think is going to happen in international markets, we have to do a risk analysis," they called it. "Before we put money into a project, we have to do a risk analysis. When we start looking at what we see coming down the pipe, we're telling you right now that we probably will not be investing in the oil and gas industry in the next three or four years."

It doesn't take you long to figure out that if that's what they're telling you, there are going to be jobs and there are going to be livelihoods that are going to be affected by those kinds of decisions. Unfortunately, at the time they talked about things that the government of the day was doing: appointing people that were against the oil industry to some very important committees and panels, passing things like carbon taxes, making it difficult, increasing corporate taxes. All of these things were a part of that risk analysis. It was because of that that I realized pretty early on in my career as an MLA that if I was going to help the people in my constituency, one of the things that I was going to

have to do was try to not only defend the oil and gas industry but also look to diversifying the economy of the constituency that I'm in.

One of the companies that came across my plate in I think it was 2016 was a geothermal company. As they began explaining their technology and as they began opening my eyes to the world of geothermal power, I became quite excited. You know, sometimes out there there's a belief – and I think it's a false dichotomy, by the way – that you can't be in favour of jobs and entrepreneurs and businesses working hard to create jobs and using the resources that have been given to us by God and this province and still be an environmentalist. I've never understood that, what I think is a false dichotomy. It's got to be both. We have a responsibility to take care of our environment, but we have a responsibility to ensure that the people of this province have the capacity to use their talents and their abilities to pursue wealth, to create wealth, to pursue jobs, and to create jobs for the citizens of this province.

When I met with this geothermal company, I thought: wow, I think they've really got something here. You know, they were talking about using abandoned or inactive wells. Well, that's got to be pretty responsible, I would think. That's a good business move, as far as I could see. Using the roads and the electricity and the infrastructure that's already there to repurpose these wells sounded like a good idea. It seemed to me that they used the same skill sets that we have in our oil and gas industry, the truckers and the vacuum truck operators and the drillers and the people that would be capping and all. That's our oil industry. If they weren't going to be drilling and pursuing and looking for oil and gas, then maybe we could put some of these people back to work, looking for heat and looking for energy.

It soon came across to me that while we need to support our oil and gas industry, geothermal is only going to be a niche market, but it's a part of that puzzle that we could use to try to put Albertans back to work. I remember thinking: well, jeez, it's actually in the process of creating and generating wealth and creating a new industry and diversifying our energy economy. We would also, Mr. Speaker, be producing an energy that has literally almost no carbon. And that could actually work to Alberta's benefit as we look at the ESG that we have to try to create. I'm looking at this, and I'm going: this sounds like it's got enough boxes there that I'm prepared to pursue it.

I can remember, actually, trying to get the attention of the then government, the NDP government. I remember approaching the then Minister of Municipal Affairs, Shaye Anderson, and saying: "You know what? I think this is a good idea. It would seem to me that your government, which prides itself and says that they really want to pursue an environmental agenda – this would be right up your alley." I'm not sure that this is really a partisan thing because at the end of the day what I see in this is jobs and wealth and a new industry for Alberta. That's what I see is good along with the environmental benefits that come with it. I think that, to his credit, he tried.

I'll be generous tonight to the former government because I know that there are lots of things that come on your agenda. There are lots of people, and you're meeting with lots of individuals, and they all have good ideas, and they all want you to go down certain paths, and governments have to make decisions about what they're going to do and where they're going to put their efforts, and I understand that. I always thought that it was a bit of a missed opportunity, quite honestly, for you, when you didn't pursue to the degree that I thought you should've the whole idea of geothermal energy.

You know, this bill and the regulations that are going to go with it give us a start. It lays a foundation so that we can start to create an industry – not that it's going to supplant oil and gas. But, boy,

I'll tell you: those drillers and those workers out in Drayton Valley and in Devon and in Breton and in Warburg and in Calmar and in Thorsby, all those people that have made their living off the oil and gas in this province and are struggling to do so right now, if they could drill for heat, they would be very happy.

We have to do it in a way that makes economic sense. There's no doubt about it. Just like the oil sands up in Fort McMurray, when they first started to harvest that oil, you know, they've had to work on making that more and more and more efficient. I believe that as we've laid the legal and the regulatory foundation for this industry through this bill, as we progress and as these companies drill and as they have projects and as they move forward, they will become more and more and more efficient, and they will become better and more economical every time they go to work.

I know, Mr. Speaker, that there are projects that are just on the cusp of moving forward in the geothermal industry, and they couldn't have moved forward if we hadn't had this bill. So I'm very pleased. I'm very proud to think that my government would have the faith in the Alberta people such that they would move forward with legislation like this, that will allow our entrepreneurs in the geothermal industry to get to work.

Yeah, we know that they're going to have to do a little bit more work and be creative, as entrepreneurs are, to make sure that the energy that they're producing from these geothermal wells is going to be competitive with the natural gas and the coal that we use to produce energy in Alberta. Sure. But, you know, we're going to get there. We may even already be there because I know that there are projects coming forward where they are doing the groundwork right now.

Mr. Speaker, one of the criticisms is that perhaps we haven't incented. Well, this we make no apologies for on the Conservative side of the equation. While there may be a place for seed capital and for incenting to a certain degree for new industries, we also understand that we cannot create industries that will only sustain themselves on the backs of subsidies. A really good example of that is one that's right in my own constituency in Drayton Valley, where we had the Drayton Valley Power company. They were taking wood chips from the Weyerhaeuser mill, and they were using them to produce electricity in Drayton Valley. The only reason they could make it work was because the government was prepared to give them a subsidy. I think that subsidy lasted something like 10 or 15 years, and when the subsidy ended, so did the power company.

9:10

We have a responsibility, when we diversify the economy and when we create the wealth and allow entrepreneurs to generate the wealth moving forward, that we ensure that these are industries and businesses that are not going to be dependent upon government largesse but will be able to pursue the wealth and do business because it makes economic sense, it provides wealth, and is competitive with all of the other industries that are out there that they need to be able to compete with. I believe that the geothermal industry is going to be able to do that. So I'm quite prepared to live with this bill, which allows them to be able to stand on their own two feet and to pursue wealth and to pursue this new industry, because they will get there.

Mr. Speaker, I know that the geothermal industry – many of the companies that I have spoken to have met with the minister. I had a hard time getting before the minister when it was an NDP government and trying to get them to talk with the geothermal people. It was a shame. But I'm very happy that they've met with ministry officials. The Minister of Energy has allowed them to meet with the people that produce the regulations in this province. They've met with the ministerial officials that draw up these

regulations. They've given them their advice, and they will continue to give them their advice. We will continue to move forward on this.

I'm very happy to be able to say that at some point in time, when I look back, I'll be able to see drillers and service men and women that are not only drilling for oil, that are not only drilling for gas but will also be drilling for heat energy in this province. When they do, they'll be creating some of the most stable baseload energy, noncarbon, that is going to be produced anywhere in the world. We are the experts, and we will have an opportunity to export this around the world. We will be able to help those third-world countries. We will be able to help those countries that have a problem with their carbon. We will be able to help countries like China, that produces huge amounts of carbon and needs a clean source and an economic source of energy. We will be able to sell them not only our natural gas, to India and to other Asian countries; we will be able to export and sell them our technology on geothermal energy.

This, Mr. Speaker, is the gift that we can give to the world. This is the gift that will allow us to be able to not only create wealth for Albertans, not only allow us to use the God-given resources that we have but will allow us to export it to the rest of the world. We are setting the foundation from this piece of legislation.

I thank the Minister of Energy, and I thank this government for bringing forward this piece of legislation. I wish everyone in this House the opportunity to support it.

Thank you very much.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or a comment for the hon. Member for Drayton Valley-Devon.

Seeing none, are there others? The hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Speaker. It's my pleasure to rise today and speak to third reading of Bill 36, the Geothermal Resource Development Act. I know that myself and many of my colleagues here had many opportunities to speak to this bill. I know that I spoke to it in a couple of the other readings here as well. I want to reiterate that I think that it's been a long time coming to have a geothermal framework here in Alberta. To have a framework that actually enables the regulatory means for geothermal energy to come to Alberta is something that's been in the works for a long time. Indeed, as has been mentioned previously here, the NDP government as recently as 2017 was working on a geothermal framework to support the geothermal energy sectors. I think it's important to know that because what we're seeing here is largely a continuation of that work. It's a continuation of that work that I'm glad to see moving forward because I think that it's important we have the resources in place and the regulatory bodies in place to have these systems.

Now, Mr. Speaker, I think that the regulatory body the government is introducing and proposing is lacking in many ways. I think the bodies that the government is introducing lack many important aspects, for example, on royalties, lack many important aspects on systems that would actually benefit the geothermal industry, and I think that that's a little bit disappointing. It's a little bit disappointing because instead of focusing on actually creating a strategic investment in geothermal energy here in this province, instead of focusing on actually creating a framework that would actually help the industry and would actually help to offset some of those 50,000 jobs that were lost before the pandemic even began, instead of actually trying to create this investment that we have for this resource here in this province, the government instead chose to

give \$4.7 billion away in a corporate giveaway to already wealthy and already profitable corporations.

I would love to see more support for a geothermal industry that could reach its full potential here in this province. I'd love to see concrete action that would have meaningful impacts on creating new jobs and developing a diversified economy. We know that a diversified economy isn't just a luxury. Unlike what the Finance minister said, unlike what this government believes, diversification is not a luxury; it's something that we need right now. It's something that we need to offset those 50,000 jobs that this government lost before this pandemic even began, and the job losses have continued to mount as the pandemic has moved on, Mr. Speaker, has continued.

Mr. Speaker, it's clear that the government's economic strategy simply is not working. It's clear that the government's strategy on the economy, on jobs is not working, but instead of creating targeted investments, instead of creating incentives, instead of continuing to invest in programs such as the investor tax credit that we had brought in, that would have assisted companies like geothermal energy and other industries to invest in Alberta and to have those opportunities to grow, we see this government relying on its already failed \$4.7 billion handout to already wealthy and profitable corporations.

Mr. Speaker, I think it's pretty disappointing. I think it's pretty disappointing because we had this opportunity with Bill 36. We had this opportunity to not only create the regulatory framework and the systems that we need to have this industry and to grow this industry but to also bring in incentives and targeted measures to have a real impact on jobs and the economy, and the government failed to do that. It's simply a recurring theme with the government in this case, that in Bill 36, just like in all the other initiatives, this government does not believe in actually supporting individual job creators, does not believe in actually supporting individual industries, and does not actually believe in investing in these industries.

We know that in situations like this we need real systems, right? We need real investment. We need real programs, and that's why companies were scrambling after this government cancelled programs like the investor tax credit, like the innovation credits, and like the technology credits, Mr. Speaker. So we're talking about programs that would actually spur innovation, we're talking about programs that would actually bring jobs across this province, and we're talking about programs that would actually have incentives to create new industries in Alberta and diversify our economy here.

Again, this Finance minister thinks that diversification is a luxury. We here in this House, Mr. Speaker, we here at least in the opposition know that that simply is not true. Diversification is not a luxury. This Finance minister, I believe, is the worst Finance minister in Alberta's history, yet he doesn't believe in creating new jobs through diversification. That's one of the hallmarks of a bad Finance minister. That's one of the hallmarks of a bad government. It's very clear that this government is not serious about creating jobs.

It's very clear that this government is not serious about their platform commitments. They said that they were about jobs, economy, and pipeline, and, Mr. Speaker, they're failing at all three. When we look at this bill, when we look at Bill 36, we can see that this bill accomplishes none of those things, right? It doesn't help the economy, it doesn't help with jobs, and of course in the energy industry we know that these targeted investments are so important, and it doesn't help with any of that either. It's really a lacklustre performance from this government.

Even in the parts they get somewhat right in terms of creating the regulatory framework and in terms of creating mechanisms that we need to have a strong geothermal policy in Alberta and to attract

geothermal investment and energy investment into Alberta, we lack a real number of aspects that I think are essential to a strong industry. We lack a real system in terms of a Crown royalty system. We lack any appropriate dispute resolution mechanism for landowners. We lack a framework for liability management. Mr. Speaker, it's things that are very, very simple and very, very fundamental to how we regulate these bodies and how we regulate organizations that want to invest in Alberta and want to create new investment in Alberta.

9:20

The government has completely, basically ignored and failed to account for these issues despite calls from this opposition, despite – if you go to albertasfuture.ca, Mr. Speaker, you can see that this opposition actually has a white paper on this. We actually did bring in real policy proposals on how these initiatives could be implemented, how we could manage the regulatory regime, how we can manage the royalty regime, how we can manage the dispute resolution regime. All of these types of policies were actually proposed by the opposition. Instead of seeing any of that adopted, instead of seeing this government actually say that maybe we do need to have an enhanced framework that would give more robustness, I guess, to the system, this government is barreling forward with their \$4.7 billion corporate giveaway and this sort of lacklustre framework.

Mr. Speaker, it really goes to show that this government is not doing the work required, right? They're not actually serious about creating investment in this province. They're not actually serious about having the systems in place that would attract investment to this province. They're not actually serious about using it to create new jobs in this province or using it to create new investment in this province. Indeed, it appears that they simply whipped this together, decided to roll it out, and once they had the bill written, they didn't want to go any further. That's what's so disappointing, right? It's so disappointing because we know, as the minister said, that it's a carbon copy of other frameworks we have in this province already. It's basically a carbon copy of other frameworks we have in this province.

We know that the geothermal industry has some uniqueness to it, and it has some different needs to it, and we should have been able to try to address those in this bill. We should have been able to try to use those to create a system that would work and attract that investment that's so important here in Alberta, especially right now, Mr. Speaker, because we know that at the beginning of this year, in the first-quarter update, before the pandemic even began – and I know it feels like it was a very long time ago that the pandemic began. I know that for many of us in this place, including myself, sometimes it feels like it's been years and years, but indeed it's only been a few months, right? It's only been a matter of months since the pandemic began, and before this pandemic began, this government already lost 50,000 jobs. That was before any of the global economic recession had happened.

When we're looking at it in that framework and we're looking at it in the framework of how poorly – really, Alberta's worst Finance minister ever. The current Finance minister hasn't been able to manage the economy. When we're looking at that and now we look at this bill coming in, you would think that the Finance minister or the jobs minister or the Premier would have actual policies in place that say: not only are we creating this regulatory framework, not only are we bringing in a system for geothermal to operate; we should also make sure that we're bringing in targeted incentives for geothermal.

We should also make sure that we're bringing in targeted programs for geothermal that would allow us to attract and offset

some of those 50,000 jobs that this Finance minister and this government lost – right? – that this government has failed to account for because really, Mr. Speaker, when we're talking about what the government was committing to in their platform, when we're talking about what this government was elected on, they were elected on jobs, economy, and pipeline. Again, they're failing on all of those accounts. They're relying on their \$4.7 billion corporate giveaway to already wealthy and already profitable corporations, and they're doing the same thing here with geothermal. Instead of bringing in actual incentives, instead of bringing in actual programs to try and attract geothermal investment here to Alberta, they're relying on their \$4.7 billion giveaway to profitable and wealthy corporations.

We know that that's not going to work. Why specifically, in Bill 36 and in geothermal energy, do we know why that's not going to work? Because a lot of these very capital-heavy investments that are required to be made in geothermal – and, of course, we can argue about how many of these can be retooled or reused from other industries that we already have and then how we can accommodate using existing infrastructure to work with geothermal, and that's all very legitimate. But the fact remains that no matter how you factor that in, there's still going to be substantial capital investment required to develop geothermal resources here for profit. It means that for quite a long time there won't be any real profits, right? There won't be any profits.

As everybody in this House knows, Mr. Speaker, the corporate giveaway, the \$4.7 billion corporate giveaway that's been given away to profitable, wealthy corporations, companies that have taken the money, laid off Alberta workers, and run: when we're looking at that and that program, even if we bought the idea that the government says that it can create jobs, we know it's not true. We know that it has actually resulted in companies like Suncor laying off thousands of workers in Calgary and across this province. Even if we bought that, we know that here in the geothermal industry it would have no effect on attracting investment.

Why is that? It's because these companies are going to be unable to generate the profits required to start paying into the corporate tax rates like that because at the beginning of the creation of this industry, when companies are first investing in geothermal, when we're first creating new sites for geothermal and new infrastructure projects for geothermal, Mr. Speaker, it's very capital intensive, right? It's very capital intensive, and that means that in the first few years there are going to be quite significant writedowns in terms of the capital, and they won't be paying those rates. They won't be benefiting from the \$4.7 billion giveaway to profitable, wealthy corporations because they won't be profitable, wealthy corporations.

Instead of actually having a program that attracts investment, the government continues to tout this program that instead drives away investment, that actually results in further layoffs, resulted in further layoffs in Calgary primarily but across this province, of course. Thousands of workers lost their jobs after this government implemented their \$4.7 billion giveaway, after Alberta's worst Finance minister implemented this disastrous plan for the economy, Mr. Speaker. Instead of that actually working, what we're now seeing is the government doubling down on that in a sector that simply cannot economically see the benefits from it, right? We know that. It's a simple matter of dollars and cents. We can all do the math here. We know that in these types of investments and these types of projects it simply does not add up. We know that it will not attract investment in the way that government is purporting it will.

Mr. Speaker, when we look at Bill 36, when we look at the geothermal industry, when we look at this act, the Geothermal Resource Development Act, when we look at all these things

combined, what it leads us to determine is that this government has sort of put together a lacklustre regulatory framework. I mean, of course, I'm glad that there is a regulatory framework coming forward. I mean, of course, our government, the NDP government, formerly in 2017 was working on a framework of this sort. I'm glad that that work was continued, but it's clear that it's not enough. It's clear that this government is not doing enough. It's clear that this government is not actually creating the regulatory framework that we need. It's missing several key components. It's missing several key protections for landowners. It's missing several key components in terms of the royalty spectrum system. It's missing several key components in terms of liability management, and it's missing substantial portions of aspects that I think this government needs to address before we go barrelling full steam ahead. I think there are going to be significant concerns from landowners. There are going to be significant concerns from liability bodies. There are going to be significant concerns in terms of: what does this mean for royalties?

