



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Monday evening, November 30, 2020

Day 73

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Second Session

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Legislative Assembly of Alberta

7:30 p.m.

Monday, November 30, 2020

Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

The Deputy Chair: Hon members, I would like to call the committee to order.

Bill 50 Appropriation (Supplementary Supply) Act, 2020

The Deputy Chair: Are there any members wishing – I see the hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Mr. Chair and colleagues. It's my pleasure to be here again this evening in the opportunity to consider the supplementary supply request of the government. I'm going to focus my remarks probably on the Education portion of the budget because at a time when jurisdictions across the country are stepping up with additional funds to meet extraordinary measures, the only ask we have in this budget is for \$144 million, basically, which is less than the \$262 million that was allocated by the federal government since we approved this budget.

That begs the question – and I did have some back and forth with the minister in second reading, and the fact of the matter is that the reason why the government is only asking for \$144 million is because they already cut \$128 million. We passed a budget under this sense of urgency, a budget that was supposed to be a flat budget even though enrolment was projected to go up and we were already on the cusp of a COVID-19 pandemic. The government rushed to pass a budget that was in line with their spending in the prior year.

Then within a couple of weeks of passing that budget, the government decided to lay off more than 20,000 education workers, mostly support staff, including folks who drive the school bus, make school lunches, provide mental health support for students, speech-language pathologists, mental health therapists, and many, many educational assistants and admin staff who support the day-to-day functioning of a school. This was a directive from the government, that they be laid off and that they not be rehired until the next school year, if then.

That's why this is so much smaller than the federal allocation of \$262 million. I imagine that what most jurisdictions across Canada are doing is allocating the federal amount plus some additional funds from their own provincial budgets, but here what we're seeing is \$262 million less the \$128 million that was already cut plus the very small \$10 million for sanitizer and masks, two standard masks per student and per staff member. For the government to applaud its initiative here and applaud its efforts and congratulate itself on what I would say is far below the bare minimum – I would say that what the bare minimum should have been is to take the budget and then add the federal money that got transferred to the province of Alberta to support students within Alberta. Instead, what the government decided to do was to lay off more than 20,000 education support workers in the spring, try to download those costs onto Canadian people who've paid into employment insurance programs and other programs to off-set their provincial budget.

But who paid the real price, of course, are the students who lost those education support workers, the staff who are counting on that employment to be able to pay their mortgages. Here we are a few

months later, and one-fifth of Alberta mortgage holders have had to defer their mortgages because they aren't in a position to pay them. It really speaks to the priorities of this government that here we are, the government has received a \$262 million transfer, and they're allocating \$144 million because they've decided to lay people off early.

They were going to be, you know, prudent fiscal managers by making kids go without their educational assistants, by cutting PUF for children who are approximately three, four, and five years of age who need that early years, early intervention, something that had been recognized and studied around the world because we were so successful at – when the students were diagnosed in the early years, two years, eight months, and up, we were able to do intensive, focused support therapy and investment in those children to make sure that by the time they completed kindergarten, when they started grade 1, which is the mandatory beginning of school in the province of Alberta, some of the gap had been made up and in many cases all of the gap, and they could learn alongside their peers without the struggles that they had in their early years. That's one of the big areas that was addressed so negatively, that faced such severe cuts in the spring.

But probably what is most offensive to parents whose kids were PUF funded is that the government keeps using talking points that don't reflect reality when it comes to what happened to that program. The government says: it's an important program. Absolutely, it's an important program. But the government doesn't show that it's important, because it's cut their funding. The government says: it will continue. Sure, it continues for some of the three- and four-years-olds who are in a certain number of hours of funding, but for the five-year-olds, no go. They're moved on to a different funding formula, one that the minister criticized, saying that there was such a big decline between the kindergarten funding and the grade 1 funding. What does she do to make things better? She makes the decline between preschool and kindergarten. She backs it up a year, makes the gap even bigger. So now the gap between preschool and grade 1 supports is that much more significant.

There was also the attempt to play a bit of a shell game. The government's favourite thing to say right now in education is: it's apples and oranges. Well, it's not. Kids are kids, and money is money. You can take the total dollars divided by the total number of kids, and – guess what? – there's a dramatic cut. Reports are somewhere between \$400 and \$600 being the average dollars per student. The reason why they can't land on a specific, hard number is because government is being intentionally coy with how they're reporting these things. But there are districts, including districts outside of Edmonton and Calgary – rural districts, or some referred to as rural, or a mix of suburban and rural districts – that have seen cuts in excess of \$800 per student.

To come into this place and choose a very few specific places where the per-dollar amount has gone up: congratulations. You've been able to play with the data to try to find a few outliers. Congratulations. But for the vast majority of kids, they're seeing a lot less support this year under a UCP government, even with the inclusion of additional money from the federal government, because the provincial government chose to cut \$128 million at the beginning of the year. The provincial government chose to be misleading with how they used and reported the numbers in the spring.

The provincial government chose to cut the RCSD funding, to completely eliminate a program that had been in place for about a decade. Did it have room for improvement? Of course. But is throwing the whole program away resulting in better care for Alberta's students? All reports are no, that in rural boards the

number of – because there what they used to do around regional collaborative service delivery is that they'd pool the resources from health and from education and they'd say: "Okay; in central Alberta we're going to need, you know, X number of speech pathologists, Y number of mental health therapists, Z number of Braille interpreters and educational audiologists to work with children." They were able to, as a region, share those supports and share those services.

But now the government has given fewer dollars out to districts, and they're trying to piecemeal together contracts. They want to hire a speech-language pathologist on a .2 contract in certain ridings. Well, good luck finding somebody who's going to move to your community or travel there for the equivalent of one day a week employment. Highly unlikely. As a result, we're seeing fewer supports and fewer services available to students in those rural ridings and also in the urban centres.

It's not just the four big boards, the two Catholic and two public boards. Also, I was speaking with principals at independent schools, private schools, who said: "You know, before, we used to be able to show the trauma levels of our students, and because of RCSD there would be service deliveries to match the trauma. Now I have to pick which one kid in my school gets mental health therapy even though there were three kids who witnessed a horrific death of a family member. I have to choose which one of them gets mental health supports because of the way the funding has been passed on." Like, it makes no sense.

The motivation behind it is to be able to say: we're working hard to balance the budget on the backs of children. But the truth is that there isn't an attempt to balance the budget because if there was, we would see the government reassessing some of its priorities, reassessing things like the energy war room, that has been a massive embarrassment and has brought us no success in terms of securing our place in the world as being an ethical producer. They have in a lot of ways detracted from the intended efforts of Albertans to be able to say to the world that we've heard their calls, we're responding appropriately, we're addressing climate change, we're addressing carbon emissions, and we're moving forward in a sustainable way. This war room has done the opposite.

7:40

And then, of course, there's the \$4.7 billion, which is at least \$4.7 billion now because the government is considering a recommendation from cabinet to fast-track that reduction, fast-track that giveaway, fast-track the handing out of \$4.7 billion to corporations that are only making over \$500,000 a year – this isn't your regular mom and pop around the corner; these are corporations that are making profits in excess of half a million dollars a year – and it's not working. It hasn't created a single job. Well, that is if you take the government's job creation as the priority. I assume that that's what they were using to sell this message, but it certainly hasn't delivered what I would hope the intended consequences were. Maybe the intended consequences were to make profitable corporations, including insurance companies, richer, because it's definitely working at that, but it hasn't worked at creating new jobs.

To continue on with page 32 of the supplementary supply estimates, there are these different line items that tally up to \$144,000. When I specifically asked the minister, in terms of – the minister had originally said of the \$262 million that \$250 million was going to be passed on to districts. I asked for a breakdown of the districts. She evaded the question. I said: can you table a breakdown of how that money was allocated to districts in the House at a later date? She refused to answer the question.

I said: "Okay. You talked about the \$12 million that you were holding back because some districts were to see increased

enrolment and you wanted to make sure you matched that additional \$12 million with increased enrolment. Where was it?" I have talked to a lot of school districts, and they're all reporting numbers that aren't as large as what they thought they'd see, so it's safe to presume that there are thousands of missing students in this province right now. I said, "Where's the increase?" She said: "I don't know. We told them that they didn't have to report their enrolment until December, sometime in December."

Okay, Mr. Chair. This is something that has been reported every other year by September 30. There's always been a September 30 head count. There's always been money tied to enrolment. The minister has always been aware of where students were. You can match up their Alberta Education ID with which school they're registered in or home-school or if they've left the province. The minister says that that hasn't been done yet; it's going to be done at some point in December. Well, kids started school in September. Expecting the Education minister to know how many kids are going to school and where they're going to school by the third week, fourth week of November I don't think is unreasonable.

I know that this year has had extra pressures and extra stress on Alberta families, but I do expect the minister to do her job and to report to this House on how she's spending public dollars. Failing to commit to tabling them in this House is something that I don't think any member of the government side should be proud of. I know that many ministers did make commitments to table documents in this House to support the decision-making that we're being asked to approve here tonight, but the Education minister refused. I think I asked for about eight different things to be tabled and got commitments for zero. In terms of transparency and accountability I would say that this supplementary supply is far from adequate; in terms of meeting the expectations of all Canadians to pass on the dollars that were allocated to the province for the children of Alberta, I would say, a failure as well because, of course, this government chose to prioritize a \$128 million cut.

By many accounts we are still far short of the number of support staff that we had prior to the layoff of the more than 20,000. In fact, I asked. One of the things that I asked to be tabled – the Education minister absolutely has the right to ask for an accounting of: how many FTEs are there in different school districts for teachers, for support staff, for admin staff, for custodial staff, for maintenance staff, and then, of course, for exempt management staff? They have every right to be able to ask for that breakdown. Certainly, when I was a board chair, I gave that breakdown. I imagine that the minister gave that breakdown when she was a board chair, too.

But she comes to this place now as the minister and says: "I can't tell you how many people are working in schools. You'll have to ask each individual school district." That would be like if the Health minister stood in this place and said: "I can't tell you how many nurses we have in this place. You're going to have to ask each individual hospital." Rubbish, Mr. Chair. That is not the reality. That information absolutely can and should be shared with the Minister of Education, and it has in the past many times been shared with the minister. The minister can easily compile it and bring it to this place and defend it, but she refuses.

You know what? The Health minister, to his credit, hasn't refused. He's come here and he's admitted that they have a plan to lay off support staff. He's come here and he's admitted that they have a plan to outsource laundry and custodial staff in hospitals in the middle of a pandemic. He's come here and he's said that there certainly will be some, you know, prac IDs that leave the province. So he at least comes here and owns the systemic, brutal changes he's inflicting on the Health budget.

The Education minister won't even share the information, and it is not good, Mr. Chair. She comes in here with spin, talking about how many people are healthy, when the reality is that in terms of schools with outbreaks, on Friday it was reported that it was 15 per cent of total schools in the province of Alberta. On the weekend there were reports that in Edmonton and Calgary it's in excess of 40 per cent in each of the large school districts of schools that currently have COVID-19 cases in them. Parents have called me, saying: "You know what? I was really anxious about my child's school shutting down and what I was going to do, but then on Monday, Tuesday, Wednesday, Thursday there were two cases in the school, three cases in the school, two more cases in the school, three more cases in the school. At least we know what the plan is now, and we can plan accordingly."

The problem with the supplementary supply is that we still don't know what the plan is because the minister refuses to answer questions. She refuses to table evidence, and she refuses to stand by the attack that is evident when you actually start looking at these numbers and talking to people who are delivering education on the front lines. Never before in the history of Alberta have I seen teachers, admin staff, support staff, custodial staff as exhausted as they are right now. Never. Many have referred to this as June tired, but they've been June tired since the third week of September.

It's not sustainable, Mr. Chair, and that's why, when the federal government finally stepped up with some new money at the end of the summer, I expected this government to pass every single dollar on and to restore what they had promised us in the budget in the spring, but they have failed to do so. This is \$144 million that is being asked to be distributed because they have already cut \$128 million. That is wrong-headed. It's damaging, and it hurts not only the children, the staff, and their related families that are connected to all these children and staff who are going to school, but it hurts our society because we know that a well-educated citizenship is a well-contributing set of citizens. We know that when parents can drop their children off at school feeling confident that they are going to be there safely throughout the day and that at the end of the day they're going to be able to reunite and hug each other and feel good about going home together, they're able to focus more when they're at their place of business, when they're at their place of employment, when they're at their other commitments to the broader community.

But with the number of parents who say, "You know, when the school phone number shows up on my phone right now, it causes my heart to skip a beat because I'm not sure what's happening; if I'm going to have to go pick up my child, if they're going to have to be isolated, what the consequences are going to be of them being in this overcrowded learning condition this year," I feel for them, Mr. Chair, and that's why I am disappointed that this supplementary supply doesn't go further, that it doesn't actually address the needs in our classrooms.

We gave the government an opportunity to do so back in July. In March, when schools closed, I was confident that the government would be starting to consider ways that they could change things to make them safer when schools reopened at some point, hopefully by the fall. That's why in July, July 23 to be exact, we prepared and presented and tabled in this House safe schools, successful students, an alternative relaunch plan for Alberta schools. It has 15 points in it. I still encourage people to read them all, but the crux of it is that the main ways we can prevent the spread of COVID-19 are to spend less time indoors, to spend less time in close contact, to spend less time unmasked, and to have more opportunities to wash. That's pretty simple. To be able to do that, to spend less time in close contact, you need to spread kids out. You need to create space. There is no way in our current class sizes in our current schools that

we can have kids with two metres of physical distancing. We just can't. We tried.

We measured out the space of classrooms that were built most recently, in the last five years, and tried to squeeze 30 desks in them. Thirty isn't even high anymore, Mr. Chair. There are many, many classes that have over 30 students. We tried to put 30 students into an average class size, and we couldn't do it without there being desks within one metre of each other. That's how close they were.

7:50

That's why I say that when kids go back to school in January, hopefully – that's the plan as it's outlined now, even the junior and senior high students who have been sent home to learn remotely, and then later elementary school students as well for the first bit in January. But when the students go back, the government has an opportunity to get it right. They tried their plan. It didn't work. Outbreaks are at such record levels right now. For people over there to say that it worked, it didn't. If it did, you wouldn't be closing schools. If it did, you wouldn't see the outbreak rates as high as they are in schools. If it did, you wouldn't see the outbreaks as high as they are in our community. You wouldn't see ICU numbers that are approaching a hundred beds in ICU. I know that the Premier earlier said 60, but it's a hundred.

The Deputy Chair: Thank you, hon. member.

Are there any members wishing to join debate on this bill? I see the hon. Member for Calgary-Buffalo has risen.

Member Ceci: To continue debate?

The Deputy Chair: To continue debate.

Member Ceci: Thank you very much. Thank you to my colleague for her review of all of the issues with regard to the Education supplement that's before us here. I want to do a similar thing, not with Education but with Municipal Affairs. I want to start that off with some introductory comments, however.

You know what? It's always apparent, as previous governments go into these things, that you can't predict in your initial budget what your full expenses and revenues will be, and you need to supplement that. This supplementary is certainly one that touches on COVID-19 expenses, and there are other kinds of ways to stimulate the economy. It needs a great deal of stimulation at this time, Mr. Chair, because of the work that this government has been doing to not address the needs of Albertans and the businesses in Alberta.

I say that in particular to one area that I think is tragic and a shame. We heard just the other day that \$300 million is going to be left on the table or is currently being left on the table by this provincial government. It would need \$100 million of funds from Alberta to funnel \$400 million to front-line workers in this province, who have done extraordinary work to help Albertans get through and to deal with the effect of COVID in our hundreds and hundreds of communities across the province. It's unfortunate that we're not seeing that supplementary line here – it'd probably be under labour – that would free up this \$300 million from the federal government, that is dearly needed at this time, so much needed that we could have seen a significant portion of that money, \$400 million, enter our economy through the purchase of goods and services through, as I mentioned, the purchase of things that would improve the quality of life of Albertans.

Yet the provincial government has seen fit to continue to stand up in this place and say that they're doing all they can and that they're addressing the needs of Albertans and they're in negotiations with the federal government when every other

province has seen a significant portion of those monies, either 100 per cent of those monies or more than 50 per cent of those monies, dedicated to their own particular provinces, drawn down already, including the federal government's portion of that. But with this government, I think it's \$76 million, \$76 million where they could be seeing \$400 million enter our economy, bolstering the businesses out there that need the investments from consumers. We're not seeing that at this time. People are sitting on their wallets because they don't have confidence in the future at this point in time. Certainly, this government is not giving them anything to be feel confident around in the future.

Further to a few things, I just want to recognize that the supplementary amount for Municipal Affairs is approximately \$1.3 billion, and about \$600 million of that, \$576 million of that, is municipal operating support transfers, partially off-set by – and here's another federal government \$300 million, but it's just coincidental – \$303 million; \$244,000 transferred from the federal government under the safe restart agreement. What that really means, Mr. Chair, is that of the approximately \$600 million in the mostly municipal operating support transfers, half of that is coming from the federal government.

Also, the municipal stimulus program, what I think used to be called the MSI program, is down to \$500 million, Mr. Chair, and we know that that is helpful to municipalities so that they can under approved conditions, under approved projects spend those monies in their local community, invest those monies in their local community to address the needs of citizens around this province, things like water treatment plant upgrades, things like municipal infrastructure that is not under Transportation or is not under other programs, so those stimulus program funds will be well invested across our province. We know that municipalities have had a long history of getting great value for the addition of provincial dollars, leveraging those up with their own local tax-based dollars, so that \$500 million will be leveraged up several times.

The next item is the disaster recovery and COVID-19 pandemic response monies, just over \$200 million. No doubt, some of those come from under the disaster recovery program, some of those come from the federal government. The provincial government applies to the federal government for eligible disaster funds, so that \$157 million is accompanied by – a portion of that would be federal in response to this.

Again, you know, COVID-19 pandemic response costs are identified at \$51 million. The impact of COVID can't be underestimated in our community. All across this country, all across the world we're seeing significant reductions to economic output as a result of COVID, so some backfilling of the impact on municipalities is related to the \$51 million.

The federal gas tax fund is transferred from the federal government to the provincial, and then eligible communities get a portion of that as well as the Canada infrastructure program. Again, it's federally funded, so a significant portion of all of this \$1.3 billion comes straight from the federal transfers under different agreements.

Then there's an important thing: the Wood Buffalo wildfire and continuing to monitor the environmental public health after that wildfire. I'm just trying to think of the size of that disaster relative to other disasters in Canada. It was very, very large. Eighty-eight thousand people, as we know, had to evacuate their city and surrounding communities, and the government of the day, the NDP government, provided significant support for each individual, each family. In terms of the flood mitigation and flood proofing work that was identified and is going on to this day in the regional municipality of Wood Buffalo, those things were significant back

then in terms of cost, and this \$604,000 is a portion of an ongoing public health reporting plan in that community.

I would say that the last financial transaction looks like it's for inventory. It's for the purchase of personal protective equipment related to COVID-19. That supplementary amount: it looks like it's for the purchase of inventory that's disbursed to municipalities and municipal staff who can't work at home. Many municipal staff are working at home across this province, and that's a good thing in terms of ensuring that the spread of the virus stays contained, though we know it's not at this time. It's not because the municipal staff are doing that spreading. As I said, many are working from home: planning staff at the city of Calgary and other staff in municipalities all across the province.

8:00

The challenge is that their work is different. It takes longer to do when they can't meet face to face with colleagues. It takes longer to do when they have to transfer files, when they have to report on those things with each other. Typically, for instance, around the planning table there would be multiple disciplines sitting around that table and kind of making decisions together. That can happen virtually, but it doesn't happen quickly virtually. The personal protective equipment is for those staff that can't work isolated or separated from other staff, those who are working in close proximity to one another, and many, many, many are still required to do that. You can't collect trash. You can't process it in some places. There's recycling that goes on. You work in proximity to one another. You need personal protective equipment, and that \$76 million is of benefit to that.

I just wanted to also take the time to speak briefly about some of the things that we have heard repeatedly with regard to some of the accounting. The supplementary is not where that has taken place, but of late the Auditor General has made reference to the government books not being totally accurate. We've heard the Minister of Finance stand up and say, you know, that members across the other side did the same thing when they were in government. That's not accurate at all. When we were government, we budgeted every expenditure. We were in negotiations around some like coal transition amounts or crude-by-rail amounts and trying to say that those could be paid out over time, but we were required to budget them all up front and did that and put them in our budgets.

It's not the same thing in terms of what the Finance minister has done; \$1.3 billion has been found to not have been accounted for properly, and he needed to account for it properly in his books. This side, this government, was in total compliance with the Auditor General. The other side has been found to be offside not only once but other times. That kind of leadership from the UCP government is disturbing. It's lacking. Under the supplementary supply issues that are before us today, I think we can raise some concerns about that as well.

What's concerning is that supplementary supply would have been likely smaller had this government continued on with the corporate tax regime put in place by the NDP government, which was middle of the pack in terms of provincial government tax regimes in this country. It was not the least; it was not the most. It was in the middle of the pack, as I say. The Finance minister could have counted on another \$4.7 billion in revenue had he kept it in place, and we know that that's not the case and that the fast track is there to reduce this to the lowest, which will cause things like supplementary supply to be higher than they should be and cause supplementary supply not to include things like the \$100 million in additional contributions that would free up \$300 million from the federal government.

Mr. Chair, the disdain shown for public-sector workers, again, is something that, though it's not written in supplementary supply, is identified in the second-quarter update on page 10. The context is that, you know, public servants wouldn't be contributing to the economy. Nothing could be further from the truth. Of course, they do through the living of their lives and caring for their families. They invest all sorts of monies to do that as well as taxes to the government of Alberta at the end of every year.

Certainly, listening to my colleague talk about the Ministry of Education's failings in terms of the supplementary supply before us here today and mine with regard to Municipal Affairs, I think some of my other colleagues will be speaking to their particular critic areas. We generally think there could have been a better job done by the government. I certainly understand why additional funds are needed during a pandemic, of course, which no one could have predicted. This supplementary supply takes on a different, more important meaning than usual supplementary supplies, but it also takes on some failings with regard to things that we know Alberta is eligible for at the federal level that don't show up in this supplementary supply.

I just want to also recognize that municipalities around the province are in a similar boat. You know, they are trying to work with a really uncertain future with regard to their revenues and the kinds of things that they can do. They've been resilient. I know the major urbans are looking closely at their budgets right now, and they're doing all they can to address the needs of their residents, but that doesn't come without some significant trade-offs. The provincial government could be there to help bolster municipalities better with regard to the trade-offs that they're required to take.

The work of municipalities is that they provide most of the support, most of the direct service provision for their residents, and they have in the recent past been treated as junior partners in the whole government chain. Nothing could be further from the truth. You just have to look around at the long tenure of elected representatives at the municipal level. You just have to look at the experienced staff they all have who have dedicated their life to public service, and you know that they're well taken care of. It's regrettable that the municipal file has in the recent past been treated so much with disdain by this government. We need to, of course, all tighten our belts, and that's what municipalities are doing, have done for many years.

The work of the government, this government, should be to work in close partnership, and you see some of that here with the municipal stimulus program, but you also see some regular kinds of demands for additional information from municipalities. As I said, I think municipal governments have a long history of providing quality, effective, and efficient services locally to their residents.

8:10

Mr. Chair, I just want to again say that the \$1.3 billion in supplementary estimates for the expense vote here will be put to good use at the municipal level. I'm confident that the municipalities will utilize the federal transfer funds that come through various programs here to good ends in their local communities. We will see that done quickly as the money flows, so that's good news for local municipalities.

I think that with that, Mr. Chair, I will conclude my remarks.

The Deputy Chair: Thank you, hon. member.

I see the hon. Minister of Transportation has risen.

Mr. McIver: This is not under 29(2)(a).

The Deputy Chair: I'm sorry.

Mr. McIver: Okay. Perfect. At this time, then, Mr. Chair, I would like to move that we adjourn debate on this item.

[Motion to adjourn debate carried]

Bill 44

Financial Statutes Amendment Act, 2020

The Deputy Chair: Are there any comments, questions, or amendments to be brought forward? I see the hon. Member for Calgary-Buffalo has risen.

Member Ceci: Thank you. [some applause] Thanks very much to my colleague back there.

You know, there are several things in this bill. I don't want to focus on all of them. I do want to speak to one thing in particular, and that is with regard to the Credit Union Amendment Act, 2016. I think there's some sense to all of that. Part of what that Credit Union Amendment Act looks like it is doing is repealing a 2016 provision which we worked with credit unions around to try and make it easier for them to sell life insurance. Those individuals, representatives that we were working with sat down with members of the Treasury Board and Finance administration to try and work through that portion of the amendment that's being repealed now.

The challenge was – and I think I spoke to this a little bit before – that life insurance agencies throughout the province, particularly those in smaller areas, wanted to be on the same level as credit unions. In a lot of communities throughout Alberta, smaller communities, there's a credit union, and there can be independent operators who sell life insurance in the community. Those independents wanted to be on the same level as the credit unions, as I just mentioned, so we tried to come up with a way that that could happen for the credit unions and be supported by independent life insurance agents throughout the province who weren't affiliated or involved with credit unions.

The idea was that there would be no joint – essentially, you know, the person is meeting with the manager of the credit union and the manager says: I can give you this loan, or I can work with you around your business, but you need life insurance. There would be no hand-off to a life insurance person in the credit union. The manager would have to say: you can shop anywhere you want for life insurance, and there are several in town. The ones affiliated with the credit union couldn't have the same door. They had to be separate and apart. This is a provision that's getting repealed because it just didn't do the – it wasn't clear enough. It wasn't used enough. It wasn't used by credit unions, and they have wanted to consult some more on this purpose as it was deemed too narrow. That's one thing that is changing.

The other things that are changing in the Financial Statutes Amendment Act – you know, more than ever we know that this government is having some challenges with regard to their activities. Polling information says that they're not very popular. We have to apply a lot of scrutiny to all these changes that are being brought forward in the Financial Statutes Amendment Act. This is omnibus legislation, so it's taken me some time to go through all of these things.

Of course, a big part of this is with regard to airport authorities and the on-lending of money to airport authorities that are challenged at this time through the downturn of the economy and COVID. The on-lending of funds to airport authorities for operations is something that's new, but it's critical for their ongoing survival. It does bring up the whole consideration for me, you know: when will this turn around? What kind of repayment schedule will come back to the government of Alberta for the on-

lending that's going to be taking place? These are pretty massive amounts of money that they have already received for capital investments across the province, airport authorities. The survival of airport authorities is critical. It's new, though, to do operations lending to them, so we want to make sure that, as much as possible, this agreement between airport authorities and the government of Alberta is solid and it will come back to us over time so that we can ensure that the citizens of Alberta get good value but also aren't required to pick up the tab in the long term with defaults.

As with regard to other things in this bill it's critical that we see any new authority come before this House so that we can make some decisions – you make some decisions together – understand, and have transparent sharing of information. I don't know about the airport authorities, if they've already missed payments with regard to their capital loans. We know that the new operating loans: they won't probably be paying those back to the province for a very long time. What are the conditions around all of that? That would be interesting to know.

The situation with regard to the Local Authorities Capital Financing Act is something that comes to mind as well. You know, the government is asking for legal authority to give operational loans for the first time. As I said, those would be loans on top of loans, and the government should be direct with the public. Have any of the, as I said, airport authorities missed any capital payments to date? How much have they missed? Are they impaired? How do we know that that's reflected in the government statements that are before us? Bill 44 has a lot of things in it that could be troubling if there's not full disclosure of that information.

8:20

There are some housekeeping things in here, and that's good, but some of those amendments also deserve a lot of scrutiny. Reducing the size of the Credit Union Deposit Guarantee Corporation board membership: it seems like it's largely housekeeping, but I'm certainly not aware of why it's being done. It's reducing the number of board members from nine to seven and keeping the same number that get appointed by Credit Union Central at two. It also allows technology to be used in greater use around the board table so that decisions can be made reflective of the need to stay apart and socially distanced from one another. Those online meetings are a good thing, as I said previously, but why is the number of board members being reduced from nine to seven? As I said, I'm not aware of any difficulties that nine people had around the board table making decisions. Two is fewer, and I'm not sure that that would improve the efficiency and other things that are identified in this bill with regard to changes.

The Financial Administration Act: I think there are mostly housekeeping changes there. It creates clarity around certain Crown corporations with regard to a commercial mandate.

ATB doesn't need to be known as the Alberta Treasury Branch anymore. It can be known as ATB, as they legally changed their name when I was the Minister of Finance years ago. That change, as I said, is somewhat housekeeping in effect.

The other aspect of Bill 44, the Financial Statutes Amendment Act, 2020, that I just wanted to bring forward: we, of course, have asked a number of questions at previous readings of this bill. I don't think there's been a great deal of response with regard to changes to the airport on loan of money for operations. We have asked questions. I've asked questions about any changes in CUDGC about why those were made – I don't think I've received any answers with regard to all of that – and asked questions with regard to the credit union changes that are being made. I certainly understand the background to that and think that that's probably a good thing to reload and to look at again.