When we look at these systems and we look at the way they were designed, it looks like this government has sort of whipped this together, hasn't actually considered the implications, and then, on top of that, hasn't actually considered how it's going to create jobs. We heard the Member for I believe it was Drumheller-Stettler, we heard the associate minister of natural gas, Mr. Speaker, and we've heard multiple ministers and government members get up in this place and speak to how it's going to create all these new jobs and create all this new investment and create all this new industry across the province. The key thing that's missing and the key component that the government has not spoken to is how, right? How is this actually going to attract investment?

Mr. Speaker, in my opinion, it's because this government does not have an actual plan to attract investment for this. They are depending on the \$4.7 billion giveaway to profitable and wealthy corporations. They're depending on the giveaway that caused 50,000 jobs to be lost before the pandemic even began. They're depending on this really sort of desperate play. That is extremely disappointing. It is what, of course, Alberta's worst Finance minister brought in, and I believe it's not going to result in investment in Alberta, it's not going to result in new jobs, and it's not going to offset the losses that happened this year.

Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a), should anyone choose.

Seeing none, is there anyone else wishing to join in the debate?

Seeing none, I am prepared to call the question or ask the hon. the Associate Minister of Natural Gas and Electricity to close debate.

Mr. Nally: You can ask the question.

[Motion carried; Bill 36 read a third time]

9:30

Government Bills and Orders Second Reading

Bill 46

Health Statutes Amendment Act, 2020 (No. 2)

[Adjourned debate November 17: Mr. Schow]

The Speaker: The hon. Member for Cardston-Siksika has 14 minutes remaining should he choose to use it.

Is there anyone else wishing to join in the debate? I see the hon. Member for Edmonton-City Centre has the call.

Mr. Shepherd: Thank you, Mr. Speaker. To clarify – my memory escapes me – in second reading, is it 15 or 20 minutes?

The Speaker: It's 15 minutes, followed by five minutes of question and answer.

Mr. Shepherd: Thank you, Mr. Speaker. It is a pleasure to have the opportunity for the first time for me as the Official Opposition critic for Health to rise and speak to Bill 46, the Health Statutes Amendment Act, 2020 (No. 2). Now, this, like many of the pieces of health legislation that have come forward from this government, is an omnibus bill. There are large pieces of it which are largely innocuous, but there are certainly some parts of it which are concerning. So I think that for the sake of the interest of the Assembly, I will forgo speaking about the innocuous bits and talk about some of the more interesting pieces.

This is the second bill on which I had the opportunity to have an actual briefing from this government. The first, as I recall, was Bill 10, back this spring, and I recall the interesting manner in which that briefing took place, with some of the questions that we asked and the information which had to be dragged out, shall we say. Certainly, we know where Bill 10 went, that bill which was adding some sweeping power, being seized by the Minister of Health through that bill for himself.

Now, the briefing on this bill went in a bit of a similar nature. Certainly, when we got to the sections of this bill which are amending the Health Information Act, of course, one of the first questions we would ask on any piece of legislation which creates sweeping changes to a piece of legislation which is protecting Albertans' very important health information, people's private health records, is: have you consulted with the Information and Privacy Commissioner, who, of course, is responsible for overseeing and enforcing privacy legislation in the province of Alberta? I was told by the Health officials on that call that indeed they had, that since 2012 they had been having discussions with Commissioner Clayton's office and had been talking with her and her staff about all of the changes that were brought forward. We asked, you know, "Did they object to any?" And she said: "Well, no. They were generally largely in agreement with pretty much everything we brought forward." I said, "Okay," and we talked about a few other things.

We went on to another part of the bill. As we were talking about that other part of the bill, Mr. Speaker, I happened to glance over at my other computer screen and see a tweet, and it was a tweet from the Information and Privacy Commissioner's office expressing her deep disappointment that she had not been consulted on this bill. So when I had the opportunity, I went back to those officials and said, "If we could for a moment just go back to that section about the Health Information Act, could you reconcile for me your comments that you had indeed consulted with the commissioner's office, with the commissioner and that there had been no real objections with the bill with the fact that she just told the Alberta public that she had received no consultation on this bill?" at which point one of the many issues managers for this government spoke up and said, "Oh, I believe they answered that question earlier." I asked directly, "So are you telling me that you are forbidding the officials from answering this question?" One of the officials began to speak and was cut off by the issues manager, again saying, "No, I'm not telling them that they can't answer this, but I think they answered this question earlier." Mysteriously, then these government officials had nothing left to say.

[Mr. Amery in the chair]

We have seen since, despite the protestations of this Minister of Health, that the Information and Privacy Commissioner has been quite clear that she was not consulted on this bill.

We have a piece of legislation which is again taking sweeping new power for the Minister of Health, that puts in his hands directly the power to decide who has access to individual Albertans' personal health information, taking that away from the independent oversight of Alberta Health Services, public servants, and putting it in the hands of the minister to determine where that will go. Such a significant shift, and he did not consult with the Information and Privacy Commissioner, the guardian of Albertans' privacy. So this is deeply concerning, Mr. Speaker. It does not bode well for this government that they could not even be bothered to do that basic due diligence. One has to ask, then: what is it that this government is trying to hide?

Well, thankfully, the Information and Privacy Commissioner immediately undertook a review of the legislation, and she has published, as of November 13, her letter to the Minister of Health expressing a number of concerns with the changes that this government wants to push through to the Health Information Act. Now, she does note that there are some pieces of this legislation that she does not in fact object to. Indeed, she notes that there are some pieces of this legislation that are in fact doing some good things. If I may, Mr. Speaker, one quote – one quote – that she has about the pieces which she does not agree with:

While many jurisdictions around the world are introducing new or enhanced privacy laws to build public trust and ensure accountability mechanisms are in place to protect personal or health information, many of the proposed amendments to [the Health Information Act] are heading in the other direction.

Let me just be clear, Mr. Speaker, what she is saying here. She is saying that there are many jurisdictions around the world which are improving privacy, which are enacting stricter legislation, which are doing more in our digital age, where information has become a crucial and valuable commodity. There are many jurisdictions in the world which are improving legislation to better protect their citizens. With many of these amendments, she says, the Minister is going in the opposite direction; that is to say, undermining protection for Albertans' privacy, undermining protections and jeopardizing the protection of their private health information.

Now, Mr. Speaker, that is particularly shocking for a Conservative government which says that they are about protecting the freedoms and the rights of individuals, a Conservative government which believes that governments should have less power, Conservatives who believe that individuals should have rights to determine what happens to the things that belong to them. Again, this government is going in the opposite direction. They are determining that they should have more power, that they indeed, through a single individual, the Minister of Health, should have the power to determine who has the right to access Albertans' private health information, without accountability.

Now, the Information and Privacy Commissioner lays out a number of areas where she is concerned about this government's direction. Let us be clear, Mr. Speaker. This government is not one that has given Albertans any reason to provide them with any benefit of the doubt, with any trust.

9:40

What we have from the commissioner: first of all, she lays out her concern that this legislation grants out-of-province or potentially out-of-country full access to patients' electronic health records through Netcare. Now, this government, when you ask them about it, will talk at great length about the city of Lloydminster. Indeed, we recognize that in that particular city they

have a particular challenge in that they straddle the border of Alberta and Saskatchewan, so we have legislation in the province which specifically provides exemptions for the city of Lloydminster, recognizing that it's unique there.

It would be a very simple thing in this bill, indeed, if this government wanted to reassure – and let me tell you, Mr. Speaker, that there are probably a number of constituents and supporters of this government who would very much like to be reassured about what this government is doing with their private health information, much as there were hundreds of them that wrote to their UCP MLAs about what this government was doing in Bill 10. It would be a very simple thing for this government to provide that reassurance and to protect against any improper use by simply naming Lloydminster in the legislation and making it clear that this exception existed for that purpose. They did not do that.

If you ask them that question, they will not tell you why, and that is because their intent was not doing this simply for the good people of Lloydminster and their health professionals. They intend to open this up so that anyone whom they sign a contract with and whom the minister deigns, should he decide, should have access will be able to access Albertans' health information, perhaps so that they can contract with more health service providers from outside of Alberta such as perhaps the physicians which work on the Telus Babylon app, who are not required to be located in Alberta but simply to be licensed in Alberta.

Who knows what other health services they are intending to contract out to other Canadian or American companies? We certainly know that the radiologists' contract, which this government decided it would tear up prematurely, after they'd gotten the signed cheque for the rebate on radiologists' fees, I might add – that aside, this legislation empowers them to give anyone they contract with within Alberta, outside Alberta, outside of Canada access to Albertans' health information.

And here's the thing, Mr. Speaker. If there is a breach of information, if one of those organizations from outside the bounds of Alberta breaks privacy law, misuses, improperly accesses an Albertan's private information, there will be no recourse for that Albertan. The Information and Privacy Commissioner would not have jurisdiction to investigate that breach. They would not have jurisdiction to prosecute that breach. This government is telling Albertans that in the future, after they have passed this legislation, should they do so, should that happen, should this legislation go through this Assembly, if their information is compromised by someone outside of Alberta: well, too bad for you; I hope you've got the bank account to go and take that company to court on your own because we are not providing that protection for you here in the province of Alberta.

Now, I'm sure that if the minister had actually taken the time to sit down and talk with the Information and Privacy Commissioner, she could have flagged that issue for him, or perhaps, Mr. Speaker, the minister is simply well aware and wasn't terribly interested in having that conversation. That's certainly what we have seen from this government on so many issues when it comes to anything that is controversial, and certainly over the last few weeks what we have seen in respect to this government's response to COVID-19 is that duck and hide seems to be the way they prefer to go rather than actually confront and be accountable for difficult decisions.

Now, I'm looking forward to much debate on this bill, Mr. Speaker, because this is just one issue, and this in and of itself is a sizable issue from a government that has demonstrated that it intends to contract out an ever-widening array of public health services to private contractors and certainly, I'm sure, is not going to be hesitating to go beyond the borders of Alberta to do so. But there are many, many more issues here, laid out by the Information

and Privacy Commissioner, who, again – let's be clear – was one hundred per cent clear that she was not consulted on this legislation.

Now, I understand that private members on the government side want to support their minister and their caucus, but let me tell them, through you, Mr. Speaker, that this is one where they should be on the side of their constituents before their government.

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

Ms Pancholi: Thank you, Mr. Speaker. I'm pleased to rise under 29(2)(a). I always find it incredibly compelling to listen to my colleague the Member for Edmonton-City Centre because he speaks with such conviction and knowledge and, of course, not only as the Official Opposition critic for Health, in which he has done an astounding job of holding this government and the Minister of Health in particular to account for the series of disastrous decisions that this government has made with respect to health care and the continual undermining of our strong health care system and those health care workers who provide it.

[The Speaker in the chair]

That would be shocking at the best of times but particularly shocking given the strength of our health care system and those workers who are working tirelessly day and night in extreme conditions, under extreme fatigue, with no help in sight, with the situation continuing to get worse under COVID.

The Member for Edmonton-City Centre has continually stood up not only for those health care workers in our health care system. Now he's strongly advocating for the protection of Albertans' rights to our health information, which affects all of us, certainly anybody in this province who has visited a doctor, has gone to a hospital, has gone to a primary care network, has any interaction with our health care system, which, frankly, Mr. Speaker, is pretty much, I can say with a great deal of certainty, every Albertan. This is their health information.

Once again we see the Member for Edmonton-City Centre standing up for Albertans and the protection of their most private, their most personal health information. Certainly, I think that, particularly with the member's experience now as Official Opposition critic for Health but also as a member of the NDP government, he's seen many pieces of legislation come through this Assembly, both either presenting it as part of government but also now responding to it in opposition.

We know that consultation is key, and consultation is key for a lot of reasons, of course. You want the best legislation you can possibly get to address the public policy issue you're meaning to intend by the legislation, but it's also key for trust. It's also key for building that trust with Albertans that their voice is being heard, and we have no better expert, I must say, Mr. Speaker, in this province on the protection of personal and private information and health information than our Information and Privacy Commissioner. That is her sole purview, her sole role. She's been in that role for many years and certainly is probably the first expert you would go to to ask for insight. Perhaps not the only. Of course, when we're consulting, we do need to consult broadly, and of course when we're talking about the impact on individual Albertans, about their health information, their voice should be heard. But, certainly, one of the first things you would do if you're in government and you're going to be changing something so significantly as Bill 46 changes access and protection of privacy around health information, the first step should be to go to the Information and Privacy Commissioner to get her expertise and her input on that.

I'm wondering if the Member for Edmonton-City Centre can comment a little bit more on that issue, about the failure to consult with the key expert in this area in our province and what that says to Albertans about what the intentions might be behind this legislation and how that may undermine their trust. I think that is something that this government has proven time and time again, that they do not have the trust of Albertans, because they keep breaking it over and over again. So I would appreciate the comments from the Member for Edmonton-City Centre on that issue.

The Speaker: The hon. Member for Edmonton-City Centre has a minute and a half remaining.

9:50

Mr. Shepherd: Thank you, Mr. Speaker. Indeed, what we have seen from this government is an incredible level of arrogance, particularly in the changes it wishes to make to the health care system in the province of Alberta. It's quite clear that this is a government that decides its direction, decides what it wants to do, and then moves forward with that. It may choose to speak to one or two people after, but generally they are not fans of listening to actual experts, actual people who work on the front lines, people who actually have the working knowledge of the pieces with which they choose to tamper.

We've seen that in their war with physicians. We've seen that in their refusal to listen to the actual health experts on COVID-19, which brings us to the position we are in today, where we are leading Canada in new cases. And indeed we see that here, where they have chosen to simply ignore the Information and Privacy Commissioner to after the fact, after they have misinformed Albertans about whether that consultation happened, to maybe start a dialogue about how we can maybe have some better communication in the future. Albertans are watching, and they are not fooled, Mr. Speaker.

The Speaker: Hon. members, is there anyone else wishing to join in the debate today? The hon. Member for Edmonton-Glenora. [some applause]

Ms Hoffman: Thank you to my enthusiastic colleagues and to you, Mr. Speaker, for recognizing me as we debate – I want to make sure I get the title right – Bill 46, the Health Statutes Amendment Act, 2020 (No. 2).

I have to say, as we stand here in what is clearly the second wave of a global pandemic, that I am thinking it is absolutely appropriate for us to be considering health legislation. Health legislation that would enable appropriate staffing in long-term care, ensuring that there is no need for staff to work at multiple facilities and therefore increase the risk of spread of COVID-19, might be a good topic for health legislation at this time or health legislation as it relates to the working conditions of folks who are in high-risk environments that absolutely are continuing to operate and only very briefly took a break when outbreaks were so significant and fatalities were the consequence, specifically at meat-packing plants in Alberta, or maybe health legislation as it pertains to ensuring that all Albertans get access to medically necessary services, including those that are often difficult to access in rural and remote communities, or health care legislation to ensure that the staff who are working on the front lines who have been promised a pay top-up that seems to be perpetually delayed by this government – they'll come up with different reasons on different days.

You know, they will stand in this place and talk about health care heroes, but when they have a chance to bring forward legislation to

make their lives better, that's not what we're here to consider at this time.

I think most people would expect that if their legislators are meeting in the middle of a severe global pandemic, one where we are continuing to see the numbers here in Alberta grow – oh, today they didn't grow. Today they maintained at extremely high rates of more than 1,500 transmissions, where the chief medical officer of health in the daily update talked about a snowball rolling downhill and the fact that – that visual of a snowball going downhill. We've all done it. We've made snowmen. You start with a tiny ball, and when you start rolling it really fast, it becomes enormous. She made it very clear today that that is the trajectory we are on. We have a snowball. It is not small anymore. We are going downhill. And the other thing about things when they go downhill – gravity is force equals mass times acceleration – is that the bigger they are, the faster they go, right? The mass and the rate of gravity means that it goes even faster, so it gets bigger and it gets faster, and that is the trajectory that we're headed in.

When we're considering the Health Statutes Amendment Act, I certainly would have expected that the government would be focusing on the COVID response in terms of health statute amendments. Instead, we're here debating a bill that the government essentially says is to address challenges in Lloydminster, but when it comes to the four pieces of legislation, the City of Lloydminster Act certainly isn't what's being amended here. There are four other pieces of legislation, and there are significant concerns around information privacy.

I want to thank the Official Opposition critic, my friend and colleague from Edmonton-City Centre, for highlighting many of those, specifically the pieces as they relate to the independent officer of the Legislature Jill Clayton and the concerns that she has already voiced publicly.

I can't help but think a little bit of *déjà vu* to where we were in this place in the first wave of the pandemic – right? – when the first wave of the pandemic came in. The government said: "You've got to rush this bill through. It's really important that we change a number of health measures and that we rush very quickly. It needs to be passed immediately." We asked a bunch of questions about: "Hey, hey, hey, personal information, privacy. Don't you think this is draconian? Don't you think it's an overreach? The potential to compel things when we've often talked about individual autonomy in this place: don't you think that these amendments you're proposing in what was Bill 10 of this exact same sitting of the Legislature – it just happened to be in the spring, not the fall – are too far?"

The government said: "No, no, no. Trust us. We need to move forward full speed ahead." It got voted through very quickly by the government, and then a few months later a committee had to be struck and a whole bunch of work needed to be done to rein it back in. The committee heard a bunch of testimony that said: this is way too overreaching. People from a number of organizations reached out from what people would say are both ends of the political spectrum to speak to the far overreach that the government exercised in Bill 10. The government at that time defended all of the changes. They weren't going to recommend that they be reconsidered, and then a few days later, after the committee made its decision on those items, the minister said: oh, actually, we changed our mind; we're going to repeal some of those.