The Financial Statutes Amendment Act, of course, makes it clear that we need better reporting from the Finance minister. As I mentioned in my previous speech with regard to the item on supplementary supply, the \$1.6 billion in accounting errors in the first year of this government are pretty massive.

The Finance minister has said repeatedly that this side did the same thing. That's not accurate at all. We worked with the Auditor General, and before coming up with finalizing our budget, we attended to those differences in opinion the Auditor General had with the approach that we were taking. As I said, there were crude-by-rail and coal transition questions that the Auditor General put to us that we wanted to expense a portion of over years going forward, and he said: no, you have to do that all in the year that you've made that decision. We put that into the budget – that Auditor General was Merwan Saher – and officials didn't agree with the views, but we listened and did that. So the Minister of Finance saying that we did the same things as he did is not accurate. I just want to underline that. What we did was in compliance with the Auditor General, and all of our expenses were in our budget when we brought that forward for those subsequent years.

Those are some of the concerns I wanted to bring forward with regard to Bill 44, and I will now take my seat, Mr. Chair, and wait for others to address this bill.

The Deputy Chair: Thank you, hon. member.

Are there any other members? I see the hon. Member for Edmonton-Whitemud has risen.

Ms Pancholi: Thank you, Mr. Chair. It's a pleasure to rise and speak in Committee of the Whole on Bill 44, the Financial Statutes Amendment Act, 2020. I think that my colleagues have done a great job of talking a little bit about what's contained in this bill, and I'd like to go over that again just shortly as well and just speak about why it's very important for Albertans, more than ever, to have as much information as possible when we are making changes to legislation as well as when we're talking about how well this government is making arrangements and giving itself authority to spend Albertans' money. Frankly, I think that Albertans have a lot of reasons right now to demand greater transparency from this government around the use of their tax dollars and how they're being invested and spent, so it's important to give enough thought and consideration to those issues.

I know that my colleagues have mentioned it, but, you know, I think that the recent Auditor General's report was very eye opening and alarming for a lot of Albertans, not only because they were showed that there were significant miscalculations and misaccounting – I think that might be a generous interpretation of what happened – but because I think that a lot of what took place with that Auditor General's report, the \$1.6 billion that seemed to have been misaccounted for, unaccounted for, really called into question the integrity with which this government is making financial decisions about Albertans' dollars. I think most concerning for many of us was, for example, the lack of transparency. And let's be honest; there were some very inaccurate statements made by the government with respect to the crude-by-rail agreements and how they had been dealt with.

One of the things that was most troubling, I know, for a number of my constituents who raised this issue with me even at the time – certainly, it was verified with respect to the Auditor General's report – was how AISH payments were accounted for and that in order to make their financial spending look a little bit better and only for a short period of time, this government chose to prioritize how their books looked rather than, really, the health and well-being of people on AISH. We know that that decision to push off

payments – now we know, Mr. Chair, as a result of the Auditor General report – was really motivated by making their books look a little bit better, to make it look like they had less of a deficit for the previous year, but that came at the cost of individual Albertans on AISH, who had to go days without being able to pay their bills and had NSF payments and real uncertainty at that time for people for whom that payment is their only lifeline to being able to be fed and pay their rent. The dishonesty around that and why that was done and the reasons for it and the impact of it really drew attention to the fact that Albertans are wise to pay close attention to how this government is making financial decisions.

We have a number of other examples, Mr. Chair, and I certainly could go on at length about them, but I do want to talk a little bit specifically about what is in Bill 44. It's simply – I think that my colleagues and I have been asking some questions that we are looking for answers to just to make sure that we are shining that light and being transparent, and we're expecting our government to answer these questions with transparency.

As my colleague the Member for Calgary-Buffalo indicated, there are a number of provisions within Bill 44. Although I'm sure the other provisions are important to the organizations which they affect, probably one of the key ones is the changes to the Local Authorities Capital Financing Act. Of course, Mr. Chair, those changes are designed to address the financing for local authorities in general but specifically Alberta airport authorities. Certainly, when we talk about and we think about the sectors and industries that have been hit hard during the pandemic, of which I virtually would say no sector has been untouched, we know that airport authorities have been hit hard, of course, by the mandatory restrictions and then the necessary restrictions on travel.

8:30

You know, I had an opportunity, Mr. Chair, as the MLA for Edmonton-Whitemud, which is a very south-end-of-Edmonton constituency, to go and take a tour around the Edmonton International Airport authority long before the pandemic, not for the perspective of watching what happens in the watchtower – I have to say that I actually brought my son along on that tour. He was really hoping to get a behind-the-scenes peek at the watchtower. More importantly, he really wanted to see the baggage claim area and watch those conveyor belts. But that wasn't the intent of that tour. It was actually to get a tour to see all the incredible business opportunities and development that was going around the Edmonton International Airport and what remarkable things they were doing, very creative things. We took a drive around the entire area, and I was very privileged to sort of see and hear first-hand a lot of the creative work that was going on around that airport authority. That's Edmonton, but we know that the Calgary Airport Authority has also been impacted by COVID and to a significant degree.

Our airports, of course, are key to making Alberta, Edmonton, Calgary, all our key airport authorities sources for tourism and travel. Also, it's important for the operation of business. I got to see those huge supply hangars where all the materials that come out of the airport are stored, and that's incredibly important to keep business moving. Our airport authorities are important, and we need to make sure that they also get through this very challenging time. I understand this legislation will allow for the Minister of Finance to issue loans with respect to operational funding or operational aspects of airport authorities, which is key, but we do know that up until this point airport authorities primarily only received loans for capital projects.

I think my colleagues have asked questions about: what are the current loan obligations of the airport authorities, and will these

dollars that are going to be loaned for operational purposes really be used to pay for the loans that are owed for capital expenses? If that's the case and it is, of course, that idea of a loan on a loan, we just want to make sure that it's important that the government has thought through not only whether that is a financial plan but also as a precedent, perhaps. We know that there are a lot of situations and circumstances in which the government might provide capital loans but don't provide operational loans. Is there a precedent that's being set here, and are we making sure that all checks and balances are in place? Of course, Albertans want to see their airport authorities succeed – it's critical for our business and our tourism – but also we want to make sure our dollars are being spent effectively. I think those are questions that are key.

I understand that there are a number of other, smaller changes but, of course, no less significant to the organizations that they affect about housekeeping changes around the Credit Union Act and changes to the ATB Financial Act. As I understand it, currently, for example, the ATB cannot access the Bank of Canada's standing term liquidity facility, unlike other banks. This would actually grant access to that. I trust my colleagues on this. For example, the Member for Calgary-Buffalo in his role as Finance minister has, I think, said that this is a useful amendment to the act, and I believe that's probably the case.

We know there are also some changes to the Financial Administration Act, primarily housekeeping changes, as well as to the Loan and Trust Corporations Act. I should mention there are also some other changes around freedom of information but, really, housekeeping things, because I think that Albertans would definitely want to be very alive to any changes that are happening to the Freedom of Information and Protection of Privacy Act. As we know, there are changes currently being made under Bill 46 before this Legislative Assembly to the Health Information Act that we were not properly consulted on. I understand that we need to be careful and place a careful eye on what's being brought forward by the government. It doesn't appear at this time that the changes to the FOIP Act are anything other than housekeeping although for my two cents, Mr. Chair, I will say that there are certainly some changes within the FOIP Act that I believe would be welcome, but that's another story for another time.

Certainly, I think my colleagues have done a great job of outlining some of what we believe is the intent within Bill 44. Generally in Committee of the Whole there's opportunity to hear from ministers and members from the other side to see if they want to flesh out some of those questions that we have. But I appreciate the opportunity, Mr. Chair, to give my lens and to give an approach to looking at Bill 44 because I think it's in the interest of all Albertans that we give careful scrutiny to all legislation before this Assembly.

Thank you, Mr. Chair. With that, I'll take my seat.

The Deputy Chair: Thank you, hon. member.

Are there any other members looking to join debate on Bill 44?

Seeing none, I am prepared to ask the question.

[The clauses of Bill 44 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Aye.

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

Bill 43 Financing Alberta's Strategic Transportation Act

The Deputy Chair: Are there any comments, questions, or amendments to be offered with regard to this bill? I see the hon. Member for Edmonton-Riverview has risen.

Ms Sigurdson: Thank you very much, Mr. Chair. It's my honour to rise and add my voice to the debate on Bill 43. One of the things that is kind of unique in this session of the Legislature with this bill is that it's quite a thin bill. It's not an omnibus bill, which is often what, you know, we have been seeing, where, like, several pieces of legislation are being changed. I mean, that is better than usual because I think that a lot of things can be hidden a bit by these omnibus bills that are being rammed through this House. However, the contents of Bill 43, the Financing Alberta's Strategic Transportation Act, are a bit troubling and certainly taking Alberta in a direction that, you know, as the Official Opposition we are very concerned about, and we do oppose this bill.

This is enabling legislation, as presented in this bill, that allows the government to put tolls on new highway – and we'll talk a little bit about the definition of highway in a minute – infrastructure. "Highway" is defined as "any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway . . . whether publicly or privately owned." So pretty much, you know, sort of any kind of mode of transportation can be tolled. I mean, I guess the caveat is just this "new" piece. But, of course, we do know that new also includes – say that you're widening, for example, Deerfoot Trail in Calgary. If you're widening that, then they, too, become eligible – that's the word to be used – to have tolls put on that.

It is kind of troubling because that was something that we asked, you know, during the campaign, I guess. We asked this government, before they became government, if they were planning to do that, and they assured Albertans. The Premier spoke publicly that: no, no, no, we won't be doing any of that. So it's another broken promise from this UCP government that they are now wanting to put forward legislation in this Bill 43 so that tolls can be put on new highways. As you've heard from the definition of highways, that's quite a broad definition.

The UCP argues that tolls will only be put in place in three circumstances. One, where there is an alternative, toll-free route. One must ask: exactly what does that mean? Does that mean a route that maybe takes, you know, a person an hour out of their way? Would that qualify as a route? Certainly, there are always probably other routes. We have several highways, roadways in our province. So how is that defined? Is there any limit on how much people would have to drive out of their way? That's one of the things. I don't know if it has much merit if we don't have a limit on how much people can be inconvenienced. Just having another route – like, how far out of people's way will that route have to take people?

Tolls only on a new piece of infrastructure: I've already mentioned that. That's the second thing. Those are the things in place for tolls.

8:40

Then the third one is that tolls only will be on these new highways or new other infrastructure after community consultation. Again, it's kind of like: what does that mean exactly? What do they mean by consultation? Sadly, this government has shown repeatedly that consultation might mean sending out, you know, an e-mail survey and that that's what they think consultation is. There's not much engagement. There's not much publicity, I guess, about wanting feedback from Albertans.

Certainly, that's been demonstrated time and time again with the legislation that's come through this session. I know that, myself, I'm a member of the Alberta College of Social Workers. I'm a registered social worker in this province, and the consultation they did regarding Bill 46 was just completely laughable. There was hardly any at all, but the UCP government says that that was consultation. I mean, I guess that I have concerns about them, you know, having an understanding, perhaps, and a willingness to really have community consultation regarding this.

I mean, it is a completely new way of life. This isn't something that we've had in Alberta, and certainly we in the Official Opposition don't think that this is the way to go, that people, you know, just driving around their communities, going to different places in Alberta should have to bear the cost of this.

You know, we've talked repeatedly in this Legislature that being a government is about making decisions, and in those decisions you have choices. This government right off the bat had made a very significant decision, and that was the \$4.7 billion corporate giveaway. In this bill they're making another decision, sort of putting the burden on regular Albertans to pay for the infrastructure. Certainly, their corporate giveaway takes away, obviously, billions from their funds, so they're making a decision for people to have to be responsible and pay tolls on the highways in their communities. I feel like this is definitely going in the wrong direction.

We already know – and this is a well-known fact – that Alberta has the greatest income inequality of any province in Canada, and of course the decision of the \$4.7 billion corporate giveaway just makes that more pronounced again. That was something that our government worked very hard on, you know, to create more equality in our province, and we did that through supporting public programs, creating a more fair taxation system, doing many things to support so that everyone is included.

You know, it's troubling to see that this government is continuing to try to create more inequality and injustice in our province. That's certainly part of the reason why I think this is not a good direction and that we really should be making sure that no one is left behind and that everyone should be able to get some support instead of just some elite corporate folks. We know that that policy and the change that they made to corporate taxes have not created new jobs in Alberta. That hasn't created more fairness in our society.

I mean, some things that I'm so proud of that the NDP government did was that we in a very short time – you know, it was just about two and a half years into our mandate – reduced child poverty in this province by 50 per cent. Fifty per cent: that's extraordinary. It is about political will. It is about specific decisions that this government is making. They are deciding: "No, it's okay. Let's keep all the money in the hands of a few, and let's make all Albertans pay for all sorts of things." And here in this bill it's tolls. We're going to have tolls on new infrastructure. They're saying, too, that these tolls can cover all kinds of costs. The UCP had said previously that it was just going to be about capital, but now we know that it could be about maintenance, which might be snow clearing. It could be about equipment, moving of utilities, traffic lights, financing interest costs, toll collection enforcement, rehabilitating the road, fixing the potholes, repaving. Of course, government will outsource the tolls to private companies or an entire toll road project to a private company, and if a payment is missed, government has not capped the interest rate on the bill.

So once someone pays, if they have some difficulties, some challenges – and we know that we're all experiencing challenges right now with COVID-19. We all know very clearly that the oil and gas sector – there's been a huge sea change with the global price of oil plummeting, and, you know, people are moving to more green energy, so there are really a lot of challenges in that sector. So many

Albertans have worked in that sector, and so many are very vulnerable. So it's disturbing that at this time the government would continue to think about ways that they're going to make average Albertans pay more but, of course, not those big corps who get the \$4.7 billion giveaway.

Here's another example of just ways that the average person will have to pay more. We know also that, you know, if there is difficulty with paying, there's sort of no cap on the interest, and the maximum fine on a toll road is \$2,500, which seems extraordinary. Like, that's quite high. I mean, I don't know how they came up with that number – that might be something the minister can explain to us – but it seems unthinkable that someone would have to pay that kind of money if they're just using the regular infrastructure here in our province.

Another part of it is that the government is allowing collection agencies to be sent against people who have these unpaid fines and tolls. That's also going to make it very difficult for some people. Again, it's just a poor decision by this government, so of course that's why the Official Opposition will not support this bill. Certainly, the Member for Edmonton-Ellerslie said: this is another of the Premier's dishonest ways of making life more expensive for Alberta families to pay for the \$4.7 billion corporate handout.

Also, certainly, we know about that sort of specific situation, Tompkins Landing near La Crête. You know, the government has said repeatedly that the community wants very much to have a toll bridge built because it's so far down the government's priority list that they're happy as a community to pay for the tolls. But, again, our critic for Transportation, the Member for Edmonton-Ellerslie, said: this is almost like blackmail. Certainly, the minister says that a project he couldn't justify building can jump to the front of the queue if the community submits to tolling. This sends a clear message to municipalities across Alberta that their critical economic projects will drop down the priority list unless they submit to tolls. We're going to see many more of these toll roads. That's very concerning, that this government may decide that that's how it's going to happen, again, more burden on the average Albertan instead of seeing that as part of communities having funding.

And to have different parts of the province sort of geographically have priority over others at different times – certainly, as the previous Minister of Seniors and Housing there'd be communities that wanted a seniors' facility, for example, but Edmonton, Calgary had much more demand. They had more people and all of this stuff. But we didn't just ignore those small communities at all. We understood that they also needed to be supported, and we had a comprehensive plan so that rural Alberta could be supported. We didn't say to them: oh, well, you have to make sure that there is money for this and that and the other thing.

We made sure that everybody was considered even though it sometimes was a little bit like apples and oranges. But we cared about all of Alberta, and that meant the rural. I think 30 per cent of my budget was in rural Alberta, which is kind of, you know, appropriate considering that that's about 30 per cent of the population. Edmonton and Calgary each have about 30 per cent or so. It's a little bit more work for government. They have to think a little bit more about: how can they sort of juggle all the things that the rural communities need as well as the major centres and certainly our many cities in the province?

8:50

But, certainly, having tolls is not a way to make Alberta a more fair province. It's going to actually create more inequality, and that's something that, for me, as I've talked about before many times in the House, is one of the reasons I ran, because I felt like

there was a certain group of people who were always getting the support and that there were many, many people that I served as a social worker – certainly, in my lived experience as a single mom I felt that it wasn't fair and that there were certain people in certain types of work that would get more support.

I really am challenging this government, when they make their decisions and when they sit around the cabinet table or whatever other tables where the decisions are made, that they are remembering all Albertans and not just sort of a select few, that there is a diverse understanding. I mean, that's one of the ways that you can make good decisions, if you do have some good diversity around that table: you have indigenous representation, you have women around that table, you have different ethnic groups, you have different ages, you have representatives from the LGBTQ community.

That's really a very important way to make good policy because – you know what? – there may be no malintent by the people around the table. They're making the decisions as best they can with their perspective. But they don't have the lived experience of an indigenous person or, for example, in my perspective, being a single mom. What does that mean? How does that colour my perspective? Well, you can't assume what I need. What's best is that you have people around the table making those decisions. I would venture to say that that didn't happen on this legislation development here and that, you know, it was just a bit of the old boys' club that made these decisions, of course, creating more inequality for our province, which is nothing that we should be proud of.

Certainly, I think I've made this very clear, but our Official Opposition does not support this legislation. We think it's a move in the wrong direction to put tolls on infrastructure in our province, even if they are the new infrastructure only. It's a broad definition of "new," as I've said before, because it is also if something is twinned or expanded. Something like that is also inclusive in this new definition. I think that it's taking Albertans in the wrong direction, and I just challenge the government to not pass this legislation. I don't think it's going to serve Albertans.

But I hope the minister does get up and speak a little bit about some of the rationale for how come the UCP decided to go in this direction because, as I've said previously, during the campaign they said that they would not. It is, you know, incongruent. Maybe he can explain that incongruence a bit. That would be helpful.

Then I guess the other question, too – and I've already mentioned it – is: why are the fines set at a maximum of \$2,500? Like, where did that number come from? Isn't that kind of an extraordinary number, quite high? Why not cap those interest rates on fines, tolls, penalties so that it doesn't become totally impossible for Albertans to be able to pay? Also, why are there no consumer protections in this legislation?

Also, an explanation about what they mean by consultation: like, can he explain that a little bit more? Certainly, as I gave an example earlier about my professional college – you know, what do they mean when they say that? Help us understand that. Certainly, what's been demonstrated since this government took office is that they've been pretty cavalier about what consultation is, and it's not very robust and certainly not very wide ranging. I think that any government: it's incumbent on them to really be responsible for reaching out to the stakeholders, reaching out to the people who will be impacted by the legislation. Having a sincere process that's not just checking a box, that is actually sincerely wanting to hear from Albertans regarding this is really quite important.

Also, why are you allowing legislation for private toll operators to send collection agencies after people? I mean, is this a good idea? You know, I can think that's only going to create hardship for Albertans and a bit of misery. Certainly, it's a government. I

understand that you represent the people. You want to be supportive of them. This already is an extraordinary new move, like, away from how we'd regularly be doing this.

Thanks.

The Deputy Chair: Thank you, hon. member.

I see the hon. Minister of Transportation has risen.

Mr. McIver: Well, thank you, Mr. Chair. I'm happy to talk on Bill 43, a bill that we're very proud of. I'm actually very pleased that the NDP is not in favour of it because that really shows who's in touch with Albertans and who isn't, because we were asked for this. This is something that we were asked for. As I've explained before – and the hon. member either didn't pay attention or didn't care; I'm not sure, but the fact is that I've explained it in this House before – we went up there to tell the good people in northwestern Alberta that we were going to replace their aging ferry in a couple of years. They told me and my staff in no uncertain terms that they didn't want another ferry. They demanded a bridge.

The hon. member talked a little bit about listening, but she should be listening now because she might learn something, because this is an exact example of listening. We said, "Okay, well, that's not to our plans, but because we're listening, we'll look into that." We did the math, and we said: "No. I'm sorry, folks. There is zero chance you're getting a bridge, not because we don't like you, not because it's not an important thing but because, based on the amount of traffic there, it's something that we would never do for any other part of Alberta with the traffic count, especially for the bridge, that's, like, 800 metres long, that might cost as much as \$200 million." It just didn't make sense. It would have been unfair to the rest of Alberta to do that.

They said: "Well, we want a bridge, and we'll pay for it. Give us an idea of what that might be." Of course, we don't know that it'll be a toll or not, at any rate now, because we can't ever make that decision until the legislation passes, and we can never assume the decision of this House until it happens. But we said, "If we came forward and if the House approved it and if we did this, we estimate that a commercial truck, an 18-wheeler, for example, would be in the neighbourhood of \$150 per crossing, and for a passenger vehicle it would be probably be between \$5 and \$20 per crossing." And they largely said: "Let's do it. Get it done. We want you to start now. Let's go."

In fact, we met with the municipal council for Mackenzie county, the municipality there, and they unanimously said: "We want it. Charge us a toll. We want the bridge." And they sent a letter. We got a letter, which we've tabled in this House, that actually shows that the county wants it. Again, this is an example of us listening, exactly the opposite of what the member that previously spoke said. Hopefully, this is a learning opportunity for that member.

Further, I know the folks on the other side – another reason I disagree with this is that they seem to hate business. They always talk about the profitable corporations in Alberta as if they're evil. Well, Mr. Chair, in many cases they're the ones that provide us mere mortals jobs. It's a proud and honourable thing to have a job, no matter what work you do. You know, whether you're at the top of the pay chart or the bottom of the pay chart, all work has dignity, and it all matters, and it's all important. But a lot of those jobs are provided by the profitable corporations in this province, who should be thanked and not despised as they are by the people on the other side of the aisle.

9:00

Further, Mr. Chair, guess who's paying for this bridge if indeed we have a toll on it? It'll be the profitable corporations because

they're the ones that own the trucks that will be paying in the neighbourhood of about \$150. We don't know the exact number. It'll be the profitable corporations that'll be paying for this bridge. The NDP talks about – you know, they hate doing anything for the profitable corporations, and they even hate it when you make them pay for infrastructure. I'm not sure what they like. They seem to hate a lot of things. I'm not sure what they like, but they hate a lot of things. I'm pretty sure of that.

Mr. Chair, we like everybody. We like the working people. We like the profitable corporations. We like the poor corporations, unprofitable, although if they're unprofitable, there's no guarantee that they're going to be around for a long time. But we like them anyways. Everybody that's trying to provide value and do work and create value in Alberta we like, because the efforts, big and small, all matter. That's what makes this province great. This is a place where people can come and make efforts and make Alberta better by making those efforts. Whether they're at an entry-level job with the lowest pay or whether they're the most profitable corporation with the highest pay, all their efforts matter. It all helps build Alberta. It all helps make our province better, and we try to work with all of them.

This is a case where we're working with the profitable corporations that will probably be paying, in most cases, something in the neighbourhood of \$150 to cross this bridge. We also like the people that might be unemployed, for goodness' sake, or who might have an entry-level job that might pay the \$5 to \$20 for their automobile to cross the bridge. We like them, too.

While I'm sure that you can find some people that don't like this idea, I was up there a couple of times, and boy, oh boy, did I get a strong message. Whether they're the working people, that matter so much, or whether they're the most profitable corporations, they in most cases, in both areas, want it. The hon. member that just spoke was actually really out of line and kind of suggested that we only listen to certain people. I tell you that we consulted with indigenous brothers and sisters, we consulted with working people, we consulted with the municipal council, and we consulted with the chamber of commerce. Again, I'm sure that you'll find somebody that doesn't like the idea, but I can assure you that the vast majority do.

This actually is us listening, which would be a good lesson for the NDP. I know that when they were in government, what they called listening was to trot somebody to the minister's office, and the minister would play video games for half an hour. They'd say, "Time is up; I can check the box, and you can go now," and they wouldn't get a word out of the minister in many cases. That's what passed for consultation in this province for four years when the NDP was the government. [interjection] Really, I hear heckling from one of the people that was likely part of that. I heard from lots of people in the business community that that's what they got. The NDP despised business. We don't. We work with them. We work with working people, we work with businesspeople, we work with indigenous people, and we work with unemployed people. We try to make Alberta better for everybody, and this legislation is an example of that work and of that listening.

I'll take you, Mr. Chair, and the hon. member back. We had no intention of building a bridge. We were going to replace their aging ferry with a new ferry. This is us listening, this is us giving Albertans what they want, and this is actually us letting some of the most profitable corporations in the area pay for the bridge because they want to. They told us they want to.

Mr. Chair, I'm sorry that the House had to listen to a bunch of nonsense, but I've tried to straighten out – I probably missed a few points – some of it and let the House know that this is information that was born from listening to Albertans. The form of the legislation lives from listening to Albertans. Like I said, I'm

actually happy that the folks on the other side don't like it because it really shows who's in touch with Albertans and who isn't. It's those folks that are not in touch with Albertans, and on this side of the House we actually listen to them no matter who they are.

The Deputy Chair: Hon. members, I see the hon. Member for Edmonton-City Centre.

Mr. Shepherd: Thank you, Mr. Chair. I appreciate the opportunity to rise and speak to Bill 43 and, in particular, to have the opportunity to follow that lovely speech from the Minister of Transportation. Indeed, the minister spoke very proudly of being a government that listens. I would say that this is a government with incredibly selective hearing.

The minister talked about how he was very proud on this bill that they consulted with the indigenous communities. I can tell you they certainly failed to do that on the bill on forestry. This is a government that says that they like to listen. I can't tell you the number of health care workers or doctors or other front-line health providers who are on the front lines right now of COVID-19 and who have written to my office or whom I've responded to when they CCed me on their e-mails to their UCP MLAs, some of whom sit in cabinet, and who have responded to me to say: "Thank you for responding, because I never heard from my MLA. They have not responded to me. They have not gotten back to me." Countless times. The minister can rise and pat himself on the back all he likes, but there are far too many Albertans who know the truth of this government, and that's that they listen to who they want to listen to.

Now, on this bill in particular, the minister talks about how he listened to the folks in La Crête on this and that that's why he's bringing this legislation forward, for that one particular situation. The thing is that it goes far beyond that one situation in La Crête, Mr. Chair. If that were simply the only situation that he wished to solve, there could have been many other ways to do that other than a sweeping power, which his government is choosing to take for itself in Bill 43. To be clear, for a government that likes to pat itself on the back for listening and engaging in plain talk and being up front with Albertans, this is a government which utterly failed to do so on this particular issue.

Nowhere in the UCP election platform will you find the words "toll road." Nowhere will you find mention that they were considering that as an option for any and all new transportation infrastructure in the province of Alberta. Indeed, when this was raised, when the Premier mused about alternative financing, they adamantly denied that it would apply to anything other than perhaps some industrial infrastructure somewhere. Those profitable corporations which the minister was talking about: they would be the only ones who would be asked, perhaps, to pay some sort of a user fee for access to transportation.

That is not what we have in Bill 43, Mr. Chair. This goes well beyond any industrial infrastructure and indeed goes well beyond that to charging everyday Albertans, potentially, for any new piece of infrastructure that this government decides. Now, the dishonesty of this government has been clear from the beginning. I mean, Albertans have come to know that this is a government that likes to play fast and loose – actually, in all honesty, they're very precise with their language, and you'd better read the fine print.

You know, they're using the term "alternative financing." It's much like when the Premier promised that he would not actually touch the income tax rate in the province of Alberta. That was a great, grand promise that he made. So what did he do instead? He deindexed the income tax rate, which accomplished exactly the same thing. But the legalese, that fine-print kind of language that

you would find at the bottom of an insurance contract, allowed him to rather seriously mislead Albertans about his actual intent – I withdraw that. Or allowed the government to. I would not refer to an individual as misleading, but certainly this government did, and the UCP election platform used language which misrepresented the intent of this government in what they have proceeded to do. Now every single Albertan is paying more income tax every single year thanks to this government.

9:10

But they used incredibly precious and misleading language to hide that, much as they did here when they talked about alternative financing for infrastructure in the province of Alberta or much as, perhaps, when they talk about: we're not selling any parks, Mr. Chair. Delisting perhaps, moving them to alternative arrangements, perhaps letting them revert to Crown land, at which point they might disappear, but not selling any parks.

This is not a government that is interested in dealing straight with Albertans. This is not a government that is putting forward legislation based on an honest contract. Yet this is a government which is taking for itself some fairly sweeping powers, unlike any government in Alberta has before, in regard to transportation infrastructure. But it's not surprising, Mr. Chair. This is also a government which is very fond of downloading costs onto other people.

You know, there was a bit of a Twitter tirade the other day from the Minister of Justice trying to claim that this government did not in fact cut police funding. They cut police funding, Mr. Chair. Now, of course, they didn't cut the main grants, that are above board, because, again, this government doesn't do anything above board or straight with Albertans when it comes to that sort of thing, much as with the Education budget, the same thing, trying to claim that they made no cuts to Education. Every single school board in this province will tell you that they did. But, again, this is a government that likes to play fast and loose with the truth.