Now, here we are being told: "Trust us. This is really important. We need to move this very quickly. Don't worry. It's about Lloydminster. Don't worry about all of the other privacy concerns that you have. This is about one specific city that has jurisdictional challenges because long-term care is on one side of town and the hospital is on the other side of town. We just need to make sure that

we have proper information flow. That's why the minister needs to be the one that has the determination of access and sharing of information."

Well, fool me once, Mr. Speaker, and I'm imagining this is how many government caucus members are feeling right now because they're the ones who have to sit on the committees. Now, mind you, many, you know, get per diems and come in from out of town – that's why you get per diems and why you get travel allowances – but I don't think that private members in government ran for office so that they could rubber-stamp bills that are coming to this place that have already had significant concern questioned about them and then go to the committee and have to defend the minister and the overreach and then later have the minister be the hero who repeals a number of the conditions. I highly doubt that that's the most important thing for people to spend their time on.

I know when I heard the Member for Drayton Valley-Devon talking about being in his constituency office and meeting with folks who cared about geothermal, trying to move some of those issues forward – I imagine he would rather spend his time working on issues that matter to his local constituents in a positive way than having to come to committee and try to undo some of the damage.

So here we are in second reading still for this bill, and we've already had the independent officer of the Leg., who's most directly connected to this Legislature, say: "Please pause. Please stop. Please reconsider. Please look at some of the concerns that I've outlined, and please take the time to actually do your homework before you rush forward with this legislation." I truly, truly hope that the government heeds that warning from the independent officer of the Legislature Ms Clayton because I think that it would benefit all of us to pause, to slow down, and to take that into consideration when, definitely, the intent of the minister was specifically around Lloydminster, as has been articulated in this place, and the concerns are with regard to all Albertans, as being articulated by the Information and Privacy Commissioner.

We have a chance here to consider what has been said and to respond in a fair and reasoned way that shows that we've learned from the mistakes of the spring. That is the number one message I want to leave folks with. If they don't want to do it tonight, they can do it another night, but there will be opportunities for us to pause and to reconsider the overreaching parts of this bill, that have already been highlighted by the Information and Privacy Commissioner.

10:00

One of the questions I'd like to hear a response on from a member of the government is why the decision has been made that the government would eliminate the requirement for performing privacy impact assessments in many circumstances. I know that in my time working with Health officials and learning more about some of the breaches around privacy information, there are circumstances where, for example, staff will access information, and there are serious consequences when there's an impact assessment done around what led to that breach of privacy for that patient. Of course, when we see somebody in the hallway at a hospital, we might be intrigued, or if we get negative health advice about ourselves, we might want to pursue the root of that, but it's so important that each individual member of our society has what I would say is autonomy over their own health decisions but also their own health information.

We've made a few very specific exceptions for primarily youth and primarily situations where children's health and well-being are at serious risk – information sharing between law enforcement, for example, and health officials – but it is supposed to be the exception that somebody's personal decisions around their own personal

information be shared with somebody else. That's supposed to be an incredibly rare exception, not something that we are creating such space for in this bill, to create a lot of potential risk and rift between one's own health information, which should be private, and others being able to access it.

Namely, there is the proposal, that we're here to consider, around the minister having the right to access information. I know that the minister has said, "Don't worry; I'm not going to abuse this power," but I think that there are many times where this minister has shown not excellent judgment and perhaps, upon sober second thought, may have acted differently. I certainly hope so. For example, asking, demanding AHS to get personal phone numbers for people who are upset with you is an overreach and an infringement on privacy information.

Some might say: well, AHS shouldn't have done it. As much as I like to think of agencies, boards, and commissions as being completely independent, we all know they're not. We all know that there is a relationship between the minister, who the buck stops with, and the primary service delivery for acute-care services in our province, AHS, and long-term care services as well. So when the minister says, "I need that phone number for that person who is upset with me," it is no wonder that the folks who are in a reporting structure relationship between the minister, the board, the CEO, who is employed by the board, vice-presidents, and down in the organizational chart to communications officers – "I need the phone number for that person who is mad at me in that hospital": the minister should have known better.

The minister should have paused, should have taken due consideration, and should have thought: "You know what? Maybe I can send an e-mail to AHS, and they can forward it on to that person, and then that person can reach out to me." That's what would be the appropriate thing to do in that situation, to draft the e-mail and send it to somebody, saying, "I'd really like this to be passed on to that person who was mad at me in the hallway so that I can set up a time to have a conversation with them," not calling them on their personal cellphone at night, by which the physicians in question here said that they felt incredibly intimidated. They felt like they were being targeted. They felt very concerned about how that information was acquired.

The minister's response wasn't to say: "You know what? On sober second thought I wouldn't have called them directly. A fair point. Glad to know that that's how they felt, and I'll take that upon reflection as I do my job moving forward." No, no. The minister said, "It's AHS's fault." Yeah. Like, it's AHS's fault: give me a break. When the minister asks somebody who is in a reporting relationship to the minister for something, the folks in the public service, the folks in our agencies, boards, and commissions feel a direct sense of obligation to meet the request that was issued.

So when I think about that specific instance or perhaps others where the minister saw something he didn't like on the Internet and drove over to somebody's house and began yelling at somebody and, before that, had an encounter with their child, like, I have deep concerns about the ability of this minister, nor should I have the risk that any minister would be in a position where they have access to such significant information. But this is the minister that we're dealing with today. But even if it was you, Mr. Speaker, or any member of this Assembly who was eventually the Minister of Health, I think this is an overreach. I think it's wrong, and I think we should listen to the advice of the Information and Privacy Commissioner.

The Speaker: Hon. members, Standing Order 29(2)(a) is available, and I see the hon. Member for Edmonton-West Henday has a question or a comment.

Mr. Carson: Well, thank you, Mr. Speaker. It's an honour to rise in response to the previous member's comments around Bill 46, the Health Statutes Amendment Act, 2020 (No. 2). Of course, I have had the opportunity to speak to this piece of legislation a few times and raise some of my concerns, many of them revolving around the exact same issues that the Member for Edmonton-Glenora has put forward. Specifically on the idea that, you know, when we are talking about making changes to the ability of organizations outside of our province potentially gaining access to pieces of information on citizens of our province, very sensitive information around health care records, you know, really, based on the history of this Health minister, how can we trust that what we see in this legislation is the best thing for all Albertans?

To that same point, we saw the letter come forward from the Information and Privacy Commissioner's office very concerned about what has been proposed through this legislation. You know, being in the middle of a health pandemic, we should be taking extra precautions to make sure that we are doing the best that we can with the health system in our province, and that includes protecting the privacy of the personal information of Albertans in our health care system.

When we hear very real examples of what I would say is abuse by the minister, using private citizens' information for what those members felt was intimidation, to do that to such people based on, you know, differing opinions or the minister not believing that a physician should be saying something, for whatever reason it is completely wrong. So a question I would have is: if an outside organization, an organization outside of our own province, were to take somebody's private information, as the Health minister did, and do exactly what the Health minister did in that situation, would that be grounds for having a law broken? I would be very interested to hear that.

Of course, the other point that has been made quite clearly is that if there are instances of this legislation and the law being broken based on what we see before us and it's outside of Alberta, once again we have no means to actually hold those organizations accountable. Once again, when we look at the concerns that the Information and Privacy Commissioner raised as soon as they saw this legislation – and, of course, they made those concerns public, which might not always be the case. I think that sometimes there might be other routes, but it was quite clear that the commissioner's office felt that there were such big concerns for the privacy of Albertans that they had to, they were obligated to make those concerns public.

What we saw from that, among many other things – you know, previously the Member for Edmonton-Glenora talked about the termination of information manager agreements and information exchange protocols, of course, having to change very important pieces of the system, because without doing that, the minister would not have been able to make the changes that they wanted to. In itself, the minister is weakening the legislation and the privacy of Albertans simply to have more control over the health care system within his own office. That, in itself, is very concerning. I mean, the commissioner went on, on that same point, to say that they are "not certain of the long-term benefits of this significant transition in responsibility for the management and operation of Netcare."

10:10

It is very clear that this legislation should not be passed, by any means. It's frustrating for me that once again we are debating it at 10:10 in the evening. It has not, by any means, had the opportunity for ample conversation, and because of all the other things that are going on, very important things around the pandemic and the lack of response from the leadership of this UCP government,

unfortunately I do not believe that Albertans have had ample opportunity to really understand how this is going to affect the protection, or lack of protection, of their own privacy.

You know, we hear members of the opposition go on at length about the lack of consultation even with the very important roles that we have within our own system, being the Information and Privacy Commissioner's office, a complete lack of any consultation there, and it's quite clear that this legislation should not go forward.

Thank you.

The Speaker: That concludes the time allotted for 29(2)(a).

Is there anyone else wishing to join in debate? The hon. Member for Calgary-Buffalo has the call.

Member Ceci: Thank you, Mr. Speaker. [some applause] Oh. At 10:10. Yeah. Okay.

Thank you very much for the opportunity to join debate on second reading for Bill 46, the Health Statutes Amendment Act, 2020 (No. 2). No. 1, if people recall, was before us before, in the previous session, and the privatization of the health care system was primarily the subject of that earlier bill before us and something that this side vigorously disagreed with and debated against.

Here we are again, Mr. Speaker, taking an opposite position to the government with regard to the Health Statutes Amendment Act. We, of course, won't support anything that weakens the privacy rights of Albertans, and that's not just this side saying that. It, of course, is our Information and Privacy Commissioner, an independent officer of this Legislature, echoing those same views. I'll get more into that shortly, but I did want to say that, obviously, this omnibus bill amends four pieces of legislation and repeals one. As we all know, it's particularly concerning, as I said, with regard to the rules governing the use of Albertans' health information. With that piece said, that's what I will be spending the bulk of my time on, as I said.

The second, third, and fourth pieces of legislation in this act include the Health Professions Act, and that will legally require the bodies out there to be separated from the regulatory colleges, to be separated from the professional associations. I know a little bit about that with regard to the Alberta College of Social Workers, that still are in the position of being a joined college, with both the professional association and the regulatory under one agency. But we will be seeing this act have impact on six hybrid organizations in addition, perhaps, to the College of Social Workers. Those include acupuncturists, chiropractors, dentists, physiotherapists, respiratory therapists, and registered nurses. No small feat, Mr. Speaker, to look at separating those colleges, you know, the two sides, and I'll be watching and listening to see how that plays out.

Going forward, Mr. Speaker, I think it's not going to be an easy thing, and I remember that this government in the recent past changed the people who can be on those colleges so that there was a majority of the public on those boards at this point in time. I'm not sure that that's the best thing for those colleges because it, in fact, means that anyone can get appointed to those boards. They just really have to be known by members on the opposite side in terms of having an interest in serving on a board. The fact that, you know, a majority of the public can sit on, say, the dentist or physio or respiratory or registered nurse colleges without having any kind of expertise with regard to that particular discipline is concerning to me personally. I wonder if that's going to be in the best interests of developing those health specialties going forward.

The second major part of the Health Professions Act changes would establish health care aides as a separate and regulated profession within the College of Licensed Practical Nurses of Alberta. You know, knowing registered nurses and generally

understanding what their training is like, the kinds of skill sets they develop and leave universities with and knowing that licensed practical nurses for a great deal of time in Alberta have been elevated within the health care system to do more and more things and take over many of the roles of registered nurses: I think that's something we need to keep an eye on, Mr. Speaker, just to not put people like LPNs in positions where their skills sets aren't necessarily made for the kinds of roles or activities they're being asked to perform. So that's another thing that I'm going to be keeping an eye on just so that we have the best health care system in the world, continue to have the best health care system.

Just a point about our health care system: it's taken a lot of hits of late. As I said, the privatization bill, Bill 30, that was passed by this Legislature with vigorous opposition from this side, has put stresses, will put stresses on our public health care system. The work is challenging, and the fact that this government is systematically going after not only the health care system but other systems in our province like the education system, the postsecondary education system – you know, little by little we're experiencing the drip, drip, drip, the chipping away of incredible legacy systems, that have been put in place over decades by previous governments. Those are challenges that Albertans will experience more going forward and ones that are deeply disappointing.

Another change, of course, was to the corporations act and the Alberta Blue Cross act, a housekeeping change, a name change there for that organization.

The last significant part of this omnibus bill is the Health Facilities Act or the Hospitals Act, and that's a relatively practical matter that I won't spend any time on.

I do want to go back to what is deeply concerning and should be concerning for all Albertans as well and one that our independent officer, the Information and Privacy Commissioner, Jill Clayton, has expressed dire concerns around. One only has to go to the Information Commissioner's website and look at a letter that she has penned to Minister Shandro, and it can be found at the office of the . . .

The Speaker: The hon. Member for Calgary-Buffalo would know that referring to the hon. Minister of Health by his last name would not be appropriate.

Member Ceci: I apologize. Yes, I did mean the Minister of Health in that case and all subsequent cases going forward.

One only has to go to the office of the independent Privacy Commissioner's website to read a letter to the Minister of Health that is there – it is substantive, Mr. Speaker, and nine pages – where Commissioner Jill Clayton outlines her concerns to this minister, and it's followed or appended by a list of 10 issues that can be addressed, should the ministry and minister choose to.

10:20

What members on this side, led by the critic in this area from Edmonton-City Centre, are asking for is a withdrawal of this bill so that the Alberta public can get a first-hand look at the changes that are proposed in it. You know, when it's an omnibus bill, the very fact that it's omnibus means that it is very dense in terms of being able to go through and not in an everyday person's language. What really is needed is that this government would stop. Instead of making such drastic changes to health information legislation, they would rather – it's important for robust consultation in everyday language to take place so that Albertans can understand the reach into their health records or their electronic health records that has been proposed.

We're concerned on this side that the health information of Albertans, as identified by Commissioner Clayton, can be reached into by out-of-province, out-of-country entities, and their personal information can't be protected by our commissioner at that point because that person, as I understand from the letter that's here, doesn't have the jurisdiction to take those actions that would bring those entities to account. That's deeply concerning and should be deeply concerning to all Albertans.

You know, if this government refuses to pull back on this legislation and get it right, then we really should take some opportunity at a committee to hear from Commissioner Clayton directly. Certainly, the letter is there from her, and everyone can read that, and I hope Albertans take the opportunity to read it at the office of the Information and Privacy Commissioner. But I'm not sure why government wouldn't take the opportunity to in fact defend themselves at a committee, get the information from the commissioner, and act in a way that shows responsibility in that regard.

But, you know, the Minister of Health has had some challenges with that very thing, Mr. Speaker, and I guess in a way I'm suggesting that I've never seen the degree of upset Albertans have with regard to many things, but certainly their health issues and the actions and the work of this minister have come to the fore repeatedly. Albertans have made it clear, doctors have made it clear that there's a lack of trust that the minister has his hand appropriately on the tiller of this massive organization, which is \$20 billion plus and takes up, we know, approximately almost half of the outlay of expenditures for the government of Alberta. This is no small matter that's before us today. It's no small matter that it's before Albertans with regard to their lack of confidence and trust in the minister and the way that he is overseeing the critical file that is under his purview, that file being the biggest expenditure of the government of Alberta.

We need to make sure that the homework is done on this, and it doesn't feel like it's done on this, Mr. Speaker. We want the right thing to be done. We want consultation to take place. We want Albertans to know a greater amount about what's in this omnibus bill, and that can only happen with a pause.

You know, back to the Information and Privacy Commissioner's views and my colleague from Edmonton-City Centre's experience in a bill briefing, which happens far too little with this government, Mr. Speaker. It happened as a matter of course – I'm choked up for other reasons, but not the ones that... [interjection] Yeah. It happened as a matter of course with our government. Bill briefings would occur.

The Speaker: Standing Order 29(2)(a). The hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Speaker. I think that if my hon. colleague from Calgary-Buffalo here has perhaps an opportunity to take a sip of the water and is given an opportunity to finish his thoughts, certainly we're all honoured and pleased to be able to hear from him tonight.

Thank you.

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

Member Ceci: I appreciate it very much. I will just conclude by saying that our public health care system is critical. We need to make sure that the public health care system has everything it needs to succeed, especially at these times with COVID, Mr. Speaker. We are in a public health crisis, emergency, and anything that weakens the ability of the system to respond is of great concern to me personally but also to my colleagues on this side. We do have

stressors in our system. We do need to ensure that the system has everything it needs.

It has the financial supports it needs, but it's been getting significant stressors on that level. Nurses are being told that there are going to be fewer of them in the future, this during a pandemic. Nurses are in negotiations with the government of Alberta right now, and they're not being shown the kind of respect and support they need to recognize the critical nature of their work, especially during the pandemic. The laying off of front-line health care staff or threatening to lay off front-line health care staff is nothing more than outrageous and should be reversed as well.

You know, all of this is being done because the province, the government of Alberta, has left itself without the fiscal resources to be able to see their way clear to support the important and vital services that the previous government kept in good nick. That \$4.7 billion of corporate handouts, that rewards foreign shareholders, is nothing more than shocking and extremely — well, as I said, it's challenging for any government to not be able to count on revenue coming in.

The thing that I wanted to say is that I've heard repeatedly from the other side that our government, when we're in the government, kicked the can down the road. I just want to take a moment to say that we didn't blow up things, Mr. Speaker, because we knew they were operating well.

This UCP government is blowing up everything that we need to protect: the health care system, the education system, the postsecondary education system. As I listened to our leader last week, she said: you know, a billion dollars has been taken out of the postsecondary education system by this government, and the minister and other ministers go around and they invest a million here and a million there at schools around this province, colleges and universities around this province. They ignore the fact that they took \$1 billion out of the system. Mr. Speaker, the two don't equate.