It has all sorts of artful ways to obfuscate what they are actually doing. Even though the Minister of Justice apparently found time on the weekend to write his own press release or to commission his staff to do so because the opposition critic made him angry on Twitter, the fact remains that he cut the funding for police to municipalities in the province of Alberta. Much like this government was not straight with Albertans about its intent to bring in user fees, toll roads that would cost everyday Albertans, not just the profitable corporations or unprofitable corporations, they did indeed plan to bring in toll roads on a wide range of new infrastructure, not just industrial. That is indeed what we find in Bill 43. Yet, Mr. Chair, while this government is happy to download costs onto other people, it will not even take up the small investment that would be required to get \$300 million that could be going to front-line workers in the province of Alberta.

Bill 43: new enabling legislation basically allowing this government to put tolls on any new highway infrastructure and defining that very broadly, Mr. Chair, again giving themselves some very broad and sweeping power. Now, in the hands of a trustworthy government perhaps – even then I think Albertans would have good reason to say: okay; well, what exactly are they enabling themselves to do? Again, to be clear, this is something that will drive up costs directly on Albertans. This is essentially another form of tax, a very localized one. But for a government which swore it would not raise any taxes on Albertans, that is precisely what it is doing here, however targeted it might be.

In this case they are allowing themselves to place that tax on any thoroughfare, street, road, trail, avenue, parkway, driveway ...

A driveway, Mr. Chair.

... viaduct, lane, alley, square ...

I'm not aware that many vehicles travel across squares. Churchill Square in downtown Edmonton here sees very little vehicle traffic, but they've given themselves the ability to toll one.

... bridges, causeways, trestleways ... whether publicly or privately owned.

That's extremely broad, and for a government which, as I have clearly outlined, is incredibly disingenuous with its language, far less than honest with its intents, and certainly has not been straightforward with Albertans about the kinds of costs that it intends to download onto them, for this government to then take to itself this kind of sweeping range of definition to drive up costs to a locally, indirect, and very focused tax on Albertans – I think Albertans have good reason to question that.

Now, of course, the government will argue: well, we've put in some clear provisions to put some boundaries, some fences around what we are actually allowed to do with this legislation. Let's take a look at the limits, so to speak, that this government is putting on themselves with Bill 43.

They said: well, wherever there is an alternative and toll-free route, there will always be another way to get there. Now, I'm not sure that I trust this government to determine when that is indeed a reasonable thing, not when it's headed by a Premier which mused: well, making changes to AISH wouldn't be onerous. That's the voice, Mr. Chair, of someone who has an incredible amount of privilege utterly failing to understand the impact of his actions on those who have far, far, far less. If this Premier could make that kind of a judgment about some of the most vulnerable people in Alberta who are living below the poverty line and say that it was not onerous for him, again, breaking a promise, a direct promise in his election campaign, choosing to deindex AISH from the cost of living, meaning that that small increase that would just help off-set the cost of living every year, taking that away – that is not onerous in his view, and that's the person who's going to decide whether or not it's reasonable that there is an alternative and toll-free route in a particular area.

Again, in the hands of a government which is so disingenuous with its language, which fails to play straight with Albertans on so many aspects of when it is driving up costs on them or on their local municipality, which in turn drives up costs on them, as this government is also fond of doing – I do not trust them when they say that there is an alternative toll-free route, that for those who cannot afford that \$5 to \$20 per trip that the minister spoke about, his government is going to offer them a reasonable alternative.

Secondly, the limit, quote, unquote, that this government is putting on itself is that new tolls will only be on a new piece of infrastructure. Now, again, as we have heard much discussion about, we know there are situations like the Deerfoot Trail in Calgary, for example, where we may need to add an extra lane, or say we need to add an extra lane on the QE II. Then this government could take it upon itself to say: well, any new additions to that you will have to pay to use. Now, will there be equal maintenance on the old road and the new road? Well, that we don't know, Mr. Chair. Will both be kept up to speed? Will both get the same quality of maintenance and snowplowing in the winter? Will we be having a pay-to-play situation where you can pay and access the good piece of road or, if you can't afford to pay, well, then you can take the more dangerous piece of road? Two-tier apparently isn't just for the health care system in the eyes of the UCP, perhaps also for our roadways.

Lastly, this government says that it will limit itself to only do this, only put in a tolled piece of infrastructure, a tolled thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley,

square, bridge, causeway, trestleway, whether publicly or privately owned, if they have engaged in community consultation. Now, the minister, again, took a little victory lap and gave himself a pat on the back for, in his view, the incredible quality of consultation under the UCP government. We have seen what consultation means to this government, Mr. Chair. I spoke at great length on Bill 47 about the incredibly brief window of extremely targeted consultation in which this government engaged this summer before it went forward with making sweeping changes to OH and S, WCB, that will have serious effects on thousands of Albertan workers who were not included in this government's consultation.

9:20

Indeed, going back to talking about parks in the province, we saw the quality of their recent town hall, Mr. Chair, where many Albertans who had tuned in saw their ability to ask questions shut down and instead saw government MLAs asking questions from constituents, quote, unquote. We have seen the quality of consultation in which this government engages. We have seen the panels they put together for themselves where they hire people to tell them what they already had decided they were going to do, where they pay people to tell them or get people to tell them what they want to hear. This is a not a government, as I have outlined at some great detail, that is interested in honest engagement with the people of Alberta. This is a government that is deeply entrenched in ideology, that has already decided what they want to do and has already decided how they see the world and has no interest in any Albertans who see it differently.

I do not believe for a moment that – even in this situation I will grant that it sounds like indeed the people of La Crête have asked for this. I mean, of course, they asked for this after the minister came to them and said that this was the only way they would ever see this piece of infrastructure, which isn't presenting much of a choice, Mr. Chair, but fair enough. Even if we take him at his word in this situation that he has in fact listened and that that is what, indeed, all the people of La Crête are asking for, I have no faith that this government would not misuse this provision that they are giving to themselves, this vast power they are taking on, again, over such a wide range of infrastructure in the province of Alberta, because time and again we have seen that they are willing to be utterly disingenuous in using every single regulation, legislation, lever of power that is at their disposal, time and again and again and again.

As the Health critic I can tell you that I've seen it, from the bill they passed giving themselves the ability to tear up the contract with physicians in the province of Alberta to going ahead and doing so at the end of February and then using every single tool they had to try to grind down physicians, family physicians in particular, Mr. Chair, in the midst of a global pandemic. And going back to the minister patting himself on the back on how well this government listens: no; they refuse to listen. That's not the only case. We've seen that in education. We've seen that in child care. We have seen that in every aspect of how this government interacts with the people of Alberta. Arrogance and entitlement.

With this bill this government is also taking on the ability now to use tolls to cover all costs. Now, the UCP claims that it's only for capital, only for the construction, but that's not what the legislation says, Mr. Chair. Those tolls can cover the new build capital costs but also maintenance, including snow clearing, toll equipment, moving of utilities, traffic lights, financing and interest costs, toll collection and enforcement, and rehabilitation of the road. Again, this government is giving itself vast power to impose further taxes on Albertans, both these profitable corporations and individual Albertans. For all it loves to pat itself on the back for lowering corporate taxes and as much as it tries to deny ...

The Deputy Chair: Thank you, hon. member.

I believe the hon. member who caught my eye in this case is the hon. Member for Calgary-North.

Mr. Yaseen: Thank you, Mr. Chair. I rise to speak in support of Bill 43, Financing Alberta's Strategic Transportation Act, proposed by my colleague the hon. Minister of Transportation. Alberta's recovery plan is a bold, ambitious, long-term strategy to build, diversify, and create tens of thousands of jobs. By building schools, roads, and other core infrastructure, we are benefiting our communities. By diversifying our economy and attracting investment within Canada's most competitive tax environment, we are putting Alberta on a path for a generation of growth.

Alberta's government tabled Bill 43, the Financing Alberta's Strategic Transportation Act, or FAST Act, to enable new or expanded transportation infrastructure projects by collecting user fees or tolls. Alberta has an extensive highway network, Mr. Chair, that requires significant investment to maintain and rehabilitate about 64,000 lane kilometres of roads and almost 4,600 bridges and interchanges. The MacKinnon report identified that maintenance and rehabilitation of existing infrastructure must be prioritized over new construction.

Under Bill 43, Mr. Chair, the first project is the construction of a new highway 697 bridge over the Peace River to replace the aging La Crête ferry. Support for the highway 697 bridge project was identified through letters of support from Mackenzie county and La Crête chamber of commerce, two in-person online engagement sessions and follow-up telephone meetings with indigenous communities unable to attend in person. A new bridge had not been identified in previous capital plans, Mr. Chair; however, Mackenzie county and La Crête chamber of commerce have both advocated for a user fee to build the new bridge now.

By building new roads and bridges now, user-financed construction will strengthen economic growth and competitiveness at a time when Albertans need it most. While the FAST Act explicitly forbids user fees on existing lanes and bridges, it will add to government-funded infrastructure, meaning faster commutes and less congestion while unleashing economic potential through speeding up commerce.

Importantly, those Albertans who do not wish to pay user fees will still have toll-free alternatives. If you do not want to pay a toll in Alberta, you will not have to pay a toll, period. Mr. Chair, Bill 43 stipulates that revenue collected can only cover the cost of new infrastructure or expansion to existing roads and bridges – revenues cannot be used for general revenue purposes; additionally, user fees will stop once the capital cost of the project is paid off – and only enables user fees if there are toll-free alternatives. Bill 43 mandates that Albertans be engaged before a project can be built using user fees. Both criteria are entrenched in the legislation itself.

User fees have been used successfully in many other jurisdictions within Canada, Mr. Chair, including the Coquihalla highway in British Columbia, highway 407 in Ontario, the Deh Cho Bridge in Northwest Territories, and the Confederation Bridge between Prince Edward Island and New Brunswick. The Alberta government knows how important your time is. Every moment that can be cut from your commute or a trip is more time that you can devote to your priorities in life, enjoying the wonders of Alberta, or spending more time with your family. We believe in giving Albertans a choice in travel. That's why we have introduced the FAST Act to allow our government to build new expanded infrastructure funded by user fees.

9:30

Again, the point in note here is, Mr. Chair, that at no point will you be required to pay a user fee. People can always continue to travel for free on existing roadways. However, it is worth noting that only a user-fee-financed bridge could replace the unreliable seasonal ferry at Tompkins Landing. The Alberta government has worked collaboratively with our communities and industry to advance the request for a user fee to help off-set an all-season highway 697 bridge cost. Access to a permanent crossing would reduce wait times and increase the productivity of our agricultural and trucking industries, Mr. Chair. The La Crête chamber of commerce supported a collaborative approach to user fees to fund the bridge. They are more than confident that this will be a significant win for the industry, residents, and our province.

User-financed construction will strengthen economic growth and competitiveness at a time when Albertans need it most, Mr. Chair. This initiative is all about providing new infrastructure options without raising taxes on Albertans to pay for it. Bill 43 will help support economic growth, create jobs across the Peace Country, and further additional strategic transportation projects. This means faster commutes and less congestion while unleashing economic potential through speeding up commerce. Alberta's government has been transparent. We face fiscal reckoning. We need to find creative ways to build new infrastructure projects that would not otherwise be built or built faster. The use of user fees may accelerate capital spending in areas that support economic growth and trade.

In summary, Mr. Chair, this bill proposes tolls with consultations with the users and provides alternatives for those who will not use the infrastructure. Thank you.

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Chair. It's a pleasure to rise tonight and speak to Bill 43, Financing Alberta's Strategic Transportation Act. I think that it's been very informative to hear from my colleagues here, particularly the Minister of Transportation and other government members but also, of course, my colleagues here in the opposition as well. When we talk about the issues around toll roads, when we talk about the issues around charging Albertans to use their infrastructure, charging Albertans to use their roads and making every single Albertan pay more to get to work, I think that it's important that we note the government has spent quite a bit of time elaborating on how, if an Albertan doesn't want to use a toll, they don't have to. The government has said that many, many times in this place when we debate this bill. Indeed, the government has said that many times and made it a point that the opposition is incorrect because of that. I want to take the government at face value. I want to believe the government when they suggest this. I want to actually accept that the government intends for there to be alternative routes for Albertans to take. But I think it would be reasonable if we ensure those routes are reasonable.

At this point, Mr. Chair, I'd like to move an amendment. I will have this sent over to the table before I continue.

The Deputy Chair: Thank you, hon. member. If you could please read it into the record for everybody's benefit.

Everybody, if you want a copy, you can put up a hand. However, there will also be copies, of course, available at the tables to the sides of both entrances.

If the hon. member could please continue.

Mr. Dang: Thank you, Mr. Chair. I would move that Bill 43, Financing Alberta's Strategic Transportation Act, be amended in section 1 by striking out clause (h) and substituting the following:

- (h) "non-toll alternative route" means any reasonable alternate route that
 - (a) a person operating a vehicle could take to reach the person's destination without paying a toll required to be paid under this Act, and
 - (b) does not increase
 - (i) the distance a vehicle must take to reach the person's destination by more than 50 kilometres, or
 - (ii) the average time it would take the vehicle ordinarily travelling on the route to reach the person's destination by more than 30 minutes.

Mr. Chair, I think that it's very clear the government has already broken its election promise to Albertans, right? During the campaign the Premier said that the NDP was fearmongering when we claimed that he wanted to bring in tolls. Now with this Financing Alberta's Strategic Transportation Act we see that simply to not be true, right? We see that indeed the Premier did bring in toll legislation. It was the intent of the Premier to bring in toll legislation, and this government indeed misled Albertans during his campaign.

Mr. Chair, they're bringing forward legislation that allows them to toll almost everything in Alberta. Some of my colleagues and at other stages of this bill: we talked about and belaboured the point of what the definition of highway under the transportation safety act is, right? We know that in Alberta a highway is every new lane, every new bridge, every new alley, every new driveway. Those are all legally considered a highway.

Mr. Chair, it's very clear that this government broke their promise to Albertans. They did it without consultation. They did it without any input. It's very clear that it doesn't make sense to have this brought in, but it's also clear that this legislation, due to the broad-ranging scope of its implementation, due to the language that the government has made a policy decision to use, which is that it can include every single highway in the province: it's not a piece of legislation that's designed for one project, as they've been trying to say. We've heard government members speak about this one particular project that it would be beneficial for; indeed, it seems like it can be for any project in this entire province.

We know that the Minister of Transportation in the media actually even suggested that highway 2 and Deerfoot Trail would be tolled in the future if the expansions would be made. Mr. Chair, when we look at the evidence before us, when we look at the reality before us, it seems that it would only be fair that if a tolled road or bridge is introduced in our province, an alternate nontolled road is provided. We know that the government agrees with us because they've included that in the legislation, but the existing bill does not include provisions for making sure those routes could be travelled reasonably without the toll fees.

Mr. Chair, we're hoping that this definition, bringing in these additional clauses, would clarify and make sure that Albertans have a reasonableness expectation, that Albertans wouldn't have to drive hours and hours and hours out of their way to avoid toll roads and that they wouldn't have to drive hundreds and hundreds of kilometres. It's pretty clear that if an Albertan has to drive, let's say, three, four, or five hours to avoid a toll road and hundreds and hundreds of kilometres, it simply is not feasible for the average Albertan to take the alternate route. It simply would not make sense for an Albertan to take an alternate route.

Mr. Chair, when I hear the government and the Minister of Transportation talk about how he wants to bring in toll roads on

major pieces of infrastructure in the very near future, when he's talking about things like the Deerfoot in Calgary, when he's talking about things like the highway 2 – when we were in the government, when the NDP was in the government, we announced a significant expansion to the Anthony Henday Drive in southwest Edmonton in my area that I announced with former minister Brian Mason. With a project like that, if it was tolled – this legislation would allow the government to toll a project like that – there are hundreds of thousands of Albertans who will be significantly harmed because of that.

I hope that we can find some reasonableness, we can find some agreement that we do need to have clauses in place that are restrictive and are prescriptive, because this government has left this legislation to be completely wide open to allow them to effect any new project across the entire province. The government claims that's not their intent, but it clearly is not the case or else this minister would not be musing in public to the contrary.

Thank you.

9:40

The Deputy Chair: Thank you, hon. member.

Are there – I see the hon. Member for Brooks-Medicine Hat.

Ms Glasgo: Yeah. Mr. Chair, I just wanted to offer some comments. Would I be able to see a copy of the amendment, please? Thank you. I just want to thank my hon. colleague from Lethbridge-East for offering me a copy of his amendment. I seem to have misplaced mine.

I want to thank the hon. Member for Edmonton-South for bringing this amendment forward. It's great to see so many members engaged in this debate tonight. I just wanted to get up and speak about some of the things that I have heard this evening. You know, we're talking about tolls, and the bill is literally called Financing Alberta's Strategic Transportation Act, and for nerds like me hearing that the acronym spells FAST is also very exciting. I think there should be a competition for the best name of a bill so far, and this is definitely up there. I just want to thank the Minister of Transportation for such forward-thinking policy and thoughtful policy as this.

It's been referenced a few times that in the election the Premier had rebutted things such as tolls. The Premier was very clear to state that there'd be no tolls on existing infrastructure, which is something that our entire caucus obviously supports. Albertans need to be able to get where they need to go and do that easily and efficiently. Of course, living in a rural part of the province or a part of the province such as I do, way far in the south – I mean, we're not even that isolated compared to some areas of the province – I think, you know, we do need to have this ability to get from here to there and do so easily.

One of the ways that we travel is, obviously, by highway. No thanks to COVID-19, our transportation options have been severely limited. I know, for myself, there used to be two airlines flying out of Medicine Hat; now there's only one. Thank goodness it's WestJet, but there's still only one airline, and there's only one flight a day, and for a long time that flight was only twice a week. So transportation in the south is a little bit difficult.

I'm from a more populated area, unlike some of the members. I mean, the Member for Drumheller-Stettler spoke earlier today about Internet access, and for sure areas like his are even less populated than mine, so I can only imagine the difficulty in transportation out there. For us, getting somewhere, being able to get to your job: that's extremely important.

One of the growing industries in southern Alberta, obviously, is agriculture. Agriculture contributes over \$9 billion to our economy

every year. In the south we have a very perfect scenario, you know: it's hot; it's hot as heck if you've come down to visit us. I know there are some ministers and even the Premier came down to visit us in July, and every time they come down, they comment on: why is it so hot here? I have many theories, but none have proven to be true besides the fact that it's just Medicine Hat: if you don't like the weather, wait 10 minutes, but chances are it's going to be hotter than heck. Yeah. There were days when we were hotter than some tropical places this summer. I know that the day of my nomination it was sweltering, for lack of a better word.

But this also provides a really good opportunity for lots of sunlight. Medicine Hat is one of the sunniest cities in Canada. I believe it's actually the most sunny city in Canada on average. And that's not just our demeanour, Mr. Chair; that's because we actually do get a lot of heat units around Medicine Hat, which makes us able to grow really exciting crops and makes our farmers increase their yields as well as to be able to grow more expensive crops, cash crops.

One of those things coupled with advanced irrigation infrastructure, which is also something I've advocated for extensively, is that we need to be able to get those products to market. Much like oil and gas needs, say, a pipeline or other methods of transportation, we need to be able to get our products to market in the agriculture industry. One of the ways of doing that was highway 3.

The highway 3 corridor was – I mean, I went to school in Lethbridge, so I travelled on highway 3 from Medicine Hat to Lethbridge, like, just about every week, sometimes twice a week, and, my goodness, that highway was a doozy. It's packed. I'm looking at the Member for Lethbridge-East; he knows exactly what I'm talking about. The highway is never not busy. There are many times in the year where you are lucky if you don't get stuck behind farm equipment, because chances are that you're going to. They build houses in Bow Island, and – fun fact – you will probably get stuck behind a full-size house on a single-lane highway. You know, if you're thinking as a trucker, somebody trying to move this essential product to the plant down the road or anywhere else, this is going to get really complicated. In southern Alberta we've often called ourselves the forgotten corner, especially southeast Alberta. We have, through consecutive governments, felt as though nobody really listens to us and that if we need something, we'd better do it ourselves because help is not coming.

Now, I was surprised, I have to say – and I said this to the Minister of Transportation – when he said: let's talk about highway 3. I was going: what the heck? To my knowledge, it wasn't on the government's list of priorities, and lo and behold, after the minister's extensive consultation there was an announcement strategically to enhance our infrastructure – and this is not a toll road, might I add – to expand highway 3 between Burdett and Taber. Now, that's not my riding, so the minister and I have to have a little discussion sometime soon.

You know, I do really applaud the minister for this forward-thinking step. Although it wasn't on the government's list of priorities, although it wasn't something that we saw coming in the south – I, honestly, never thought that, especially in these four terms, with the fiscal reckoning that we are facing, there would be any way that highway 3 gets expanded. The Minister of Transportation took it upon himself to listen to communities and really engage with them to see what they needed and what our industry needs, and that, ultimately, is diversifying the economy. We need to make sure that we are having the infrastructure to thrive, and then that's exactly what this minister did.

You know, when we see things like this amendment and we're talking about, like, nontoll roads or whatever else, it's one of the

reasons why this bill was created, to be able to be innovative and just show Albertans that we can find other ways of doing things. I know that in our conversations as a caucus in leading up to this piece of legislation, the Member for Peace River illustrated – you know, we were all kind of hesitant. We were going: well, do you really need that, or how is this coming? The member and the minister presented to us and showed us, you know: look, these members from Peace River and Mackenzie county need this bridge, and they're willing to pay for it. At that point the government would be, I believe, irresponsible not to explore those opportunities to try to find ways to lessen the burden on the Alberta taxpayer.

We've heard a lot of pontificating about the importance of taxpayer dollars tonight, which I find ironic given the record of the previous government. You know, this is a way to actually enhance, to make those dollars go further, to make sure that we have that ability.

I heard from the Member for Edmonton-Riverview earlier tonight about, you know, this focus, about how things usually get focused on Calgary and Edmonton. Like I said, I'm very used to that. I'm from southern Alberta. We usually see something. We see funding come out, and we hear "Calgary and Edmonton," and we go: yeah, yeah; I figured. It's really, really refreshing from this government to see municipal stimulus funding, to see transportation funding, to see strategic infrastructure funding coming to southern Alberta, specifically in the areas of agriculture and irrigation.

I just wanted to say, you know, that in the Transportation budget, actually, just in my constituency alone there are 12 kilometres of paving on the 550 from Rosemary. There are 90 kilometres of paving on the Trans-Canada highway, Bow River deck rehabilitation, South Saskatchewan River bridge deck rehabilitation – try to say that one three times fast – bridge girder repairs on the Trans-Canada highway, intersection improvements for the Trans-Canada at highway 3. These investments are so important because they show that our government is listening outside of Calgary and Edmonton.

Now, these are things that our communities have asked for. These are priorities that municipalities and others have put on lists and said: look, government, we need you guys to fund this; we need this to be rehabilitated. So I have every faith, especially in this minister, who has shown himself to be a seasoned and professional member of our caucus and a member of this Legislature for quite some time now. I believe he's the longest standing member in the Chamber. You know, he has shown that he is willing to listen, and I will say that I've been more than impressed with his ability to listen and act for southern Albertans. I will say that, of any government, I've heard from my constituents specifically – and they have no problem telling me exactly what they think, so they would tell me if it wasn't us – and they are telling us that this is the most we have ever felt listened to. We're not really the forgotten corner anymore. We can't make that statement anymore.

Of course, there are always ways that things could be better. There are always more things to advocate for. There are always more priorities that my constituency has. Like, I think of HALO air ambulance being a very important piece of that; enhancing irrigation infrastructure, which we've seen the first part of but, hopefully, will see more of. But on the Transportation file I have to say that this minister is listening, he is engaging, and he's looking for new and innovative ways. Ultimately, that's what we promised Albertans, Mr. Chair.

9:50

I know that when we were door-knocking, when I was door-knocking, we told Albertans that we weren't just going to continue

to do things the way that we've always done them just because we've always done them that way, to quote the Minister of Children's Services. I love that quote. We have an obligation as a government to find new ways to do things because of the fiscal reckoning that we're facing, and whether that is finding new ways to finance infrastructure or transportation infrastructure or building a school or whatever you have, we should have these essential pieces of infrastructure. We need them for decades to come, and investing in that will improve our economy.

I just wanted to take my time today to really say thank you to the Minister of Transportation for his engagement on this. I would imagine that this amendment will continue to be debated, and the House will have its say on that and we will vote on that, I'm assuming, soonish. But I just want to say that I know, from my perspective, from my constituents' perspective, we don't need to worry about not being listened to, especially from the Minister of Transportation, anymore. We have a Minister of Transportation who's engaged, who's thoughtful, who thinks about everyone else before himself. This is the member who does numerous charity pursuits per year and who is always raising money for something, you know, and always for a charitable cause. I just couldn't say thank you to the minister enough for his mentorship, his leadership, and his work, especially on this file but on more files to come.

The Deputy Chair: Thank you, hon. member.

Are there any other hon. members looking to join debate on amendment A1? I see the Minister of Transportation.

Mr. McIver: Thank you, Mr. Chair. I will be brief. I thank the hon. member for the amendment. I'll point out the obvious, and then I'll sit down. The amendment includes things: "the distance a vehicle must take to reach the person's destination by more than 50 kilometres, or... 30 minutes." I think I've repeated myself somewhere between half a dozen and a dozen times that the alternative for the ferry is an hour and a half drive and a lot more than 50 kilometres, so I think that tells us what we need to know. We couldn't possibly support this amendment.

It shouldn't surprise the hon. member who moved it because – I'm not sure it's a good idea to put artificial limits like that anyways. The legislation already has a lot of limits on what we're allowing ourselves to do, but this one would explicitly not allow us to do the bridge that actually inspired the legislation in the first place. I actually expect that the hon. member will probably understand that. He may not, but I'd be surprised if he doesn't because it's pretty obvious that the project that inspired the legislation wouldn't be able to be built, I don't think, with this particular amendment.

The Deputy Chair: Thank you, hon. minister.

Are there any other members looking to join debate? I see the hon. Member for Drayton Valley-Devon has risen.

Mr. Smith: Thank you, Mr. Chair. Again, I won't be long on this, but as the member that represents the rural constituency of Drayton Valley-Devon, one of the things that's unique about my constituency is that it literally goes from the very edge of Edmonton – the River Cree casino is in my constituency – and goes literally all the way just about to the Rocky Mountains, so I get to see what my constituents are like living close to the city as well as those that are significant distances from the city.

One of the things that that has drawn to my attention and, I think, probably most of the MLAs in this Legislature is that this province is so very diverse. The conditions in this geographically and economically, the urban/rural culture: this province is just so diverse. One of the things that binds us together is our infrastructure of roads and bridges. You know, for those that live in a rural

constituency like mine, you realize just how important those roads and those bridges are. They literally are the lifeline and the lifeblood of a constituency, giving us the capacity to create jobs and to create wealth as we can harvest the natural resources in our province, as we can transport those natural resources across this province, as we can do business and travel back and forth from business to business and from community to community, in our sports, just in all facets of life.

When we take a look at this amendment, Mr. Chair, one of the things that just is drawn to my attention and one of the reasons why I just don't believe that we can actually support this amendment is the restrictions that it places in minutes and in kilometres. Each constituency is so different, and each of the areas is so unique. The project that we're talking about, building a bridge up in the north country, is going to be different than what's in the south. It's going to be different than what's in Canmore or in Banff or in Edmonton or in Calgary. To start placing specific numbers on kilometres or specific time limits on where you, you know, have to be able to travel and the distances before you can have a toll just is not going to fit the diversity of this province or our capacity to serve the constituents that elect us into this Legislature. We need to use some common sense sometimes.

In the particular case that we're looking at here with Bill 43, Financing Alberta's Strategic Transportation Act, we see an act that's been brought forward as a result of consultation, as a result of the people of the north country coming to the minister and saying: "Listen, we need this. This is in our best interest." We're a government that tries to listen to our constituents, that tries to move forward in the government to meet those needs. We're going to do that with the fiscal realities that we face and in as creative a way as we can, and this is one way, through Bill 43, of being able to help meet the needs of Albertans.

I'll just finish my remarks, Mr. Chair, with the fact that I don't believe that this amendment is going to speak in the best interests of either my constituents or the citizens of Alberta.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to join debate on amendment A1?

[Motion on amendment A1 lost]

The Deputy Chair: Moving back to the main bill, Bill 43, Financing Alberta's Strategic Transportation Act, I see the hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Chair. I appreciate the opportunity to rise and speak to Bill 43 again. I think certainly we've heard some fulsome debate around the issues around Bill 43 tonight and how the intent of Bill 43 was crafted around a particular project. Of course, we know in this case that project is the La Crête bridge, which, based on the introduction speech by the Minister of Transportation, I believe will be costing around \$200 million for the project to be completed.

Mr. Chair, at this time I'd like to move an additional amendment that, hopefully, will address some of these concerns around the scope of this legislation, and I will wait for it to arrive at the table.

The Deputy Chair: Please read it in for the record – it's a quick one – and the same procedure as previously with A1. Of course, there will be copies at the table as well should you want them.

Mr. Dang: Thank you.

The Deputy Chair: Hon. member, please continue.