10:30

That's why I say that this government is blowing up things like the postsecondary education system. Certainly, the health system is under dire stress at this point in time and is not getting the support it needs. The education system: we know that the K to 12 system has lost so much funding, so many staff, yet ministers stand up repeatedly and say, "You know, we've got it under control; everything is going to be okay." Well, I don't have that faith, Mr. Speaker, and that's not only me speaking; that's Albertans more and more weighing in on this government and saying, "We're not confident that you have your hand on the tiller," just as I described the lack of confidence that many have in our Minister of Health.

Thank you very much, Mr. Speaker.

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

Is there anyone else wishing to join in the debate this evening? I see the hon. Member for Edmonton-South is rising.

Mr. Dang: Thank you, Mr. Speaker. It's my pleasure to join debate on Bill 46, the Health Statutes Amendment Act, 2020 (No. 2). I rise to join my colleagues here in the opposition who have already expressed quite thoroughly our significant concerns with the Health Statutes Amendment Act and the Minister of Health's introduction of this bill. I think that it's become abundantly clear that Albertans cannot trust this government. It's become abundantly clear that Albertans cannot trust this Health minister, and it's become more and more clear that as this government introduces legislation, they seem to be wilfully misleading Albertans on not only the intent and the contents of the bill but also the work that they did in the drafting of this bill.

Mr. Speaker, this government introduced Bill 46 and told not only Albertans but indeed the opposition in a briefing that the Information and Privacy Commissioner, Commissioner Clayton, had been thoroughly consulted on the contents of this bill and that privacy concerns were addressed as aspects of this bill were introduced. We now know that that is simply not true. It is simply not true that this government did any work to address the privacy concerns of Commissioner Clayton. It's shocking that these drastic changes will be coming to health information legislation without any consultation at all, not only not with the Information and Privacy Commissioner but not with Albertans, not with this Legislature, and not with the people at large, who are going to be affected by the legislation.

We know and as the commissioner pointed out in her pointed letter, Mr. Speaker, that other jurisdictions around the world are taking steps every single day to improve the robustness and thoroughness of their privacy legislation. They're taking steps every single day to ensure that their citizens' privacy is respected, that their citizens' rights are respected, and that their citizens' personal information is respected. We see in the European Union in 2016 the General Data Protection Regulation that was brought in, which is considered by many to be the gold standard of information protection legislation. We see in Japan the protection of personal information act. We see in California the California Consumer Privacy Act. Over and over and over again, across this entire planet, citizens are having their rights to privacy, information, personal information protected and enhanced.

Instead, Mr. Speaker, we see a government here in Alberta actually rolling back those protections, actually reducing those rights, actually making it more susceptible to attack, and actually reviewing Albertans' information to other entities without their consent, without their knowledge, and indeed without having consulted with Albertans in advance. That is particularly concerning. It's concerning because we know that in this modern day and age access to information is more vital than ever before. Access to information shapes how we deal with our daily lives. Indeed, access to health information shapes how we work day to day.

Mr. Speaker, we do not know that there are robust safeguards on who can access Alberta's electronic health records because we have a minister who was caught using personal health records to lambaste doctors on their personal cellphone numbers. We have a Health minister who actually went to the home of a physician and verbally attacked and harassed a physician on their driveway in front of their family. We're talking about the judgment of a government that simply cannot be trusted by Albertans and is not trusted by Albertans. We are watching the degradation of privacy rights and degradation of health information across this province before our eyes. We're seeing legislation introduced that allows this health information to be accessed by entities outside of province, outside of the jurisdiction of not only the Information and Privacy Commissioner here in Alberta but also outside the jurisdiction of this Legislature.

Mr. Speaker, this piece of legislation actually enables the minister to give our health information away to foreign entities, and what those foreign entities do is no longer under the control of Alberta, it is no longer under the control of this Health minister, it is no longer under the control of this Legislature, and Albertans are very concerned about this. The Information and Privacy Commissioner is very concerned about it. The opposition is very concerned about it.

What this government refuses to acknowledge is that the privacy impacts of this legislation, the privacy impacts of these significant changes are damaging to every single person in this province. Every

single citizen that uses a health record, that has a health record, that accesses Alberta Health Services is at risk because of this legislation, because this government is refusing to pull back on this legislation, is refusing to get it right, is refusing to actually consult with the Information and Privacy Commissioner, is refusing to actually consult with Albertans.

Mr. Speaker, we cannot trust this minister. We cannot trust this government's position, and this Assembly should not trust a single thing that comes from this front bench when it comes to health information, when it comes to the privacy of Albertans, when it comes to the personal information of Albertans, and we're going to continue to call on this government to do the right thing. We're going to continue to call on this government to consult. We're going to continue to call on this government to actually go out and do that groundwork, because when we look at the actual clauses in this bill, when we look at the actual information that's going to be given away in this bill, we're talking about organizations, for example, such as Telus Babylon, who uses physicians from out of province.

Mr. Speaker, this government for some reason was using government resources to advertise for a third party for a foreign-to-Alberta, of course, health service, and now it appears that the government wants to provide these foreign services actual personal information of Albertans. We saw in, for example, political elections in the United States, we saw in political elections across this world and certainly in other jurisdictions that this type of personal information can be used and indeed can be misused.

It can be misused to create analyses of citizens, it can be misused to create profiles on citizens, and it can be misused to target citizens in very specific ways. Those are things that people not only in Alberta but across the world are concerned about. That's why we're seeing in most jurisdictions around the world such as the EU, as I mentioned already, Japan, as I mentioned, California, as I mentioned, that privacy protections are being increased. Privacy protections are actually coming in place that enhance the privacy of their citizens, and here we see a government, possibly one of the few governments in a western liberal democracy across the entire world, Mr. Speaker, actually going in and saying: we should have fewer of those protections, we should have fewer rights for citizens, we should have fewer consultations, and we should give them less protection for their information.

Mr. Speaker, it's shocking. As I mentioned earlier, we cannot trust this government, we cannot trust this Health minister, and we cannot trust this Premier because of the privacy risks that are being brought in, for example, such as eliminating the need for privacy impact assessments, which are required right now for the collection and use and disclosure of health information. Eliminating those when organizations talk to each other simply does not make sense. It simply does not actually enable the government to guarantee to Albertans their information and protecting it. It does not enable the government to guarantee to citizens that their information is going to be safe.

Mr. Speaker, when we talk about data protection and we talk about privacy and we talk about information, this is not some hypothetical. This is not some sort of pie-in-the-sky thing. We see time and time again in international jurisdiction and indeed here at home as well that information continues to be acquired and misused by corporate entities around the world. Indeed, we even see hearings here in Canada where the Senate and, of course, the lower House, the House of Commons, as well have requested and performed hearings for major corporations, including many of the large social media companies, regarding what the use of information is around, how they're collecting information, and who they're selling information to.

10:40

What it turns out is that Canadians, Albertans, citizens, and every single person are concerned around the misuse of this information. Mr. Speaker, when the government says that they're willing to give personal health records – and in this case we know that that basically means the access to the Netcare system, access to Albertans' electronic health care records. When that information can be sent out of jurisdiction, outside of our privacy legislation, outside of FOIP legislation, outside of the Health Information Act and granted to entities that are not subject to our jurisdiction, that are not subject to the laws that are passed in this place, that is when people should be extremely concerned. In other jurisdictions, in jurisdictions like the EU, who has the GDPR, the General Data Protection Regulation, that is one of the core tenets of how data must be protected, that when data is sent out of jurisdiction, we must have very stringent and very secure safeguards to make sure that the interests of the individual whose information may be exposed are protected. The interests of the individual should be protected, and we need to make sure that any interest that's exposed must be done in the performance of the public interest.

Mr. Speaker, we simply don't have those guarantees here. In this bill and in the Health Information Act amendment here we simply do not have the guarantee that those interests will be protected. We simply don't have the guarantee that data is going to be protected as it leaves this jurisdiction, and we don't even know what the data will be as it leaves this jurisdiction. We don't know to what extent this data will leave this jurisdiction. Those are all things that are extraordinarily offensive about this Health Information Act because it really devolves protections that Albertans deserve around personal information. I don't think that any Albertan expects their diagnoses for their illnesses and for their diseases to be disclosed to foreign entities. I don't think any Albertan expects, every time they go to a doctor, when personal notes are made around their symptoms, those things to be exposed and divulged to foreign entities.

Mr. Speaker, when this government is willing to create and waste \$30 million on a war room to attack foreign-funded campaigns but, on the other hand, is willing to give our personal information, Albertans' personal information away to foreign corporate entities, I think this government has a problem with priorities. I think that instead of actually standing up for Albertans, instead of actually trying to make sure Albertans are getting the best situation here, they're not fighting on behalf of the everyday Albertan. They're not fighting on behalf of the citizens of Alberta.

I'm particularly concerned that this bill is going to allow privacy information to be used in such an egregious manner, that it's going to allow privacy information to be attacked in such an egregious manner. Mr. Speaker, I'm particularly concerned that this Legislature, this government, and this province will not have jurisdiction over the usage of this information, because that is what every single Albertan deserves. They deserve – and it's one of the core tenets of personal information and privacy, that you should have consent over how your information is used, and you should have consent over how your information is disclosed, and this legislation simply does not guarantee that. This legislation simply does not protect Albertans in that way. In fact, it reduces the protections for Albertans. We may be the only jurisdiction in western liberal democracies that is currently debating a bill that actually makes it easier for foreign corporate entities to access their personal health records, to access their personal information.

Mr. Speaker, we simply have to press pause on this legislation. We simply have to heed the warnings that are coming from the Information and Privacy Commissioner, Commissioner Clayton.

We simply have to heed the warnings that are coming from myself and my colleagues here in the Official Opposition, and we have to press pause on this legislation. We have to stop and actually say: in what world does it make sense that on one hand this government is wasting \$30 million on a war room to attack these supposed foreign entities that are attacking our industries, but on the other hand they're willing to sell that information, give that information away to foreign corporate entities as well, our personal health information as well? It simply does not make sense. It simply does not make sense in the same way that it does not make sense that the government continues to do these American-style attacks on our health care system, these American-style incorporations into our health care system.

Indeed, Mr. Speaker, we know that there are many American-style health care systems that have lacklustre privacy legislation, that have lacklustre privacy systems, and perhaps this is sort of following in that vein as well. Perhaps the government is actually trying to introduce these reduced data protections and reduced data information because they'd like to see this American-style health care, they like to give \$4.7 billion away to wealthy corporations, they'd like to bring in American-style health care, and they'd like to devolve our protections for individuals. Perhaps that's what the government is trying to do here.

I think that's quite concerning. I think it's quite concerning that we're no longer seeing privacy impact assessments. I think it's quite concerning that this minister, who accosted doctors on their driveways, using their personal health records, who accessed confidential information, is asking us to trust this government, and I think that we need to vote against this bill.

Thank you.

The Speaker: Under Standing Order 29(2)(a), the hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Mr. Speaker and to the member for his comments. I appreciate how much focus he has had on personal and private information. I also was thinking about other issues of importance to his constituents, specifically, of course, the COVID pandemic and the response to it by this government.

But, also, another project that I know the member has a long history of advocating for is a south Edmonton hospital, and I'm reflecting on the times when we were on the site, where the sign once stood. At least there isn't a sign that's misleading there any longer. But when we were on that site, one of the things that, really, I found very kismet was the fact that we were standing there talking about the future of the hospital, and a STARS helicopter flew over to land at the Edmonton International Airport. One of the things that's excellent about the south Edmonton hospital is that it's not just good for the constituents of south and southwest Edmonton. It's good for the region, but it's also good for one of the proposals, that it become a hub for things like pediatric emergency care because of its proximity to the international airport and also the opportunity that we have on that parcel of land, that is owned by the province of Alberta and has the potential to be an excellent hub in south Edmonton.

I was hoping that the member might take a minute or two to talk about what he thinks the government could be doing to address the needs of his constituents, particularly in the area of health care, health infrastructure, and our response to the concerns rather than bringing in this bill. The member has rightfully highlighted a number of the concerns that have already been flagged about this specific piece of legislation.

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

Mr. Dang: Thank you, Mr. Speaker. I'd like to thank my colleague from Edmonton-Glenora for those comments. I think it certainly is important to recognize that instead of focusing on actually bringing in health infrastructure that is able to help our constituents, that is able to help Albertans, they are bringing in this devolutionary piece of legislation.

Mr. Speaker, as you'll recall, just a few weeks ago I did ask in this place. I said: what's happening with the south Edmonton hospital? Why is there a sign that says, "Construction is starting in 2020" just a few blocks from my house, really? Of course, the then Minister of Health, my colleague from Edmonton-Glenora, and I were there to announce that sign and reveal that sign not that long ago, just a couple of years ago. Then I asked the question, and the Infrastructure minister got up in this place and said: well, we're going to be working shortly on that one; there's nothing to worry about. Of course, we know that that wasn't true. We know that they delayed the hospital till 2030, which is a significant delay, over doubling of the original timeline for that hospital.

But then the Infrastructure minister appeared to be so embarrassed by his response that two days later, when I drove by the site again, the sign was simply gone. Somebody had taken the sign down. Mr. Speaker, I know the government has been saying that their \$4.7 billion corporate giveaway has been their job-creation plan, but it seems that they are creating more jobs taking down signs about health care announcements and health care infrastructure in this province than they have been this entire time that we've been debating the Health Information Act, that they've been debating their \$4.7 billion corporate giveaway, that they've been debating their \$30 million wasted on the embarrassing war room.

10:50

Really, the worst Finance minister in the history of this province sits in this place right now, Mr. Speaker. The current Finance minister is the worst Finance minister that has ever existed in this province. Really, he should be taking notes from the Infrastructure minister, who was able to create a couple of jobs for taking down signs. So, I mean, perhaps I should be thanking the Infrastructure minister for at least being a bit more honest with my constituents, for being a bit more honest with Albertans, and admitting that, no, construction will not be starting this year. The hospital is not coming any time soon, and really I think it's disappointing because my constituents were looking forward to having services not only in our riding but services that would have serviced the entire region and allow services like STARS to bring in patients to the area with its proximity to the airport. It's really disappointing.

I think that when we look at legislation that this government brings in around health care, when we look at legislation that the government brings in around health information, Mr. Speaker, it's a question of priorities, and it turns out that the priorities of this government are not about improving health care infrastructure, are not about improving health care outcomes, are not about improving health care services but, instead, are about making life worse for Albertans and are about giving our information away to foreign corporate entities.

Thank you.

The Speaker: Hon. members, is there anyone else wishing to join in the debate? The hon. Member for Edmonton-Whitemud has the call.

Ms Pancholi: Thank you, Mr. Speaker. I'm pleased to rise in second reading on Bill 46, the Health Statutes Amendment Act, 2020 (No. 2), although it sounds a little bit like déjà vu because I

feel like we are constantly revisiting the same legislation over and over again. I don't know if it's part of a plan by this government to just slowly chip away at all the pieces of our health care system – it does seem to be the plan – instead of, you know, actually having a well-thought-out strategy or a plan. There just seems to be one thing after another. Every session we're dealing with another erosion of our health care system and little pieces being chipped away, as I might mention once again, during a pandemic. During a pandemic: this is the time that the Minister of Health and the government seem to see as appropriate to be creating chaos and overhauling substantial aspects of our health care system, that aren't actually going to improve patient outcomes, that are not going to improve the quality of care for Albertans, and at a time when, right now, we rely on our health care system more than ever.

It's quite shocking that here we stand again. This time it seems to be going specifically after the deeply personal rights of individual Albertans to protect and have a say over their health information, Mr. Speaker. Let's go over – I know that my colleagues have talked about various pieces. I know that the Member for Edmonton-City Centre, as Official Opposition critic for Health, has outlined that there are a number of statutes related to Health that are affected by Bill 46. Some of them are smaller changes, but we really want to focus on some of the bigger pieces that are in this act.

It's a substantial piece of legislation, Mr. Speaker, those pieces that affect health information. I think this is something that caught a number of Albertans off guard, we know, and I will talk about it a little bit more, as my colleagues have. It certainly caught the Information and Privacy Commissioner off guard, that this government was going to be going in the opposite direction of almost every jurisdiction in not only Canada but in North America about looking to further protect health information. In fact, as with all things, this government seems to be moving backwards in time and is seeing that now is an appropriate time to actually erode the protection of individual Albertans' health information and privacy rights.

Let's talk a little bit about what Bill 46 does, Mr. Speaker. With the Health Information Act, one of the things that it does is that it moves the responsibility for Netcare from Alberta Health Services, AHS, who currently has it, over to Alberta Health. Maybe Albertans might be familiar with Netcare; some might not, but they should know that their health information is already incorporated in Netcare, but it is something that – it's our health information. Of course, it's necessary for appropriate diagnosis and treatment and care in our health care system that there be an organized system in which that information is managed. While we need to understand the importance of health information being shared appropriately with providers, with physicians, all the health care workers who might interact with a patient, and it's necessary for that information to be able to be disclosed appropriately, we also know that with that responsibility, of that deeply personal health information, comes equally if not more so a responsibility to make sure that the protection of privacy of that information is paramount. It is the most important part.

If we're going to be taking and disclosing and storing in these kinds of systems, information management systems, deeply personal health information without consent, Mr. Speaker, because that's key – when we're talking about health information in Netcare, it's actually not subject to the specific consent of an individual because it's necessary to gather that information for proper medical treatment. So without consent, which is one of the key aspects of proper information and information management, of privacy management and protection – consent is key, but in this case we know that we can't simply rely on seeking consent in all

circumstances. Typically, when we're looking at privacy information, if you're not going to have the consent of an individual, it creates an additional responsibility to make sure that that information is secure and that it is disclosed appropriately and only in limited circumstances, with the proper protections and safeguards in place.