Mr. Dang: Thank you, Mr. Chair. I would move that Bill 43, the Financing Alberta's Strategic Transportation Act, be amended by adding the following immediately after section 17:

Expiry

18 This act expires on December 31, 2050.

Mr. Chair, we've heard again and again from this government, from the minister himself, from government members that this piece of legislation was inspired and created for one project, the La Crête bridge. If it's indeed the case that the government and the members opposite are truthful in their intent and do believe that the enabling of this act is for the construction of that bridge, then I think it's reasonable to further limit the scope of the bill.

Right now the bill allows for any project at any time that is created to have a toll limit. Of course, we've talked extensively about the definition of highway, and basically it could be anything from a driveway to an alleyway, Mr. Chair. I think that that's quite restrictive. I think that if the minister is indeed correct that we do want to support the creation of the La Crête bridge – I'm looking at *Hansard* from his introductory speech here. He mentions the calculations done by the department on the length of payment based on the fee of \$150 for commercial vehicles and \$10 to \$20 for a personal vehicle. The minister has said that it would take – I'm quoting from *Hansard* here – “in the neighbourhood of \$150 per crossing for a large commercial vehicle, with a payback of 30 or more years, and for personal vehicles ... in the range of \$10 to \$20.”

Mr. Chair, the minister stated very clearly that it would take 30 years for the bridge to be paid in full through tolls. This amendment puts an expiry in the act 30 years from now, when the La Crête bridge will be paid off. If the government is being truthful in their intent of the bill to allow for the creation of this bridge, then I think it's very obvious and very easy to accept this amendment.

10:00

Instead, Mr. Chair, I think that if this bill is actually a cover and a ploy to open up the addition of tolls to any new lane, highway, bridge in the province from now until, well, the end of forever, then I think that the government will vote against this amendment. I think that very shortly we'll see here what their intent is. We know that this minister has mused publicly that roads such as the Deerfoot and highway 2 could be tolled, and I think that when the minister has said in this place that this legislation is intended only for the La Crête bridge at this time, then it should be very easy to accept this simple amendment.

I look forward to hearing from members of the House, and I look forward to Albertans having the opportunity to see the true agenda of this government's legislation. Thank you.

The Deputy Chair: Thank you, hon. member.

We are on amendment A2. I see the hon. Minister of Transportation has risen.

Mr. McIver: Thank you, Mr. Chair. The hon. member, I suppose, is trying to be cute. Earlier this evening the folks across seemed to not have their story straight. At one point they say that we're going to toll every road in Alberta and there's no way to stop it, and then they said, including the member that just moved the amendment, I think, things about our direct intention to toll Deerfoot Trail and highway 2. Then he said, as he moved this, that we said that we were only going to do this bridge. He's got about four stories going right now, so no matter what we do, he can say, “I told you so,” which is kind of, I suppose, a good political trick, to take three or four sides of an issue, and then no matter what happens after that,

you can say, “I was right.” I guess that if you look at it that way, he'll probably claim that he was right because he's taken several sides to this issue already.

Mr. Chair, we won't be supporting this. It's a silly amendment, even with the closing the hon. member quoted me, he says out of *Hansard*. I'll take his word for that. He said that it could take – and any numbers I give would have to be an estimate because, of course, the amount of time to pay back a toll or a user fee under this legislation would depend upon the traffic numbers. So if the traffic numbers are higher, then of course it would get paid off faster. If the traffic numbers are lower, it would get paid off slower. First of all, we never said that there would never be another project. We said that this legislation was really inspired and designed to accommodate this project, which Albertans asked for. The member kind of spiked his own amendment with the last sentence that he said, that it would be paid for in 30 or 40 years, and this would only allow 30 years. So I couldn't possibly support this.

The Deputy Chair: Thank you, hon. minister.

Are there any members wishing to join debate on this amendment? I see the hon. Member for Edmonton-Manning has risen.

Ms Sweet: Well, thank you, Mr. Chair. I felt the need to stand up because I keep hearing from the Government House Leader over there, so the Opposition House Leader decided to stand up as well.

In regard to this amendment and the fact that there is a sunset clause recommended for this legislation to be done after 30 years, I think there are some pretty serious things that the government really needs to consider when it comes to tolls. There are a couple of things that I think even their base might be a little bit concerned with. The first things would be, of course, the fact that toll booths are inconvenient, they can cause accidents, they cause a lot of waste, but the biggest thing is that they will actually potentially have to pay higher tolls over the years, depending on who is managing those tolls, and of course, as their base might be concerned with, the invasive surveillance that may be required to be monitoring vehicles that are going through those toll booths with licence plates and looking at who is driving those vehicles. I think it would be great if the hon. minister would consider those things and the fact that maybe Albertans won't be big fans of having their vehicles' photos taken as they're going through some of these toll booths.

In addition to that, I think it's important to recognize that there is actually zero cost efficiency when it comes to toll booths. The reality of that is that it takes about 12 to 20 per cent of the revenue from toll booths to build toll booths and then to hire staff to monitor those toll booths and/or, if you're going to go to an automated system, the maintenance required on those toll booths. So you're spending 12 to 20 per cent of your revenue coming out of tolls to maintain the booths themselves.

On top of that, you're looking at the fact that some people would decide to go on secondary roads. So rural Albertans: you know, many of the members in this Chamber have spoken up about how they represent rural seats. Well, I'm glad to hear that. I'm sure that many of those rural Albertans will be very concerned about their secondary highways and the fact that maybe people will be going off the major highways, to avoid the tolls, onto their secondary highways. We know that the priority is going to be that the tolled highways are going to have maintenance and the secondary highways are not because the tolls are where the money is going. So all of those rural Albertans that have secondary highways are now going to have more potholes and the requirement for more oil and more ash put on their secondary highways because, again,

they're not tolled, which means the revenues being created from those potentially are not going to be maintaining their secondary highways. Again, rural Alberta is significantly impacted.

I think the other thing that they need to consider is, you know, that we're looking at the bridge that's going to be in northern Alberta. Well, primarily a lot of those – and we've heard this from the minister – are heavy haul vehicles that are transporting goods. The reality of it is that those heavy haul operators are going to pay the toll, absolutely, but guess what else happens? They get a corporate tax writeoff. That means they get to waive all of those toll fees, so the government doesn't actually get that revenue. So who's paying? Average Albertans, people who are going from point A to point B. You are taxing Albertans, not corporates.

Mr. Jason Nixon: That's what a toll is.

Ms Sweet: Yeah. That is what a toll is. Thank you, hon. Government House Leader. So you will admit you have now added another tax to Albertans for using highways that are related to the public good. Corporates get to waive the taxes, waive the tolls because, of course, they'll write it off.

Mr. Jason Nixon: Why don't you like La Crête? What don't you like about it?

Ms Sweet: I love La Crête, but you know what I think is something that matters? The fact that the government shouldn't be telling them that the only way they're going to get a bridge is if their citizens are taxed for it. You're already increasing their personal taxes.

Mr. Jason Nixon: You've never been to La Crête, obviously.

Ms Sweet: Well, hon. member, the reality of it is that you're not going to generate any income off it. You're going to say that you're going to. You're going to put tolls on highway 2, and at the time that you're putting tolls on highway 2, 12 to 20 per cent of that revenue is going towards the cost of managing those tolls. You're also going to congest our major highway between Edmonton and Calgary with people trying to divert from the tolls. You're going to deteriorate your secondary highways in rural Alberta, so going around Airdrie, people going through Olds and not wanting to have to go on highway 2. We see it all the time. They're going to . . .

Mr. Jason Nixon: It's quicker for me to drive to Mexico than to La Crête.

Ms Sweet: Well, that's great.

The Deputy Chair: Hon. members, I would just remind all members that the Member for Edmonton-Manning is the one with the call at this time and then also for the hon. member to ensure that we speak through the chair at all times.

Thank you. Please continue.

Ms Sweet: Sorry, Mr. Chair. I was just responding to the Government House Leader's comments to me directly, so I responded directly.

But again, Mr. Chair, the reality of it is that this is an inefficient way to generate revenue; 15 to 20 per cent of the revenue will be spent on trying to build tolls or paying for staff or maintaining those tolls. We know that our heavy haul operators will never pay the tax of the toll because they will write it off, so the only people that will be using it will be the citizens living in rural Alberta who will not benefit from having the access to this infrastructure because the only way that we will see any new infrastructure will be via a toll. Ultimately, the government is taxing Albertans for the basic

infrastructure to get from their location to another location. At the same time, what the government is also doing is deteriorating the very roadwork system within this province. If you don't pay for it, you don't get to use it. If you don't pay for it, then we're not going to maintain it.

10:10

The other part that comes out of this is: who gets the contracts for the maintenance? Who gets the contracts to be able to support the tolls? Who's responsible for that? Where does that contract come from, Mr. Chair? There are a lot of questions that arise out of tolls that the hon. minister doesn't want to have to answer and the hon. Government House Leader doesn't want to answer because of the fact that we know that it is an inefficiency. It is an attack on Albertans. It actually does not generate the revenue. All it is is taking more money off the backs of Albertans. This government during their campaign indicated that they were going to make life more affordable for Albertans. This does not do that. In fact, all it does is that it holds municipalities hostage to have to negotiate a toll agreement with this government to build any new roadway infrastructure at the expense of the citizens of these areas.

Again, if the Government House Leader would like to stand up and respond to the fact that the secondary roads are going through his rural constituency and other members' constituencies within the government and explain and commit today that those secondary roads are still going to be maintained and receive the same requirements and maintenance as any other highway that will be tolled, I would love to hear that. If the Government House Leader would like to stand up and say that 12 to 20 per cent of the revenue being generated from these tolls isn't being used to maintain these tolls, I'd be very interested to hear that.

I would be also very interested to hear how much revenue, as the hon. Minister of Transportation has indicated, these heavy haul operators are going to be paying after they get the tax rebate, where they don't actually have to pay the toll. I would be very interested because all of the arguments I have heard from this government when it comes to the fiscal viability of these tolls don't hold water. There have been many areas of research that have been done in the United States, in Canada around the fact that tolls only work when you have a high-density population, when you have lots of people travelling back and forth. Edmonton-Calgary, highway 2, would be a prime example. Rural Alberta: they're not going to generate any revenue. They're going to cost more to operate than they are to create.

The reality is that all it is is a tax on Albertans, a tax on rural Albertans, who will never get the resources that they deserve from this government unless they are forced to pay for them out of their pocket. That is not what should be happening, because the reality is that there is not a concentration of enough citizens living in northern Alberta to pay for the costs associated with this toll and for the maintenance of this toll and to be able to operate this toll. Then, of course, what about all the roadwork systems that are attached to the road where these tolls will be?

Again, I would really encourage the government to go back to rural Alberta, not just one spot but all of their constituents, and do a cost analysis and tell me that they would support being taxed to transport from Medicine Hat to Calgary, to go from Edmonton to Calgary, to go from Rimbey-Rocky Mountain House into Calgary, that they're willing to pay that toll, have surveillance done on their vehicles while they're passing through those tolls – I'm sure the base in the government's party would love to hear that – and let me know if the majority of Albertans actually support this, because I can tell you I'm hearing that they don't.

The Deputy Chair: Thank you, hon. members.

Are there any members looking to join debate on A2? I see the hon. Minister of Transportation.

Mr. McIver: Well, thank you. I haven't got too much time right now, but let me just say that the hon. member was worried about the municipality. I tried to tell the folks that the municipality wrote a letter that they all were in favour of, that they want this bridge built. So I guess that won't be a surprise to them. The industry wants it. It's a user fee.

Ms Sweet: Of course they do. They have to pay for it.

Mr. McIver: No. She says that it doesn't save them any money. Actually, they say that it does because it would actually cost more than \$150 to send a person in a truck an hour and a half further around at the end of the day.

Ms Sweet: They write it off. They don't pay for it.

Mr. McIver: I know. The hon. member hates – “hate” is a strong word. They don't seem to like corporations much over there despite the fact that they employ Albertans and they pay taxes and they provide jobs and they invest in our economy. But the thing is that there has to be a value proposition, or no one will pay the toll. We accept that. It's good for the citizens. Another group of people that wanted it was – and I think I'm out of time. You're waving your hands, so I think I'm about finished. How much time do I have, Mr. Chair?

The Deputy Chair: Another few seconds are left.

Mr. McIver: A few seconds.

The ladies there said: we need this so that the babies can get born. I said: well, where do the babies get born? They said: on the road to Fort Vermilion. So there the citizens actually want this bridge, too, so the babies won't be born on the road to Fort Vermilion but, rather, in the hospital.

The Deputy Chair: Thank you, hon. member.

Bill 50 Appropriation (Supplementary Supply) Act, 2020 (continued)

The Deputy Chair: Pursuant to Standing Order 64(4) I must now put the following question. Does the committee approve the following bill, Bill 50, Appropriation (Supplementary Supply) Act, 2020?

[Motion carried]

The Deputy Chair: Hon. members, pursuant to Standing Order 64(4) the committee shall now immediately rise and report.

[The Speaker in the chair]

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

Mr. Horner: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 44 and Bill 50. The committee reports progress on the following bill: Bill 43. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Speaker: Hon. members, does the Assembly concur in the report? All those in favour, please say aye.

Hon. Members: Aye.

The Speaker: Any opposed, please say no. In my opinion, the ayes have it. That motion is carried and so ordered.

Government Motions

The Speaker: The hon. Government House Leader.

Legislative Assembly Extended Hours

44. Mr. Jason Nixon moved:

- A. Be it resolved that despite any standing order, practice of the Legislative Assembly, or the 2020 sessional calendar, at any time during the Second Session of the 30th Legislature the Government House Leader may, upon providing a minimum of 24 hours' written notice to the Speaker or by notifying the Assembly no later than the time of adjournment on the preceding sitting day, advise that the public interest requires the Assembly to sit extended hours
- (a) on Thursday beyond the normal adjournment hour, or
 - (b) on Friday, Saturday, or Sunday from 10 a.m. to 5 p.m. commencing with Prayers, followed by
 - (i) the ordinary daily Routine to consist of those items set out in Standing Order 7(1), with Oral Question Period commencing at 10:20 a.m., and for the purpose of Standing Order 7(7) and (8) the daily Routine shall be deemed completed at 11:30 a.m., and
 - (ii) Orders of the Day to consist of those items of business set out in Standing Order 8(2)
- and the Speaker shall give notice that the Assembly shall meet at that time to transact its business;
- B. And be it further resolved that this motion (a) takes effect immediately on passage and (b) expires at 11:59 p.m. on Monday, February 8, 2021.