Now we're seeing the transfer of responsibility for Netcare and all the personal private health information that's contained within Netcare from within Alberta Health Services to Alberta Health. Of course, we know, Mr. Speaker – and this is the heart of so much of what my colleagues have already said and what we will continue to say, but more importantly it's the heart of what Albertans are saying – that when we are talking about transferring deeply personal health information to the responsibility of Alberta Health, what that means for Albertans and what they are deeply concerned about is that that means it's now under the oversight of the current Minister of Health.

If there's one thing that Albertans have shown over and over again after watching this government, in particular this Minister of Health at the helm of our health care system, for the last 19 months, it's that they don't trust the Minister of Health. There is no trust right now in the Minister of Health for many of the reasons that are well documented. They've been cited by my colleagues today. It's well documented in the media. He simply does not have the trust of Albertans. He certainly does not have that trust with respect to acting appropriately and managing information appropriately. We've already seen abuses of that by this Minister of Health. We also know that, certainly, his conduct towards Albertans, yelling at them on their driveway, for example, has called into question his temperament and certainly his ability to manage the high stress of the role that he's in, but most importantly we also see that this Minister of Health, under the direction of the Premier and this cabinet, has chosen this time to attack our health care system, at a time when we need it most.

We've seen them drop the ball significantly, Mr. Speaker, with respect to managing COVID, ignoring the evidence, ignoring the calls from the opposition, ignoring the calls from the health care system and from doctors to take the appropriate steps. He's lost the trust. Now Albertans are being told that this Minister of Health is now going to be responsible for managing the system that contains and controls and may disclose their health information. That's one thing that Bill 46 does.

Of course, related to that concern, Mr. Speaker, is that Bill 46 also allows for access to electronic health information outside of Alberta, in another province or another country. Now, again, this is actually, again, a trust issue because we've heard that the Minister of Health claims that this is really only to deal with Lloydminster. That's what it's about. It's about dealing with that specific city, which, you know, crosses the border between Alberta and Saskatchewan. Having worked in the education field for some time, I know the unique challenges that the jurisdiction of Lloydminster presents in terms of legislation and what applies and to whom it applies. I remember that discussion quite well when I worked within Alberta Education, about school divisions there and which pieces – is it the Education Act or the School Act in Alberta that applies? Of course, this is not a new challenge for our legislative schemes, as to how to address the unique circumstances of Lloydminster. But we found many ways to address that. There are specific provisions in many pieces of legislation that deal only with Lloydminster and their specific circumstances.

If that's really what this is about, there would be no challenge to the minister or to this government to present a bill that specifically carves out how we will deal with the unique challenges of a city that crosses over into two provinces and two potentially different

legislative schemes for health information. You could certainly see that there would be an opportunity in Bill 46 to say specifically how legislation, the Health Information Act, would apply to Lloydminster, but this is why it's a trust issue, Mr. Speaker, because it doesn't speak only to Lloydminster. It actually does not say that at all. In fact, the way it's drafted is quite broad, and it could certainly apply to any jurisdiction having access to health information.

11:00

This is problematic, Mr. Speaker, because we know that when we're talking about the breach of privacy of an Albertan's health information, who then has jurisdiction over hearing those complaints, overseeing and investigating those complaints, determining whether there was a breach of our Health Information Act in Alberta and that perhaps a fine or penalty should be levied against the breach for a breach of that matter? Well, we hear quite clearly that if there is a jurisdiction outside of Alberta that has access to an Albertan's health information, they are not subject to that oversight and that complaint process in Alberta. In fact, it's entirely unclear as to whether or not an Albertan would have any right to complain about the misuse or the improper disclosure of their health information when it's done by a jurisdiction outside of Alberta.

Again, Mr. Speaker, this is the challenge because when the Minister of Health stands up and says, "Oh, no, no; it's only about Lloydminster," we also have a precedent and a situation where we have seen that we know that this minister is actively pushing private health care apps like the Babylon app from Telus. We know that at the beginning of the pandemic that private operator of this health care app, whose practitioners – we don't know which jurisdiction they were in – were getting paid more, for example, for virtual visits than doctors in Alberta. We know that this government currently actually believes that that's more valuable. An electronic app that manages virtual health care is more valuable to this current government than our doctors right here in Alberta. The same doctors who are carrying us through this pandemic right now, the same health care workers that are doing that work every day tirelessly and are exhausted: they are not as valuable to this government as these health care apps.

Certainly, again, this is about trust. That seems to be very much the direction that this government wants to go. I'm sure that there are many circumstances where many Albertans are supportive of new and creative ways of delivering health care. They're looking for maybe more convenient access in certain situations. But we know that that's not what's driving this government. It's a for-profit provider of health care. That has clearly had some influence over this government's policies because they've prioritized that over the valuation and respect of our health care providers right here in Alberta.

It seems to me that these changes in Bill 46 are designed to actually encourage the disclosure of personal health information of Albertans outside of Alberta now to organizations, to operators, to providers, to jurisdictions who are not subject to our Health Information Act here in Alberta. So what is an average Albertan to do if they believe that their health information is being misused, has been improperly disclosed, has not been secured appropriately within the Health Information Act by one of these out-of-jurisdiction providers? Well, we know that it means that they have no recourse. They have no right of complaint. Certainly, I question the ability of the Alberta government to even put limitations or restrictions or guidance on these providers as to how they use this information. We don't know enough about that, Mr. Speaker. It's certainly not clear from the bill.

We also know, Mr. Speaker, that the changes in Bill 46 will expand the uses of health information collected and stored within Netcare. Previously access to Netcare by any provider who had an information management agreement with Alberta Health Services to do that or with Alberta Health: that access to Netcare was only to be used for the provision of health care to Albertans, so direct health care provision. That was the purpose behind the information stored in Netcare. Now what we see is that under Bill 46 the use of the health information within Netcare is much expanded. It includes the use for research, education, investigations, disciplinary hearings, inspections of health professions or disciplines, and for planning or management of the health care system.

Now, this in and of itself, Mr. Speaker, might not be problematic. However, we don't know who the Minister of Health or who the government consulted with, particularly with Albertans. Have they weighed in on the idea that, for example, their health care information that they're providing without consent, because it's part of their treatment for health care purposes, can now be used for research purposes? I would think that there are many Albertans who would want to weigh in on that, who would want to weigh in on whether or not they agree that that's important to them and would like to hear some arguments as to why that is important for this government.

Again, there could very well be good reasons for it, but we haven't heard that, and we haven't heard that from Albertans. If they have, if the minister has consulted broadly with Albertans about the ability of the health information that's collected in Netcare without their consent to be used for research, I'd like to see that. I look forward to hearing that from the Minister of Health and from this government to support that.

This is roughly what Bill 46 does, Mr. Speaker, with respect to health information. We know it does some other pieces as well that I'm sure we will get to talking to at some point in the debate we will have on this bill. However, to date we are focused on the Health Information Act because of the shocking lack of consultation that took place on that. I believe – of course, I was not part of government prior. I've only been in this seat, in this role, for, you know, roughly 19 months, but what I can tell you is that in my previous role I worked in the area of privacy law, not so much within health information but more with respect to the Personal Information Protection Act, PIPA, or the Freedom of Information and Protection of Privacy Act, FOIP, within the sphere of public bodies. It was well known in that world, if you practise within that world or if you advise clients, public bodies particularly, who gather information, that the primary source and an objective, independent officer of the Legislature is the office of the Information and Privacy Commissioner, and she should have been consulted, but I understand that she was not.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see no one.

Is there anyone else wishing to join in the debate? The hon. the Member for Calgary-McCall.

Mr. Sabir: Thank you, Mr. Speaker. I rise to speak to this Health Statutes Amendment Act, 2020 (No. 2). Over the weekend I have had the opportunity to talk to some of my constituents, community leaders, community associations, office bearers just to talk generally about the ongoing situation and seek their input on any of the things that are before the House and specifically mentioned a few pieces of legislation. Quite frankly, Albertans do get scared when this government comes anywhere close to anything relating to health.

One thing that they all want from this government is strong action on the ongoing COVID-19 situation, the resurgence of COVID-19. So far we have seen nothing from this government. In fact, the Premier has not spoken to Albertans in almost the last 10 days. These are the 10 days when we saw 73 people die of COVID. We saw almost 8,000-plus cases, and we didn't hear anything from this government, from the Premier.

11:10

Here we have a piece of legislation that makes significant changes to health records, how they are kept, and the privacy of those health records. It's a very important issue for Albertans. I can say that when I was practising law, one of the most important things that I learned throughout law school, that I learned while I was articling and then I was practising was the privacy and confidentiality of the information that I was receiving as a lawyer, generally known as solicitor-client privilege. The idea was that a person who was talking to me as their lawyer will have full confidence that whatever they are sharing with me as a professional will be kept confidential. That was, I guess, the fundamental basis of that relationship, and it's the same thing when we go to a doctor. We share things knowing that the things we are sharing ... [A cellphone rang] That looks like a big fine.

The Speaker: That's a big fine.

Mr. Sabir: You can deal with that, Mr. Speaker, after my speech.

Ms Hoffman: Riveting speech.

Mr. Sabir: Yeah.

So when we share information with our professionals, with doctors, I think we do so with an understanding that whatever we are sharing will be safeguarded, will be kept private, will not be used in a way that will compromise the privacy of that information, and that relationship between the physician and their patient is built on that trust. What we are seeing here are changes that will water down that relationship, that will water down that trust. We know that Albertans on a number of occasions have raised concerns about the Minister of Health's ability to maintain that trust, the Minister of Health's credibility on this file. Here we are seeing changes that will make this very Minister of Health in charge of Albertans' electronic health records, the Netcare, instead of AHS. Now the minister will be in charge to determine the administrative, technical, and physical safeguards for that information. Now this very minister will determine who has access to health information. That certainly raises concerns for many Albertans.

As I said, privacy is important to Albertans, and that's why we have an independent officer of the Legislature, one of the few, to keep that out of politics, in the hands of an independent officer so that Albertans have trust and confidence that aside from political parties in the House there is someone who is independent of those parties, can look at that information, can assure them, can give them that trust and confidence that their information is adequately protected. In this case what we found out was that that very person, the Information and Privacy Commissioner, was not consulted on this legislation. We were in government for four years, and I do not remember the privacy commissioner coming out so publicly and strongly about any piece of legislation, about any policy that we brought forward in those four years. In this case the Information and Privacy Commissioner has outlined very clearly the areas of concern, and the Minister of Health being in charge of that information is one such area.

The second thing, another problematic thing, is that now those electronic health records, after this piece of legislation, can be

shared outside Alberta to any other province, possibly any other country. If and when privacy breaches occur, the commissioner would not have jurisdiction because the commissioner's jurisdiction is within Alberta. It's a significant change, and as the commissioner outlined, government should put a hold on it, consult with those who have vested interests in how that information is managed, and listen to the privacy commissioner and Albertans, listen to their concerns. Nowhere in their big mandate that they got last April was it mentioned that they would make such sweeping and significant changes to the privacy laws, to how Albertans' health information will be managed.

Further, I think government is also saying that there will be more custodians who will be authorized, and that, I believe, will be dealt with in regulations. We do not want and Albertans do not want their information to be dealt with behind closed doors. Government should be able to tell us who else will be authorized and how. Similarly, the commissioner has also raised concerns with respect to privacy impact assessments, what information was shared between different departments, and about how that information may be used for research, education, investigation, and other purposes. All these things are important changes that the privacy commissioner and Albertans should be consulted on.

With that, Mr. Speaker, I move that we adjourn debate on this Bill 46.

[Motion to adjourn debate carried]

11:20

Bill 44

Financial Statutes Amendment Act, 2020

[Adjourned debate November 16: Mr. Nally]

The Speaker: Hon. members, is there anyone wishing to join in the debate? The hon. Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Mr. Speaker, for the opportunity to address this bill I think for my first time, the Financial Statutes Amendment Act, 2020. I want to say that there are several parts to this bill that have come forward by the Minister of Finance and President of Treasury Board, and I'll just go through a few of them that I am of course querying or have some concerns about and will quickly get into those.

The first one that comes to mind, Mr. Speaker, just flipping through the bill, is under the Credit Union Act. I'm not sure why the minister is bringing forward changes to this act with regard to the number of board members who can sit on the credit central board.

[The Deputy Speaker in the chair]

It looks like it's been reduced from nine individuals that are made from two individuals as directors on the nomination of central and seven other individuals. I'm not sure why that's been reduced to seven, with two still being from the central, nominations of central, and five other individuals. It may make things speed up with regard to board meetings, but it's not explained in any substantive way, and I haven't heard the Minister of Finance speak to it. That would be one issue that I can see bringing forward.

Another issue – and I think this is a good idea – is to change some of the ways that people can participate at their general meetings in a nonphysical way through electronic means or telephonic or other communication means that allow people to participate in all ways for their meetings. That's a good thing, especially during these times. I'm not sure it was brought in specifically as a result of the want to, you know, socially distance and to not travel to these board meetings, but nonetheless it's helpful in these times for boards to

be able to have this ability, and the minister has brought that forward.

I'm not sure why in section 174 it is amended, page 10, striking out the "Lieutenant Governor in Council" so that the minister doesn't have to go to cabinet to get cabinet's support or approval and then have that cabinet decision go on to get recognized and also supported by the Lieutenant Governor. In a couple places the minister has cut out the step of going to cabinet, and in my days there I always found that that was a helpful place to essentially make sure and have another – you know, early on it was 11 sets of eyes, and towards the end of our mandate it was about 20 cabinet ministers. Many other people get to weigh in on decisions that you're making in your own ministry and bring those forward with a recommendation for support, and you have to kind of defend that there. I'm not sure why the Minister of Finance is cutting that step out in these two areas on page 10.

One place that I certainly remember having some challenges with credit unions around the province is their desire to have subsidiary or other affiliate businesses like an insurance agency, and the Minister of Finance and President of Treasury Board has brought forward part of this bill that repeals section 2(a) and section 4(c). As I said, 4(c) in particular is where credit unions were being required – other insurance businesses were of the view that if there was an insurance business in a credit union, that would be an unfair advantage against insurance companies that were separate and apart from credit unions throughout the province. There are many places throughout the province, particularly in small towns, where credit unions exist and independent insurance agencies exist, and they wanted an equal, level playing field with other insurance agencies. They didn't want credit unions to have the ability to pass, essentially, customers over to an insurance agent within the confines of the building that housed the credit agency.

We put a rather – and I think it's a good thing to look at changing this. There was a rather substantive and perhaps onerous definition of how credit unions could go about that subsidiary business, and I understand that it hasn't worked that well. The Minister of Finance has listened, and he's brought forward a repeal of that section of the 2016 changes that were put in place. But I don't see, aside from striking out or repealing those things, what is going to be done to assist insurance agents that are independent and separate from credit unions, how they're going to have a level playing field with regard to situations in their towns or municipalities. That's kind of an unfinished piece for me here. It looks like it's going in the right direction, but it's not completed with regard to what the answer is going to be. Perhaps that will be the subject of a subsequent bill that's brought forward once it's worked out with the credit agencies throughout the province.

We go on in the bill to a number of things under the Freedom of Information and Protection of Privacy Act, but I wanted to spend a little bit of time on the last and smallest part of this bill but probably the biggest part with regard to the province of Alberta's finances. That is the Local Authorities Capital Financing Act changes that are identified here and changes that speak directly to regional airport authorities throughout the province as we know that COVID has particularly stressed that sector of our economy all across the globe with a total shutdown of air travel initially in the early months of COVID, where nothing was flying throughout the world.

I know that through personal experience, not because I fly a lot but because I live in an area that's in Calgary right under the major flight path of the Calgary International Airport. You know, I experience, the people who live in the community I live in and communities on either side of us experience flyovers, both landings and takeoffs, probably at peak times. It's not all day, but it's, like, early in the morning, 9 o'clock, 8 o'clock in the morning, and then

there's a bit of a lag until noontime, a bit of a lag until mid-afternoon, another lag of not a lot of jets until just before supper, after supper, late in the night. Sometimes we're talking about every three minutes in those peak times when jets or planes are landing or taking off. So I know a little bit about the change in that pattern because it was pretty quiet for months over our homes in that part of Calgary.

11:30

I, you know, don't have to work too hard to believe that airport authorities around the world and ours in Calgary suffered as a result of not having any landings, not having any activity at their gates. Calgary is, I think, third in the country in terms of numbers of passengers who go through that airport, after Toronto and perhaps Vancouver. It severely strained that airport authority, likewise with Edmonton and other major ones in this province. This part, that is on page 16 of the bill, obviously speaks to local airport authorities being able to receive operating loans so that they could continue to bridge their operations until they can see something return to normal around passengers, airplane takeoffs, landings, the fees that they receive from those airline companies to use their gates, the other revenues that come as a result of parking, taxis kind of remitting their monies, businesses.

You know, I wonder whether the businesses that are right in the airport, anything from a Starbucks to a Tim Hortons to all sorts of retail, were afforded that federal government assistance with regard to their staff, sort of bridging their staff, paying some of their staff salaries as well as some of the rents or assisting with the rent from the federal government. I wonder if they were able to access those things.

Nonetheless, this whole portion of the bill, the Local Authorities Capital Financing Act, is here to assist airport authorities in this province, and, you know, there is probably some good sense to that. Those same authorities owe a significant amount of money to the province of Alberta that they have borrowed through the Alberta capital financing program over time to make sure that their airports were attractive and could attract bigger and more air traffic. When we were in government, we certainly supported the Red Deer Regional Airport so that they could extend their runways and be able to bring in more substantive jets because that was a way for them to diversify the business at their airport and be able to be seen as a major regional airport that could service central Alberta in ways that smaller aircraft can't.

We, of course, want to ensure that if airports are being able to access operating loans, they are able to pay those back over time. It doesn't do anyone any good to extend loans and not see them be able to repay them, because they get into all sorts of difficulties, further difficulties. We want our regional airports to be successful.

We had some questions that we have been asking with regard to this bill. Regrettably, I don't think we're getting all of the information that we need to make a good and informed decision. My colleague . . .

The Deputy Speaker: Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-City Centre.

Mr. Shepherd: Thank you, Madam Speaker. It sounded like my hon. colleague from Calgary-Buffalo might have had a few remaining thoughts that he was just about to get to when the buzzer rang, and I was wondering if he would care to share those last few thoughts with us.

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

Member Ceci: Thank you very much. I will conclude by saying that my colleague the critic for Finance, from Lethbridge-West, I

believe, has posed several questions on this bill, and I'm not sure that she has been able to successfully get satisfactory answers.

You know, the outstanding loan volume, I understand, is about \$4 billion, and in this regard it would be \$3 billion for YYC, Calgary International Airport, \$750 million for Edmonton International, and \$150 million for – is it called the regional municipality of Wood Buffalo airport?

Mr. Yao: Just Fort McMurray airport, actually.

Member Ceci: Fort McMurray airport: \$150 million there.

But we don't know that for certain, and I think there is good reason for the minister to be transparent with the information so that we can be satisfied that the extension of loans to airports to bridge them through the operations and the loans that they owe the government of Alberta for capital are something that we can count on being repaid over time.

We know that this Finance minister has many challenges on his plate. He's got two big things, COVID and the drop in oil, and I don't have the confidence that he's going to be able to see his way clear to get us back to balance. He says that it's not going to happen in this term. We're looking at a \$24.2 billion deficit for this fiscal year, and all people here know that the deficit doubled in the first year of the UCP government, from I think it was \$6.2 billion to over \$12 billion. Those are substantive deficits, and adding more onto the government of Alberta's liabilities as a result of Bill 44 is challenging for the government of Alberta. We just want to know that the government can get itself back to balance, and I don't have the confidence that this Finance minister knows how to do that at this point in time.

Thank you.

The Deputy Speaker: Any other members wishing to speak under Standing Order 29(2)(a)? The hon. Member for Edmonton-City Centre.

Mr. Shepherd: Thank you, Madam Speaker. I appreciate the opportunity to rise and speak to Bill 44, the Financial Statutes Amendment Act, 2020.

The Deputy Speaker: Sorry, hon. member. We're under Standing Order 29(2)(a).

Mr. Shepherd: Oh. I apologize.

The Deputy Speaker: Any other members wishing to speak? Seeing none, the hon. Member for Edmonton-City Centre.

Mr. Shepherd: Excellent. Thank you, Madam Speaker. It is my pleasure to now rise and speak to Bill 44, the Financial Statutes Amendment Act, 2020. We have had a number of decisions and proposals that have been brought forward by the Minister of Finance during his 19 months in office. Certainly, there have been some real questions with some of the decisions that have been made by that minister and on the legislation he has brought forward and the impact that it's had on a wide range of Albertans. In these difficult times and indeed when our province is facing one of the most serious health threats I think we have ever faced collectively as a province and recognizing that that is happening simultaneously with a fairly serious financial crisis in our province, it's more important than ever that Albertans be able to trust their government, that the decisions it makes are clear and transparent, that the government is indeed honest and straightforward with the public.

11:40

Certainly, any time we have an omnibus bill, where the government is making multiple changes to pieces of financial

legislation, I think it's appropriate that we in our role as the Official Opposition do due diligence in considering and looking at what those changes might be.

Certainly, we have had this government bring forward financial legislation which has done things which this government swore it would not do: raising income taxes on every single Albertan, not by honestly and straightforwardly actually adjusting the income tax rate lines, Madam Speaker, but by underhandedly, instead, simply rescinding the indexing of the income tax rate every year so that they could surreptitiously, secretly, and deceitfully extract more dollars from the pocket of every single Albertan every year; the decisions we saw made by this Finance minister to seize public pensions, something on which this government did not campaign, did not ask permission, and did not consult with any of the individuals whose pension funds they were simply choosing to exercise their sweeping power to redirect, to redirect, I would note, to AIMCo, whose CEO has now just recently taken that long walk in the snow, with over more than \$2 billion worth of losses in the last year.

That was a decision by the same Finance minister who brings forward this legislation today, the same Finance minister who was the subject, I guess, in some respects, of the recent report from the Auditor General, which identified, I believe, around \$1.6 billion worth of errors, significant errors. Actually, that's the very word that the Auditor General used: the numbers of errors we addressed in this audit were significant. I think Albertans have good reason to expect scrutiny of any decisions that are being made and legislation being brought forward by this Finance minister given the track record of decisions that he has made and indeed that his government has made so far with the dollars of Albertans.

Indeed, some of those errors – I mean, if you want to call it an error. The decision to change the date of AISH payments alone, Madam Speaker, was more than an error. That was a deliberate attempt by this government to shuffle a little bit of money off the books for 2019-20 and onto 2020-21, a minor thing for the government, called out by the Auditor General, but certainly something that had a sweeping impact on a wide number of Albertans who could not afford to have that impact, those NSF fees, those late-payment fees, to be facing eviction from being unable to pay rent because of this government's attempts to shuffle the books.

We do have some questions here with some of the changes that are being brought forward by this minister, particularly in terms of the Local Authorities Capital Financing Act, that's being amended by this legislation, and we're concerned in particular about how prudent, really, the government's approach here is to be offering operating loans on top of capital loans. Now, let's be clear. We recognize the importance of our airports here in the province of Alberta: the Calgary airport, the Edmonton International Airport, the many other smaller airports across this province. They are an essential part of our economic trade. They are a key part of us being able to continue to work with other jurisdictions both to bring in goods and also to have people going from one place to another who are engaging in trade, engaging in business, and indeed engaging in tourism.

Certainly, we can understand why in the current environment, where we know that air travel has been heavily impacted by this global pandemic, by COVID-19, government would want to see what it could do to help ease the financial burden, to ensure that this vital economic infrastructure in the province of Alberta is able to continue to operate. That is a reasonable thing for government to want to choose to do.

However, it is fair to question if this is the best way for government to do it. This is a first for the government of Alberta. Of course, this is a government which has had many firsts, many of

them recently rather ignominious, if I may say so, Alberta ranking first in Canada for the number of new COVID cases being one. In this case, this would be a first, for the government of Alberta to add an operating loan on top of a capital loan and indeed adding funding into the operating which then would go back to being able to pay the capital loan. We have some serious questions about the current performance of the \$4 billion in outstanding loans that the government has to these regional airport authorities.

Indeed, we have good reason to question whether this Minister of Finance has the wisdom and understanding to properly assess current performance given what we were discussing earlier with the issues with AIMCo, where this minister praised them up and down about the wonderful job they were doing and how it was just the right thing to do to save Albertans money by moving public pensions over to AIMCo. Now, a number of folks have left the minister's arguments in tatters. Mr. Greg Meeker, I know, who appeared at committee when my colleague from Edmonton-Mill Woods brought forward her private member's bill on this, absolutely shredded the credibility of the minister's arguments and his claims of any money that would be saved, but this minister still has gone ahead with that and has not recanted or apologized to those Albertans he failed to consult before he took their pension funds and forcibly transferred them to AIMCo.

So there is good reason to question this minister's judgment in looking at the current performance of the \$4 billion in current outstanding loans that government already has to these regional airport authorities. I think it's absolutely critical, Madam Speaker, that before this Legislature approves any such new legal authorities for the Minister of Finance to issue operating loans – again, that's investing Alberta's taxpayers' dollars, the funds of every single Albertan, much as this government has done in the Keystone XL pipeline, around which we now see a good deal of doubt and trepidation with the incoming new U.S. President – many questions there – and which was also, I would note, the subject of the Auditor General's report for having shuffled around when payments were actually happening in some respects, those payments actually being on a bit of a different date, much earlier than this government had actually told Albertans, indeed, some significant amounts of funds being paid out before any further work or anything had actually been done, part of that \$1.6 billion to \$1.7 billion in oopsies on behalf of this government that were identified by the Auditor General's report.

It's absolutely critical that before we approve this government continuing on its track record of investments, we ensure that the minister truly is coming clean with Albertans, truly telling them what is exactly happening here. For example, have any of the regional airport authorities actually missed any payments on their capital loans? If we do in fact issue new operating loans, where does the province then stand relative to other creditors which these regional airport authorities might have? I think Albertans should have the opportunity to know whether all regional airport authorities will in fact have access to these new credit facilities or whether the government is planning on favouring some over others because from what I can see in this legislation, there is no guarantee here of equal access if the government should choose to favour, say, the Calgary airport over the Edmonton International Airport or other smaller airports which might also be seeking assistance.

11:50

I think there are a number of questions here, certainly a number of concerns, but I know that we will have much further opportunity to discuss this bill and delve into it in greater depth, so I think I will rest my remarks there for this evening. Thank you, Madam Speaker.

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

Seeing none, the hon. Member for Edmonton-Manning.

Ms Sweet: Thank you, Madam Speaker. Thank you for the opportunity to rise and speak on Bill 44, the Financial Statutes Amendment Act, 2020. Members who've been following the early debate on this legislation know that the Official Opposition has had a number of questions for the government. We weren't necessarily opposed to this legislation, but we were deeply concerned about the government's lack of transparency.

In particular, we were concerned about the health of Alberta's airports and what the government was up to. As members know well, the government currently provides financing to Alberta's airports for capital projects, things like new terminals and new runways. The government issues debt and then on-lends to the airports to finance those projects. In doing so, the airport gets access to a cheaper interest rate because the debt is backed by the full faith and credit of the Alberta taxpayer. In many cases this is a reasonable approach. It makes our airports cheaper to run, which improves their competitiveness, which ultimately is good for our economy and the travelling public.

But this legislation takes the role of the government of Alberta with respect to financing the airports to a whole new level. What this legislation allows for is operating loans, not just capital loans but operating loans. The government of Alberta now issues loans on top of loans, and the only conceivable reason to do this is because our airports can't pay their current capital costs. So the Official Opposition has some very reasonable questions for the government, for example, whether any of the current capital loans to the airports were impaired. To be clear, we had a number of these questions, and the government obliged and provided answers to most of them.

But two of the answers were problematic. Let me address each in turn. First, we asked: exactly how much in capital current loans does the government of Alberta have with each airport authority? The government refused to answer. They redirected us to the airports, which makes no sense. Previously this loan information was public. It was published by the Alberta Capital Finance Authority. But by virtue of the decision in Budget 2019 these loans are now on the books of Treasury Board and Finance, but Treasury Board and Finance doesn't report them individually. We believe that the total outstanding loan volume is roughly \$4 billion, with \$3 billion at YYC, \$750 million at YEG, and \$150 million at YMM, but again we don't know for certain.

There's no good reason why this minister and this ministry should not be transparent with this legislation. In fact, it's deeply inappropriate, and it is part of the troubling trend with this Finance minister, the same Finance minister who doubled the deficit in his first year in office, before the pandemic, the same Finance minister who provided outlandish economic projections in Budget 2020 that were nowhere near the private-sector consensus, the same Finance minister who broke the Alberta heritage savings trust fund and then doubled down and scrapped normal financial reporting for the heritage fund for Q1 of this year, and the same Finance minister who racked up \$1.6 billion in accounting errors in his first year. There's a deeply troubling pattern here, a lack of honesty and transparency with the public and with this Assembly.

So as we move into Committee of the Whole, I would like to see the Finance minister come to the Chamber and tell Albertans why he's not disclosing how many loans his government has outstanding to airports, information, to be clear, that used to be publicly reported before this Finance minister closed down the ACFA.

The other answer that was deeply concerning related to fair treatment of Alberta's airports. We asked the government if all the

airports would have access to these new operating loans if they wanted. The answer was shocking. The answer from this government was: not necessarily. The government went on to note that each loan, if issued, would be customized, so we could get one set of terms for YYC, a worse set of terms for YEG, and maybe even a worse set of terms for YMM. The government needs to explain why they might offer different terms to Calgary, to Edmonton, and then to Fort McMurray because that's not fair, that's not right, and that goes against the ideal of equal treatment for all.

Just as importantly, it creates a moral hazard. In most likely scenarios the airport, whoever it is, that has made the worst financial bet would get the most favourable operation loan terms. Put another way, this government is creating a structure that would reward poor management and punish good management. In our view, this sends the wrong market signals. So we call on the Finance minister to come before the Assembly and explain it, explain why he is creating a structure that sends the wrong type of market signals and rewards prior poor management.

Let me conclude my remarks by saying that we will support second reading. However, we would also like to encourage the government to re-evaluate why it is that some of these airports are requiring operating costs. Maybe they need to look at what's happening with COVID and look at the fact that maybe they should be talking to the airports about how they can make sure that they are still viably operating. At the next stage we will expect answers from the government on the two issues that I've outlined, and we expect to bring forward an amendment that will ensure that all Alberta airports are treated equally, that all airports have access to operating loans, if needed, based on the same terms and conditions.

Thank you, Madam Speaker. I will yield the floor.

The Deputy Speaker: Standing Order 29(2)(a) is available. Any members wishing to speak?

Seeing none, any other members wishing to join debate on second reading of Bill 44?

Seeing none, would the minister like to close debate?

Mr. Nally: I'll close.

[Motion carried; Bill 44 read a second time]

Government Bills and Orders Committee of the Whole

[Mrs. Pitt in the chair]

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

Bill 39 Child Care Licensing (Early Learning and Child Care) Amendment Act, 2020

The Chair: Are there any members wishing to join debate? The hon. Member for Calgary-Klein.

Mr. Jeremy Nixon: Thank you, Madam Chair. You know, I was hoping we would push this a couple of minutes, but I think it's close enough. November 24 marks my father's birthday, so happy birthday to Patrick Nixon. [some applause] Thank you. That's worth an applause. There you go. Forty-eight years ago Patrick became homeless, and he came from a not very great home situation. You all know the story. He beat the streets and went on to become probably one of the best dads you can imagine. Happy birthday, Dad. I'm very thankful for you and the amazing father

you've been for me and all of my brothers and the amazing grandpa that you are.

I started working with the homeless shortly after I graduated high school, and I ended up with homeless teenagers, so I was able to connect with a number of young people who had experienced a lot of trauma through the younger years and heard a lot of stories. That's why this particular act, Bill 39, is of importance to me. I remember one of my first days at the shelter, and I was getting a tour from my new boss. She brought me into one of the rooms, and there on the bed was a teddy bear. I had to ask. I said, "How old is the youth that sleeps in this room?" They said, "12." That hit me in that moment, that my dad was homeless at that exact same age and that this youth staying at that shelter had a teddy bear on the bed. It kind of just hit home about all of that. Protecting our youth and making sure that they have safe places to go and be fostered and to grow is of particular importance to me.

12:00

Last week the Member for Edmonton-Highlands-Norwood was giving a good speech and encouraged the men in particular – she pointed at the men on this side of the aisle – to be able to get up and talk about this bill, so I'm happy to do so. As a father of four kids I know first-hand the challenges of child care, and as an uncle to 15 nieces and nephews I experience second-hand through my bothers and my sisters-in-law the challenges that they face. Many of my sisters-in-law and brothers are actually shift workers. They're essential workers, and they have young children, and I have seen the challenges that they have been faced with in regard to finding child care and making sure that their children have safe places to go during the day and sometimes at night.

In fact, for about a year when I was without employment, after I left the party and before I became an MLA, I actually had the opportunity of being a child care worker, if you will, and watching my two nieces. My brother and his wife had challenges finding a child care placement where they could place their two beautiful daughters that would be safe and where they knew they were going to get the quality of child care that they wanted and deserved for those two beautiful little girls. So I got to spend a year with my three-year-old niece and my almost one-year-old niece, at the time, just spend time with them, growing them, and learning who they are and building those relationships. Eventually they were able to find a great child care placement that they could afford and were able to put their kids into. So I know a little bit about that.

I also know about that because at the doors in Calgary-Klein, of course, my constituents were concerned about affordable child care but also safe child care, child care that was transparent, that they knew had the quality of care that their kids deserved. So as member of this Legislature that represents the good people of Calgary-Klein, this is of particular interest to me. I want to make sure that we are able to continue to provide that safe place for all of my constituents and their kids in child care that's affordable.

The other thing I wanted to mention about this bill that's, I think, very exciting as somebody who used to work shift work, and my wife works shift work, and we had small children, working at the homeless shelter, often working nights, is that the big thing about this bill for me and I know for a lot of my constituents is the ability to expand overnight child care, 24-hour child care. I know that a lot of my constituents are very happy about that.

As a father of four kids I can tell you that it is very difficult to put your kids within the care or the hands of anybody that's not you. So to do that takes a certain degree of trust. We need to make sure that our child care placements – that we can provide that certainty for parents that they're putting their kids in a place that they can trust,

that there's going to be that transparency, and they know that their kids are going to be safe. I believe that that's what this bill does.

That said, I'm now going to table the requisite copies of an amendment to section 32, specifically around stop orders, in response to what occurred at an unlicensed day home in my constituency. Should I give my rationale now?

The Chair: No. Just maybe move that amendment, and then you can read it into the record.

Mr. Jeremy Nixon: I'm going to move this amendment. Do you want me to read this whole thing?

The Chair: No. I would like a copy first.

Mr. Jeremy Nixon: Okay.

The Chair: Just give us a minute.

Hon. members, this will be known as amendment A1.

Hon. member, please proceed.

Mr. Jeremy Nixon: Do I need to read the whole thing, or can I just go into the rationale? What's your . . .

The Chair: Hon. member, I think the rationale in this case, given it's a one-and-a-half-page amendment, would be sufficient.

Mr. Jeremy Nixon: Thank you, Madam Chair. Again, as a father of four I think knowing that I'm sending my kids – and for my constituents in Calgary-Klein knowing that they're sending their kids to a place that is safe is absolutely critical. I am tabling the requisite copies to amend section 32, specifically around stop orders, in response to what occurred at an unlicensed day home in my constituency. I propose that the statutory director be given the authority to issue a stop order if Children's Services is made aware of "an imminent threat to the health, safety or welfare" of a child in a day home.

This will mean that parents who may wish to use a day home in the future are made aware of these concerns, that a stop order was issued, and through a new phone line that is currently being set up by Children's Services, will then be informed that there was a concern of this nature in the past. While the proposed early learning and child care act remains dedicated to licensed forms of child care, we can ensure that the statutory director is empowered to ensure the safety of children in unlicensed care if called to any private, unlicensed day home.

Thank you, Madam Chair.

The Chair: Any other members wishing to join debate on amendment A1 on Bill 39 in Committee of the Whole? The hon. Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Madam Chair. I'm pleased to rise in Committee of the Whole on Bill 39, the Child Care Licensing (Early Learning and Child Care) Amendment Act, 2020, and to consider this amendment as has been proposed by the government. I have to say that I was hoping for a little bit more context around the specific wording from the member as proposed. I think this is an important amendment and certainly worthy of some consideration. As the member alluded to, this addresses the ability of the statutory director, which is an appointed person, delegated person, under the act, from the Ministry of Children's Services, to issue a stop order, and it expands the circumstances in which a stop order can be issued.

Currently, Madam Chair, for context, a stop order right now under the current act as well as under Bill 39 as originally proposed

is only allowed to be issued by the statutory director in the case of an unlicensed child care provider who is providing child care to too many children. The act sets out a maximum number of children that can be cared for in an unlicensed setting. Currently under the act and under Bill 39 an unlicensed child care provider can provide care to six children plus their own children.

I want to be very clear, Madam Chair, about the circumstances around unlicensed child care because it's important for Albertans to be aware. When we're talking about unlicensed child care, we're talking about child care that's not subject to any licensing, any restrictions, any regulation. It is the care of children in a private residence by an individual who doesn't have to meet any certain, specific mandated qualifications. In many municipalities, for example, an unlicensed child care provider does not even need to register that they're providing a home business. There's literally no regulation or supervision of what happens in an unlicensed child care setting.

Now, Madam Chair, I have significant concerns around that, as do many child care providers and stakeholders and as do many Albertans. We do know that, yes, there are a lot of families who choose unlicensed care. I want to be very clear that there are also some very, very good unlicensed, private child care providers. I know that to be true. There are some very good ones. However, we don't even know who those are, and we can't keep track of them because there is very little information about what happens in an unlicensed child care system.

I also have to be clear that I have many friends who have placed their children in day homes, and many of them don't even know if their day home is a licensed day home or not. It's not something that Alberta parents necessarily know a lot about. They know that they'll go in and they'll obviously meet the person and they'll look at the home. They'll get a good vibe. As I said, there are absolutely some unlicensed providers that provide excellent care, but there is certainly no understanding from a lot of Albertans as to whether or not that care is actually regulated or overseen by anybody.

That has led to some very unfortunate positions, Madam Chair. "Unfortunate" is actually a very soft word. It's actually led to some very tragic circumstances, some horrifying circumstances, as anybody who is a parent or has young children will be aware of. Some of these circumstances, frankly, Madam Chair – I have to be quite honest – I can't even speak about them without getting deeply emotional myself, as I think any parent would.

12:10

Over the past little while, Madam Chair, I've had the significant honour to be speaking with one parent in particular who knows the potential risk and tragedy and horrific outcomes of completely unregulated and unsupervised unlicensed child care, and that is Jennifer Woolfsmith, who is the mother of Mackenzy Woolfsmith. Sorry; I'm just going to take a moment. It has been a great privilege to listen to Jennifer Woolfsmith talk about what happened to her daughter and the lessons she's learned and how she's become a significant advocate for the safety and protection of all children in child care, whether that be unlicensed or not.

One of the things that happened, Madam Chair, as a result of the very tragic death of Mackenzy Woolfsmith, who was a 22-month-old toddler who died in 2012 at the hands of her unregulated, unlicensed child care provider, was that there was a fatality inquiry that was held, that looked into those circumstances. One of the things that – a significant number of recommendations came out of that fatality inquiry that really spoke to the isolation and challenges of unlicensed child care providers and the situations and the risks that they place on the children in their care. The recommendations that came out of the Woolfsmith inquiry were accepted by the

Ministry of Children's Services a year ago, September 25, 2019. Since that time we've been looking for substantive change to be made in the Child Care Licensing Act to make unlicensed child care safer.

Madam Chair, when I spoke with Jennifer Woolfsmith, one of the things we spoke about was that as a parent who also has my children in child care – you know, when you look at safety and the issue of safety for your children in child care, that is the bare minimum that we expect for our children. When we take the leap of faith as parents, and we place our children in the care of somebody else – you're always taking a leap of faith. Of course, you do your homework and you do your best and you try to get a good understanding and a good feel – and it's never going to be perfect. You know, licensing doesn't necessarily mean that it's always going to be safe. There are reasons why we have inspections and investigations, and there are reasons why we have standards and criteria. We put those in place to make the situation as safe as possible. But it is a leap of faith to place your children in the care of somebody else.

When we look at unlicensed care, what's really striking is that there are no safety standards, and the circumstances under which the current act allows for anybody to even stop an unlicensed child care provider from providing care is simply based on the number of children in their care. It's not based on any other criteria other than perhaps that unlicensed provider has too many children in their care. One of the recommendations that came out of the fatality inquiry into the death of Mackenzy Woolfsmith, the direction from Justice Hawkes was that the number of children in care cannot be the only criteria by which we determine that an unlicensed child care provider can provide care. It specifically spoke to the need to increase protective factors in child care and to reduce risk.

I have to say that I'm actually pleased to see this amendment because one of the pieces of the amendment that is brought forward, I think, is important. It talks about the ability for a stop order to be issued beyond the circumstances of just the number of children in care. It talks about, as I read it, the ability for the ministry to issue a stop order where "an imminent threat to the health, safety or welfare of the children to whom the person is offering or providing child care exists." I will say that I think that's important. I think that's very important. It is still a bare minimum. It is still, again, the least of the expectations that we have as parents when we place our child in care, that they won't be at imminent risk of threat to their health, safety, or welfare.

Now, while I think this is an important amendment and I am happy to see it brought forward, I do believe there's more work that needs to be done on this amendment. From a very procedural perspective the framework in which a stop order can be issued under Bill 39 is as a result of an investigation, so before a stop order can be issued, there must be an investigation. I don't see this amendment putting forward a change to the section which allows for an investigation to take place. Right now as proposed, an investigation can still only be initiated on the basis that, potentially, a child care is providing care to too many children. It's still focused on the number of children, and that's in section 22 of the act. That's the section that authorizes an investigation, and I believe that what this amendment is lacking is the ability for an investigation to occur in order to issue a stop order.

I think this is a procedural issue, but it's an important one because if a statutory director is going to issue a stop order on the basis that there is an imminent threat to the health and safety or welfare of the child, they first need to have the authority and the power to do an investigation. Those powers are really important because they allow for the statutory director to enter into a home, a private home. Let's be clear: unlicensed child care happens in a private residence. A

person can't just simply enter into that private residence and conduct an investigation unless they have the authority to do so. That needs to be part of the powers, and they need to be able to do so even without the authority of the person whose home it is.

I believe this amendment is lacking that. I don't think that as it's drafted now, it would actually authorize a statutory director to have the reasonable grounds that are required to issue the stop order. They need to be able to conduct an investigation.

That's certainly something that I haven't – I'll be honest, Madam Chair. This amendment was only brought forward, obviously, just now. I've had a very short time to look at it, but that immediately jumped out at me as something that we need to address. I think that I'm hopeful the government will be open to a subamendment to this section to allow for the investigatory powers that are necessary to issue a stop order. I think that's something that we need to include with this. Otherwise, we're never going to be in a circumstance where the statutory director will have reasonable, probable grounds to issue a stop order. That's something that I hope the government will consider because I do want to make this kind of a change happen.

But I also have some other questions about this proposed amendment. It talks about that a stop order can be issued if there's "an imminent threat to the health, safety or welfare" of the child. I want to talk now about another parent that I spoke to, and this is a parent whose 18-month-old son was assaulted in an unlicensed child care home, a child care day home, by the spouse of the child care provider. The spouse was not the person that the parents directly had chosen and knew was going to be the one providing child care. The spouse happened to become unemployed and was in the home quite a bit, and for reasons that – well, there were criminal charges that were laid. That spouse became violent and assaulted an 18-month-old boy, severely, might I add.

I'm not certain, when I look at this amendment, that it would stop that situation from happening because nobody would have known. "Imminent" means that it's about to happen, that it's going to happen. There is something that's been identified as a problem that's going to threaten the health and safety and welfare of a child. I'm not sure that this would address the situations where the threat has already occurred, where after the fact there would have been no authority to go in and stop that because nobody knew that that was going to happen. There was no necessary identified imminent threat by simply having a spouse allowed. Let's be clear. Again, nothing in the act prevents that from happening. Nothing in the act regulates who else is in the home in an unlicensed setting with a child care provider. That would not have stopped that situation. Certainly, after that happened, perhaps you could say: all right; obviously, the child has been injured, so continuing child care in that setting would potentially be a problem. So perhaps a stop order could be issued then.

We're trying to look at – again, going back to the language of the fatality inquiry report and Justice Hawkes' report, there was talk about increasing protective factors, which means making the setting safer. It means decreasing risk beforehand. There are other measures we can take to do that, and one of those, Madam Chair, which is another factor which I have a question about with this amendment, is that it doesn't address what a number of stakeholders have identified as one of the biggest risks in terms of the health and safety of children in an unlicensed child care setting, which is the number of children. This is a recommendation that came forward from the Alberta Family Child Care Association, it came forward from the Association of Early Childhood Educators of Alberta, and it came forward from the Muttart Foundation: to lower the number of children permitted in an unlicensed setting.

12:20

Again, Madam Chair, if we go back to the very horrific circumstances which led to the death of Mackenzy Woolfsmith, there were many factors, but one of them was that the child care provider indicated that she was overwhelmed. She had too many children in her care, too many young children. That's another factor as well, the age of the children, because it's a solitary care provider with sometimes very young, young children. In that case that was precisely what happened. That child care provider was isolated. That was recognized by Justice Hawkes in the fatality inquiry report. He talked about how that child care provider was isolated, without any supports, with very young children, and one of the things that that child care provider acknowledged in her statements in the inquiry was that she had too many children in her care.

When we look at other jurisdictions, they place greater restrictions on the number of children permitted in unlicensed care, yet I don't see that addressed. In fact, it's one of the things, going back to the fatality inquiry report, where Justice Hawkes talked about increasing protective factors, decreasing risk. Those things include lowering the number of children in unlicensed settings. I am deeply disappointed that I don't see that addressed specifically in this amendment, but I will speak to that as well, I'm sure, at other times in debate on this bill. It certainly doesn't speak to it in Bill 39. In fact, Bill 39 attempts to level the playing field, if I'm going to use the words of the minister, between unlicensed and licensed day homes by actually increasing the number of children in licensed day homes rather than following what other jurisdictions do, following the recommendations of stakeholders in this area, rather than following the advice of Justice Hawkes, which was to lower the number of children.

When I look at this amendment, I'm deeply concerned that we're still not addressing some of those protective factors, some of those risk-aversion tactics that we should be using to make it safer. I want to go back to where I began, which is that expecting our children to be safe in child care is the bare minimum. I completed the online survey during the child care licensing regulation consultation that took place. One of the questions it asked was – as a parent I completed that survey. It asked, "How important is safety to you?" and I thought to myself, "I don't even understand that question." If you ask any parent, "How important is the safety of your child?" well, first of all, it's of the utmost importance, but it's also the bare minimum we expect. Of course, it's of the utmost importance, but of course when I place my children in any setting and when any parent does that, they're basing it on the assumption that it is going to be safe. But when it comes to unlicensed child care, we have no standard by which to judge that.

Madam Chair, while I'm happy to see this amendment brought forward that recognizes that stop orders should be able to be issued when there is an imminent threat to the health, safety, or welfare of a child, I still maintain that we have not established the legislative framework that would allow for that stop order to be issued. I believe that only focusing on an imminent threat does not look at threats or risks and dangers that have already taken place. It's an after-the-fact problem, and we need to talk, again, about that focus on protective measures and risk mitigation and risk reduction because that has to be the beginning, the place that we begin with. We can't simply accept that in Alberta there are thousands of children who go every day to an unlicensed setting where – again, some are safe, some are wonderful, and that's great, but we don't know. We simply don't know enough about what happens in unlicensed private settings because they are not regulated. We have no information.

There are several steps that we can take – and I will be bringing forward another amendment on this issue as well – but to begin with, with this amendment I do have some subamendments that I would like to consider and propose to make this better. I do applaud the initiative to take this step – I think it's important – but I don't think that it goes as far as it needs to to both legislatively work and also to really address the protective factors and risk reduction that we need to take.

With that, Madam Chair, I'd like to seek to adjourn debate on this.

[Motion to adjourn debate carried]

The Chair: The hon. Associate Minister of Natural Gas and Electricity.

Mr. Nally: Thank you, Madam Speaker. I move to rise and report progress.

[Motion carried]

[The Deputy Speaker in the chair]

The Deputy Speaker: The hon. Member for Highwood.

Mr. Sigurdson: Thank you, Madam Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 39. I wish to table copies of all the amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Does the Assembly concur in the report? All those in favour, please say aye.

Hon. Members: Aye.

The Deputy Speaker: Any opposed, please say no. Carried.

Government Bills and Orders

Second Reading

(continued)

Bill 35

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

Member Irwin moved that the motion for second reading of Bill 35, Tax Statutes (Creating Jobs and Driving Innovation) Amendment Act, 2020, be amended by deleting all the words after “that” and substituting the following:

Bill 35, Tax Statutes (Creating Jobs and Driving Innovation) Amendment Act, 2020, be not now read a second time but that it be read a second time this day six months hence.

[Adjourned debate on the amendment November 18: Mr. Ellis]

The Deputy Speaker: Any members wishing to join debate? The hon. Member for Edmonton-South.

Mr. Dang: Thank you, Madam Speaker. It's my pleasure to rise today and speak to Bill 35, the Tax Statutes (Creating Jobs and Driving Innovation) Amendment Act, 2020. I've spoken a few times in this place now about how I believe that bill names and bills that are introduced in this place should reflect what the actual goal and objectives and outcomes of the bill are going to be, and I'm deeply concerned that this bill, Bill 35, introduced by the Minister of Finance, the worst Finance minister in the history of this province, does no such thing, right?

Madam Speaker, one of the key points of Bill 35 is that it doubles down on this UCP government's, the Premier's, failed plan to give more than \$4.7 billion away to already wealthy and profitable corporations. Indeed, it accelerates this plan, and it leaves Albertans behind. How do we know that giving \$4.7 billion away to wealthy and profitable corporations isn't going to work? It's because this is the plan of Alberta's worst-ever Finance minister, who lost 50,000 jobs at the beginning of this year, in his first year in office, before this pandemic even began. We know that this doubled the provincial deficit, we know that the provincial economy shrank by .6 per cent, and we know that, again, this was all prepandemic. By every metric, whether it's credit-rating downgrades in one year or any other metric, this is absolutely the worst Finance minister we have ever seen, this is the worst government economically we have ever seen, and this is the worst policy we have ever seen. Right now we know that over 290,000 Albertans are out of work.

Madam Speaker, on this side of the House, in this opposition, we are fighting for every single Albertan to make sure that we have a diversified economy, to make sure that we have a fair shot at getting ahead. We're not doubling down, we're not fighting for \$4.7 billion in corporate giveaways, we're not fighting for already profitable and wealthy corporations, for foreign shareholders, and we're not fighting so that Suncor can lay off thousands of workers in Calgary and then run away with record profits. Those are not the things we're fighting for. That's what the worst Finance minister in Alberta's history is fighting for.

Madam Speaker, it's absolutely shameful – it's absolutely shameful – that this government goes on and doubles down on this failed plan to give money away to profitable and wealthy corporations. It's absolutely shameful that every single day Albertans are getting left behind. Over 290,000 Albertans are out of work. Over 50,000 of those happened in this government's first year in office, and that was because of this government's \$4.7 billion giveaway to wealthy, profitable foreign shareholders. We saw companies like Suncor leave this province and lay off thousands of employees after posting profits, so we know the plan wasn't working.

Instead, this government decides to double down, this Premier decides to double down, and this Finance minister decides to double down, an absolute failure of economic policy, Madam Speaker. Instead of actually creating incentives to create jobs, instead of actually investing in our communities, instead of actually doing things like investor tax credits, instead of actually doing things like capital investment tax credits, instead of actually creating industries and diversifying our economy, our Finance minister, the worst Finance minister in Alberta's history, said that diversification of the economy was a luxury. Those are the actual words of this Finance minister, this UCP Finance minister. It's absolutely shameful – it's absolutely shameful – that the Finance minister would suggest that diversification is a luxury. In this Finance minister's first year in office 50,000 people lost their jobs, and right now over 290,000 people are out of work.

12:30

Madam Speaker, it's absolutely shameful that we continue to see the economy shrink. Of course, we know it shrank before the pandemic, and of course now we know that as we enter a global recession and global economic contraction, the economy continues to shrink. Doubling down on an already-failed plan is not going to make it better. Indeed, it may actually make it worse, and we continue to see it making it worse.

Madam Speaker, when this government, when this Finance minister, the worst Finance minister in Alberta's history, cancelled innovation and employment grants and scientific research and

experimental development credits and programs like the interactive digital media tax credit, what did we see? We saw tech firms pull out of this province, we saw jobs continue to be lost, and we saw the economy shrink. Indeed, we saw many tech companies right here in Edmonton and in Calgary as well say that that was a key component of them deciding not to expand here in Alberta.

While this government doubles down on giving \$4.7 billion away to wealthy and profitable corporations, to foreign shareholders, Madam Speaker, we're watching companies pull out of Alberta. We're watching companies cancel their plans to expand in Alberta. We're watching tech companies that were working to diversify the economy decide that Alberta is not the place they want to invest in anymore. That's the plan of this government. Those are the results of this government's plan to give \$4.7 billion away to profitable corporations. Those are the results of this Premier's plan, of the worst Finance minister in Alberta's history's plan.

It's an absolute shame. It's an absolute shame that we have to come back here time and time again and point out that the economic devastation being caused is hurting families across this province, that over 290,000 people are out of work right now in Alberta, and this government has no plan to create jobs other than to continue giving money away to their friends and donors. Madam Speaker, it's absolutely a shame that we have to keep coming back to this place and pointing out that the economy contracted .6 per cent before the pandemic even began, that this government, this worst Finance minister in Alberta's history lost over 50,000 jobs in his first year in office, that this government has done absolutely nothing to create jobs, has done absolutely nothing to create a single job in this province.

Indeed, Madam Speaker, we know that families across this province are suffering because of it. Indeed, we see parts of our province that were growing under an NDP government, that were diversifying under an NDP government, industries such as the tech sector that were growing and expanding and hiring more people in this province, instead cancel their plans, instead decide that they will no longer be expanding, instead lay off employees as a result of this government's cancellation of investor tax credits, cancellation of digital media tax credits, cancellation of capital investment tax credits. All of the programs that were actually creating jobs, that were actually creating investment in this province we saw be cancelled.

Now they're doubling down on a \$4.7 billion giveaway to profitable and wealthy corporations. Now the worst Finance minister in Alberta's history is doubling down on a failed economic strategy that has proven to be failed not only here but across North America, and now what we see is 290,000 Albertans out of work. We see not a single job created by this Finance minister. We see not a single program that brings in new investment to this province, Madam Speaker.

We see foreign shareholders continuing to post record profits, continuing to take in more and more money while laying off workers in Calgary and in Edmonton and in Fort McMurray and across this entire province. Instead of seeing this government change course and say, "We need to do something to actually find jobs for these people," instead of seeing this government change course and actually say, "We need to figure out a way to get the economy back on its feet," instead of the worst Finance minister in Alberta's history deciding that maybe we need to do something about these families not being able to put food on the table, this government says that they're going to double down on giving \$4.7 billion away to wealthy and profitable corporations. They're going to accelerate giving \$4.7 billion away to wealthy and profitable corporations.

We know this government did not do a single analysis on why they should be accelerating the corporate handout, on why they should be giving money away to profitable and wealthy corporations. How do we know that, Madam Speaker? Because this opposition did a freedom of information request. We FOIPed the government, and we asked: "Was any analysis done? Do you have a single briefing note that proves this will create a single job?" The worst Finance minister in Alberta's history could not produce a single document to prove that, could not produce a single document to say that they had even done an analysis on whether it would create a single job.

Madam Speaker, this government hasn't put any thought into their plan to destroy our economy. They are not doing a single thing to support jobs. They are not doing a single thing to support families. They are not doing a single thing to support investments. Instead, they're giving money away to profitable and wealthy corporations that are already laying off workers across this entire province.

Madam Speaker, when the Premier first announced this accelerated corporate handout, he said that companies would be irresponsible if they didn't move to Alberta. Those are his words. The Premier said that it would promote jobs starting that week. Almost immediately after, within weeks and months after that, when the Premier said that it would create 55,000 jobs, we saw 50,000 jobs lost. It simply is an absolute shame that we have to come back here time and time again and show this government that their plan is a complete failure, that this is the worst Finance minister we have ever seen, that this is the worst economic plan we have ever seen.

Madam Speaker, I urge every single member of this House to vote against this legislation. It's a disaster, and it's costing Albertans their livelihoods.

Thank you.

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

Seeing none, any other members wishing to join debate? The hon. Member for Edmonton-City Centre.

Mr. Shepherd: Thank you, Madam Speaker. I appreciate the opportunity to rise and speak again to Bill 35, Tax Statutes (Creating Jobs and Driving Innovation) Amendment Act, 2020. So far what we see here, even just in the title of this bill, is at best disingenuous. As my colleague from Edmonton-South ably noted, so far this government's decision to shovel \$4.7 billion out the door to already-profitable corporations, to make that the centrepiece of their economic plan for the province of Alberta, and indeed through this bill accelerating that plan, has yet to yield a single job in the province of Alberta. It has yet to bring any benefit to a single Albertan.

Mr. Jeremy Nixon: Can you prove it?

Mr. Shepherd: The Member for Calgary-Klein asked me to prove it. We could simply go through and list all of the corporations which received their millions of dollars from this government and have gone on to lay off employees, including probably residents of Calgary-Klein, his constituents, hundreds of people in Calgary, Madam Speaker, who were laid off by the very same companies who received their corporate tax cut, their corporate tax handout, from this government. It did not create a single job here in the province of Alberta. Some actually picked up and left the province of Alberta. This, what passes for a plan in the hands of this government, has not created a single job, has not brought benefit to a single Albertan.

Now, I've heard members of this government say: well, it's a long-term strategy. It's a long-term strategy that has been successful for no other jurisdiction that has pursued this race to the bottom, who have chosen to try to believe that simply if they just keep slashing that tax rate, slashing that tax rate, that's all they're going to need to restart their economy. It doesn't happen. Trickle-down economics, Madam Speaker, does not work.

Now, admittedly, Madam Speaker, you need to have a balanced tax system. Absolutely. It makes sense that you don't want to have the highest taxes, but pursuing an endlessly lower amount also provides low benefit.

12:40

The fact is that Alberta was already the most competitive jurisdiction in Canada, with no sales tax, with no employer health premiums. There was no need to try to pursue this race to the bottom, something which has not been successful in any other jurisdiction in Canada. In pursuing this, Madam Speaker, this government chose to eliminate tax incentives, programs that had actually created jobs here in Alberta. The Alberta investor tax credit and the interactive digital media tax credit had created actual, concrete jobs here in Edmonton, in Calgary. I spoke with companies directly who had plans to hire hundreds more Albertans based on those incentives and those opportunities until this government cancelled them. [interjection] It's laid out in their own innovation working group report what a failure that was, whether the Member for Calgary-Glenmore agrees or not. It says in their very own report that their decision to cancel those tax credits, to remove those programs, made Alberta the least competitive province in Canada for the tech and innovation industry: utterly gutted it, cancelled the creation of jobs, drove companies away.

Now, I respect that this government did in fact at least listen to this particular group of experts in restoring a small piece of what they gutted and took away, essentially the equivalent of the SRED credit that already existed in every other province in Canada, existed long before our government came along but also fell under the axe of ideology wielded by this government when they brought forward their first finance bill last fall. They are restoring that. I'll give them credit for that. That is a step forward, and indeed the new minister, who has taken over the file after the previous minister spent so long denigrating the very things that the industry was calling for and the help that they were looking for – I am pleased to see that the new minister seems to be much more amenable to and to understand the value of the tech sector here in the province of Alberta. We will see if he does indeed move at the speed of business, and we'll see if he does indeed manage to follow through.

But the record of this government has not been a good one so far. Their decision to continue to make the centrepiece of their economic plan this \$4.7 billion corporate giveaway on an accelerated schedule, which has yet to bring a single job to the province of Alberta, which provided absolutely no benefit to a single start-up company, to a single tech and innovation company, is short sighted, Madam Speaker, but unfortunately it seems that it's all this government has. Indeed, as my colleague noted, 50,000 jobs lost before the pandemic, a doubling of the provincial deficit, an economy that shrank by .6 per cent, all before the pandemic hit, over 300,000 Albertans out of work: Albertans deserve far better. Far, far better.

So I don't believe I can support this bill. There are better ways that we can be supporting the Alberta economy, and indeed we've been working to speak with Albertans about that through albertasfuture.ca. I'm looking forward to tomorrow evening. I understand that for the two sessions that I'm having the opportunity of hosting with folks talking about health care innovation and

research in the province of Alberta, we have over 70 stakeholders so far that have signed up. I'm looking forward to engaging with them and indeed have spoken with and engaged with many who already have been working here within my constituency of Edmonton-City Centre. I dare say that it's probably 70 more than the Member for Calgary-Klein has personally spoken with though I do appreciate his contributions to the debate this evening.

I'm looking forward to continuing to work towards true diversification, truly building towards a better and more diverse and resilient economy for the province of Alberta, one that goes far beyond the cheap trickery of this government's corporate handout. Thank you very much, Madam Speaker.

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

Seeing none, any members wishing to join debate? The hon. Member for Edmonton-Manning.

Ms Sweet: Thank you, Madam Speaker. I get so used to wearing my mask. I forgot to take it off. We are on the hoist, that the bill not be read a second time, and I think that it's an important conversation. We've heard from many of the members on this side of the House that have comments in regard to, you know, the government needing to come forward with an economic plan that makes sense. We've heard lots of side conversations from different members in the Chamber while members are speaking in regard to their feelings about that, and that's their prerogative. I would like to remind the members in the Chamber, though, that when the NDP was in government, we led the country in GDP growth in 2018, so our plan obviously was working, and we were diversifying. You know, the hon. members across the way will say: oh, we started at the bottom. Well, it was a PC government before us, so, I mean, there was only a way to go up after that. Like, that language doesn't make any sense.

What we did do is invest in petrochemical diversification. What we did invest in is the tech industry. What we did invest in is AI. What we invested in is research. What we invested in: green technology such as solar and helping people that were becoming unemployed in the oil and gas industry who needed to go back to work and find a different path. Many electricians and many people that were being laid off in the oil and gas industry because of the fact that the price of oil had dropped were retraining in green. They were retraining in how to put solar panels on the top of roofs of houses and businesses. If you go to some of the rural communities of some of the members that actually are in this Chamber, they've benefited from that. Leduc would be a prime example, where I believe their rec centre's whole roof is actually solar panels. That was part of our green diversification project. There were lots of things that were happening in this province that were not just focused on the oil and gas industry.

You know, the \$4.7 billion giveaway, where the government likes to talk about creating jobs, hasn't actually done that. We can look at the 50,000 fewer jobs prepandemic. We can continue to look at the fact that people are continuing to be unemployed during the pandemic. We can also look at the fact that this government has chosen to abandon the people in Alberta by not supporting them through COVID and finding strategic ways to look at being innovative to try to find ways to help people go back to work. Instead, they relied on the federal government and the federal programs to help pay people's mortgages because this government during COVID has chosen to put corporations ahead of the very people that voted them to be here. That's what we're seeing right now.

We are seeing a bill – actually, if you look at all of the legislation that we have seen through this session, knowing that we were going

into a second wave of COVID, knowing all of these things, this bill does nothing to help diversify the economy during the time of COVID. It just doesn't. What it does do is that it helps corporations figure out a way to not have to pay their corporate taxes, which is also not going to help the province. It hasn't created a job. We've seen many more jobs go south to the United States. It hasn't helped with attracting new jobs. In fact, if you think about the COVID response and the fact that Alberta is now leading the country in infection rates, I don't know what corporation would want to come here if the government is not willing to take responsibility for it and figure out a way, like, to deal with it.

12:50

There are many factors that impact the ability for corporations and employers to want to stay in this province, and when they don't see a government come forward to help them figure out how to pay their rent during COVID – they don't see how they're going to have a wage subsidy because, you know, the feds will do that, so, I mean, we don't have to help out our small and medium businesses. These are all things that impact people wanting to be in Alberta. Right now all we're seeing is that if you're a big corporation, the government will help you, but if you're the small business or medium business that actually drives this province and employs the majority of people, nothing. You get nothing. There's nothing in this bill that supports any of those businesses that are currently struggling the most, that are our biggest employer, and who are looking for leadership from this government right now. None. I don't see it in here.

So I would encourage the government to go back, to really rethink what the future of Alberta is going to be post-COVID. What is the economy going to look like? Where will you diversify and invest? How are you going to encourage Albertans to look at, you know, different things and stay in the province, really? I mean, let's start there.

Mr. Jeremy Nixon: Think more windmills.

Ms Sweet: Well, you know, windmills aren't bad. They've been in Pincher Creek for a really long time, way before us.

If the hon. member likes to cut comments, I'd love to see him stand up and actually say something on the record about what he believes diversification in his government would look like instead of just, you know, commenting across the floor, because the reality of it is that Albertans are hurting right now. As much as I appreciate that the government likes to think that it's great to heckle about that, the reality is that nothing has been done. My neighbours can't pay their mortgages right now; 1 in 5 Albertans can't pay their mortgages right now, and we're standing here talking about \$4.7 billion to corporations. What are you doing for Albertans besides heckling the opposition? Like, I need to see action from this government.

In saying that, I don't think this bill should be read again. I think it should die on the Order Paper and the government should come back with a plan that's going to help Albertans as we deal with this COVID pandemic.

The Deputy Speaker: Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Madam Speaker, and thank you to the member for her remarks. Certainly, I share her frustration in that, yep, we have seen that 20 per cent of mortgages in Alberta have been deferred. We have seen that unemployment is at breaking levels, over 12 per cent, I believe, here in Edmonton now. At the same time, we see this government doubling down on their failed

economic strategy, where, as was rightfully noted, the initial response to this massive \$4.7 billion corporate giveaway was a net loss of 50,000 full-time jobs here in the province of Alberta. How does the government respond? They respond by doubling down on the failed strategy and wanting to do it faster . . .

Mr. Jeremy Nixon: Hear, hear.

Ms Hoffman: . . . when it's clearly failed the people of this province. And the Member for Calgary-Klein continues to yell, "Hear, hear." He's so proud of the fact that under his watch the government has cost Albertans, including Albertans living in Calgary-Klein, 50,000 full-time jobs prepandemic and, we know, many, many more since the pandemic.

I wouldn't exactly be cheerleading for myself, hon. member, through you, Madam Speaker, because I think that this is something that is the exact opposite of what the Premier and UCP colleagues campaigned for two years ago. When they were travelling the province talking about jobs and the economy, people voted for that. People wanted to see action, and what they have seen is failure after failure after failure.

People clearly want diversification in their economy, and that's one of the reasons why I was so appalled to see the government erode all sorts of initiatives that have been in place, some for four years and some for even longer than that, around economic diversification, specifically targeting tech, specifically targeting renewables, specifically targeting energy sectors, that certainly were in place to create a stronger, more diversified energy industry but also a stronger, more diversified economy and jobs.

So "hear, hear" is what I would like to say to folks who are planning on actually increasing investment, increasing opportunities, and helping people find ways to pay their mortgage. I'll tell you that rushing to give \$4.7 billion away to already-profitable corporations making in excess of half a billion dollars in profits is not the way to do it, hon. member. If it was, it would have worked in the year leading up to the pandemic. If it was, it would have worked when people were filing for deferral on their mortgages, but it's failed. To cheer for a failed strategy and to rush to do it even more shows me that this government doesn't care about the people of this province. They care about people who have been specifically lobbying them, about corporate interests and not about people who need to pay their mortgages and need to send their kids to school and need to make sure that there's an ICU bed at their community hospitals when they need it.

This \$4.7 billion could make a huge difference to important services that our communities rely on. It could absolutely make the difference between implementing the 15-point proposal that we proposed for schools to make them far safer. Instead, we've seen over the last two weeks that more than 500 schools in the province have active cases of COVID now, not exactly a record I'd be cheering "hear, hear" for, something where I think most Albertans would expect their government to step up and show true leadership.

Instead, we haven't seen the Premier in 10 days, when every other Premier in every other province has addressed the public. Many have been able to do that remotely. This Premier: crickets, except for at the UCP AGM, that he decided to prioritize over taking leadership and showing courage on the biggest public health crisis, certainly, under his leadership and arguably in the most recent generation. So "hear, hear": not exactly something that I expect any member of this House to proudly cheer for because I think the record speaks for itself, and the results, I think, have been very damaging to Alberta families.

I want to thank my colleague from Edmonton-Manning for highlighting the hypocrisy as well as the big contrast between the values of what was campaigned for and what's actually being delivered here in this House and specifically in this bill. Yeah. I stand with our House leader, the Member for Edmonton-Manning, and all of our colleagues in the NDP caucus in calling for the government to hoist this bill at its current stage, go back to the drawing board, and actually do something that will help Alberta families, any Alberta families. Do something. Try a strategy that hasn't been proven over and over again to fail.

The Deputy Speaker: Are there any other members wishing to join debate on the hoist amendment?

Seeing none, would the minister like to close debate?

Some Hon. Members: Question.

The Deputy Speaker: I will call the question – oh. My apologies. We're going to vote on the amendment first.

[Motion on amendment RA1 lost]

The Deputy Speaker: As it is a hoist amendment, we will immediately vote on the motion for second reading.

[Motion carried; Bill 35 read a second time]

Mr. Nally: Madam Speaker, I see by the clock on the wall that it's getting late, so I move that the Assembly adjourn until 10 a.m. on Tuesday, November 24, 2020.

[Motion carried; the Assembly adjourned at 12:59 a.m. on Tuesday]

Table of Contents

| | |
|---|------|
| Government Motions | |
| COVID-19 Pandemic and Albertans | 3329 |
| Government Bills and Orders | |
| Third Reading | |
| Bill 36 Geothermal Resource Development Act | 3336 |
| Second Reading | |
| Bill 46 Health Statutes Amendment Act, 2020 (No. 2) | 3342 |
| Bill 44 Financial Statutes Amendment Act, 2020 | 3354 |
| Bill 35 Tax Statutes (Creating Jobs and Driving Innovation) Amendment Act, 2020..... | 3361 |
| Committee of the Whole | |
| Bill 39 Child Care Licensing (Early Learning and Child Care) Amendment Act, 2020 | 3357 |

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