Mr. Jason Nixon: Well, thank you, Mr. Speaker. I rise to move Government Motion 44. I rise simply to bring forward this motion, very similar to a motion that was within the overall COVID-19 standing order package that was passed temporarily inside this Assembly last spring. This is a component of that standing order package that we would like to carry over as what I perceive is this session coming to an end – we'll see what takes place soon – to be able to make sure that we have that standing order ability to be able to call back the Assembly as we deal with the state of emergency in the province, if the House is required to meet over the weekend or at any other period of time, to be able to conduct business or make decisions that the Chamber may be required to make during the state of emergency. The hope is that it would not be needed; however, it's a precaution that we would like to see passed to be able to give us the ability to do that as we proceed through the Christmas break.

In addition to that, Mr. Speaker, I will point out that it does have an expiry date. It ends, basically, as we are anticipated to bring the Legislature back for the winter sitting in 2021. Again, I'll close with, hopefully ...

Ms Sweet: Spring.

Mr. Jason Nixon: Spring 2021. Well, I know the Opposition House Leader is indicating that February is spring, but we probably do it a little differently in Sundre; February is still winter, but that's probably because out in your neck of the woods, Mr. Speaker, you and I have got snow up to our waist still in February. Maybe it's spring in Edmonton. I don't know.

With that said, that is the intent. Hopefully, we don't need the intent and we're able to wait till February for the Chamber to come back.

The Speaker: Well, the hon. Government House Leader knows that sometimes around this place it feels always like winter but never Christmas.

Hon. members, pursuant to Standing Order 18 this is a debatable motion. I see the Opposition House Leader has risen to join the debate.

Ms Sweet: Well, thank you, Mr. Speaker. I think it's spring all the time. Anyway, first off, I'm just going to say that the opposition has no problem sitting here this weekend, so if the Government House Leader would like to put a motion forward to say that we will be here this weekend, I will be here this weekend.

Mr. Jason Nixon: You'll be here by yourself.

10:20

Ms Sweet: I'll be here by myself? Oh, that works well. Then the motion won't be implemented. That's good. I'm glad to see that we're just doing this for fun.

The only thing I would like to comment on is that something actually came up this morning at Members' Services Committee about the cost associated with us always doing these late nights and Fridays and potentially weekends and the cost that this government has accumulated with all of these late nights and extra hours that we're doing. From a cost-efficiency perspective, because, you know, good Conservatives love fiscal responsibility, I would encourage the Government House Leader to think about the efficiency around whether or not being here this weekend would be the most fiscally responsible response, for us to be here.

In saying that, again, though, I'm fine to be here. The NDP caucus is fine to be here to debate. We believe that many of the bills that are still currently on the Order Paper that need to be debated are not actually addressing COVID. They are not addressing the fact that working people in this province need supports from this government, that small and medium-sized businesses need support from this government, and many of these bills do not... [interjection] Just waiting for the Government House Leader; that's all.

So in saying that, we will support this motion to move forward, and if we need to be here this weekend so that Albertans know that the opposition is standing up and ensuring that their voices are heard when it comes to COVID-19 response, the small and medium-sized business response, and the fact that this government's agenda has not addressed any of those real concerns, then we will be here to do that.

Thank you, Mr. Speaker.

The Speaker: Hon. members, are there others wishing to join in the debate? I see the hon. the Minister of Transportation has risen.

Mr. McIver: Thank you. I was entertained by the Opposition House Leader's remarks. I guess to quote the former Government House Leader, a friend of mine and a friend of many of us here, Brian Mason, who once famously said – and while Brian and I never agreed on everything with each other, here's where we did largely agree. He used to say that the government decides when the session starts; the opposition largely decides when the session ends. So to quote the NDP former House leader and Transportation minister, just as a matter of record: the government decides when the House starts sitting, and the opposition largely decides when the House ends sitting. I guess, to a certain degree, if the Opposition House Leader is concerned about all the money being spent to operate this place, they know what to do, but far be it from me to tell them what to do because they were elected here to make those decisions all by themselves. We'll let them do that.

The Speaker: Hon. members, are there others?

Seeing none, if there are no others wishing to join in the debate, I'm happy to have the hon. Government House Leader close debate.

Mr. Jason Nixon: Well, Mr. Speaker, I hesitate to rise to close debate as I usually do not do it, but I just think that it would be fair to respond to a couple of comments by the Opposition House Leader and to reiterate for the record that the intention is not to use this motion to call weekend sittings but to be in a place where the House could be called back to make democratic decisions if we have to while we are dealing with an unprecedented state of emergency, also, through you to all members of the Chamber, to let them know that there's no intention to sit this weekend. I don't know if the Opposition House Leader was just being hopeful that she got to spend some time inside the Chamber again this weekend. It's also rich for the Official Opposition to express their concerns at the length of time that this place sits when they spent a significant portion of their day trying to filibuster a bill that is against genocide, and they continue to stand inside this Legislature repeatedly filibustering legislation.

As the hon. Transportation minister and hon. deputy House leader point out, if the opposition is worried about the cost of this Chamber sitting, I will point out that democracy does cost money sometimes, certainly, Mr. Speaker, but if they're worried about the overall costs of how often this Chamber sits, I would suggest that they stop filibustering every piece of legislation that they see.

[Government Motion 44 carried]

Government Bills and Orders Third Reading

Bill 40 Forests (Growing Alberta's Forest Sector) Amendment Act, 2020

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

Mr. Dreeshen: Thank you, Mr. Speaker. I rise today to move third reading of Bill 40, Forests (Growing Alberta's Forest Sector) Amendment Act, 2020.

When I first learned that it had been five decades since the Forests Act was updated, I really was surprised, Mr. Speaker, surprised that our third-largest resource sector in Alberta, which has changed dramatically over the last 50 years, did not have legislation to remain current. This year, amongst all the challenges that we have faced, forestry has continued to lead our economic recovery.

Now, before I dive into the specifics of the bill, I would like to address some of the concerns brought up by the members opposite. I've heard them talk without end about economic analysis, Mr. Speaker, but we had actually spoken directly to foresters. These are the people that work with this legislation every single day and know what barriers are actually standing in their way.

Mr. McIver: Lumberjacks?

Mr. Dreeshen: Lumberjacks, yes, as the Transportation minister so rightly points out.

They are the experts, Mr. Speaker. They told us that these changes would actually support them. They told us that by increasing the harvest control period, they would actually have greater flexibility, which would, for one, allow them to maximize their economic benefits, that would create an environment where they can respond to market changes here in the province and they can better respond to factors out of their control like wildfire impacts, the mountain pine beetle, et cetera.

We have seen the forest sector across the country decline. Just like in British Columbia, you can see numerous mills closing their doors. [interjections] But not here in Alberta, and there are reasons for that, as the members opposite like to heckle. So I ask the members opposite: why is that? Maybe it's because we actually listen to the needs of our foresters here in Alberta, or maybe it's because we support them in maintaining a strong and healthy forest sector.

Mr. Speaker, the bottom line is that our forest sector supports thousands of jobs and continues to grow, creating even more opportunities for Albertans. We as a government will do everything we can to make sure our forest sector is sustainable and that these changes will help them in their economic growth. Forestry is a critical part of our economy. They contribute more than 2 and a half billion dollars to our province's GDP annually, exporting about \$3.5 billion of products around the world, and also account for roughly 8 per cent of Alberta's manufacturing sector and also provide well-paid, rewarding employment in rural communities, including nearly 20,000 jobs and more than 25,000 additional jobs in the forestry sector, and supporting Albertans with royalties projected this year alone of being more than \$200 million.

Now, Alberta's foresters are stewards of our public forests, and they use world-class forest management practices to ensure the health of our province's forests for future generations. They have shown resiliency during these tough times. Knowing the importance of this industry, our government acted quickly to declare the forest sector an essential service, and they thrived this year because of it. Over the last seven months Alberta's forest sector has exceeded expectations, providing Albertans with the wood products that their families need every day. From nonmedical masks to two-by-fours, we can think of all of the ways that our forests contribute so much to our day-to-day lives, Mr. Speaker. That is why we're taking steps to support our forest sector and to set them up for a generation of growth. Now, we share their passion for our forests, and we all know that a well-managed forest is a healthy forest. By working with industry, we are ensuring that our forests are here for generations to come. Our forestry industry has 200-year plans so that they know that our forests will continue on in perpetuity.

Now, the members opposite would also like to think that they would lecture this government on how we wasted an opportunity with this piece of legislation. They claim that this bill did nothing and that it was a waste. I find this a little too rich.

10:30

When the NDP had the opportunity, they didn't act to update the Forests Act. They knew it was out of date, over 50 years. It hadn't been modernized, yet they did nothing. What they did do, Mr. Speaker, was to bring in barrier upon barrier in an attempt to protect – I will use that in quotations – our forests. They supported radical environmental positions that threatened the health of our forests and increased risk to wildlife by leaving them untouched. Instead of grandstanding, like the opposition did when they were in government, in an attempt to create a fake sense of outrage, the members opposite should actually get out of the city and go and talk with our forestry industry.

However, we did that for them. For example, we actually talked to Ken Vanderwell from Slave Lake. In response to this piece of legislation he said, quote: we're proud to be a stable employer in Slave Lake and to provide materials that go into the homes of people around the world; now, this bill simplifies regulations while still ensuring that our forests are managed sustainably for future generations to enjoy. End quote. That was from Ken Vanderwell from Slave Lake. Now, this is just one of the nearly 100 per cent

support from the forestry industry, that supports the amendments in this piece of legislation.

In regard to indigenous consultation, I want to state for the record that proposed amendments in Bill 40, in this bill, Mr. Speaker, will still require indigenous and community consultation in the development of forest management plans and general development plans for foresters to harvest here in Alberta. Alberta's government takes seriously our constitutional duty to consult indigenous peoples when making decisions about Crown land development.

Mr. Speaker, in recent weeks we saw a decision that came out in regard to tariffs placed on our lumber here in Canada. Now, while we are optimistic on the favourable decision that resulted, we know we must not be complacent. That is why one of the first changes we sought was to enhance the transparency of our timber dues and our administrative fees. This will help strengthen our province's lumber dispute with the United States by clearly showing how timber dues here in Alberta are calculated. Historically this has been used as an argument against our industry, but upon the passing of this bill, it will no longer be used against us. Now, while the U.S. lumber dispute is bigger than this one change in Bill 40, we know that it is important that we do our part to support Canada in this position. Fortunately, Alberta foresters were able to celebrate a huge victory as tariffs on Canadian products were cut, and two foresters here within the province actually had their tariffs reduced from this decision.

Now, Alberta's foresters are world leaders and deserve fair value for their products. We have also brought forward changes that will support long-term timber supply and will reduce regulatory burden. By phasing out redundant licences, we are saving government and industry time and money. This will supplement our forest job action plan, which we ran on as a government and which will include an increase of an annual allowable cut of about 33 per cent, Mr. Speaker. To date we have already achieved an increase of 13 per cent of that 33, and we will consult with our partners on how we can achieve the remaining 20 per cent. This goal requires that we also take action to expand market access for our foresters here in Alberta. As part of our sector strategy, part of our government's economic recovery strategy, we have added four trade officers to strategic locations around the world, which will highlight and promote the high-quality products that we have here in Alberta.

With this in mind, Mr. Speaker, I am so honoured to move third reading of Bill 40, the Forests (Growing Alberta's Forest Sector) Amendment Act, 2020. These changes will empower our forest sector by enhancing competitiveness, providing additional flexibility to respond to market factors, and also by ensuring the long-term health and sustainability of our forests.

Thank you very much, Mr. Speaker.

The Speaker: Hon. members, the Minister of Agriculture and Forestry has moved third reading of Bill 40, Forests (Growing Alberta's Forest Sector) Amendment Act, 2020. Is there anyone else wishing to join in the debate? The Official Opposition House Leader.

Ms Sweet: Well, thank you, Mr. Speaker. That was interesting, to say the least. I'm not quite sure how the minister managed to incorporate his bill into what this government continues to talk about, fear and smear, when that's not the case. We've actually supported his bill through all of the stages, so I'm not quite sure why we had to go down that route.

In addition to that, Mr. Speaker, given that we will soon be at December 1, I'm disappointed in the minister that he has not talked a single time about Christmas trees and why it is that the forestry

industry hasn't done anything with the Christmas trees. But that's fine.

The issue that I do have, though, is that the government continues to speak about that we should leave Edmonton and that we should learn about the forestry industry in Alberta and that we should learn all about what's going on.

An Hon. Member: Hear, hear.

Ms Sweet: Yes, Minister.

What the minister forgets is that my family are all involved in the forestry industry. They all work in the sector or have worked in the sector. My dad now is retired, but my brother continues to work selling heavy-duty machinery for the forestry industry and has been seen in some places maybe talking to governments about how they're managing the forestry industry in different areas. He has a lovely sweatshirt, actually, that says that forestry feeds his family.

It's not something where the NDP has no idea about what's going on in the forestry industry. I spent a lot of time, when we were in government, with the minister of agriculture going to AFPA events and talking to sawmill operators, to different organizations. I had a motion in the Legislature specific to pine beetle when we were in government, because we in this party recognize and I personally recognize the importance of the forestry industry. So I do feel it's a little bit disingenuous to hear the minister stand and say that the NDP has not done anything to support the forestry industry. Again, if we look at the votes that have occurred in this House on this bill specifically, we have voted in favour of this bill.

There's no real need to turn that conversation into a divisive conversation. I think we all recognize that forestry is important, and we know that without the forestry industry we wouldn't have many of the products that we have. When COVID first hit and everybody needed toilet paper, that was because of the forestry industry. We wouldn't have had toilet paper without the forestry industry. There are lots of things that we recognize.

When it comes to this bill specifically, there is one thing that I do find, something that I really actually do support. I think it's important for everybody in the province to know how important it is and to recognize that the move within this bill is actually a benefit for not only the forestry industry but for the environmental impacts, for the planning of the province, for looking at how we are a sustainable province and how, when we're communicating about our responsibilities to other jurisdictions about the forestry industry, we can demonstrate that there is this environmental responsibility and sustainability always being monitored. That is the amendment that is being made in this act to go from five years to 10 years on planning for harvesting. I believe that a 10-year harvesting contract is important.

The reason that I think that that's important is that if you look at how forestry moves and how they look at their long-term plans, to have a five-year contract means that they're only able to project five years ahead. When they're looking at the fact that there needs to be reforestation, they need to look at what areas make sense to be going in to harvest. They need to be looking at the environmental impacts for our waterways and our soils and the animals that are living there. Those things are important to consider. If you're able to do that from five years to 10 years, that gives the industry an ability to plan more effectively, to look at their resources, at what they have to project, at what the market is going to be but also to look at what environmental impacts they're going to be making on the communities around them.

I do support that amendment. I do think that that's important. I think that it's important for communities to be able to plan when they know that there's harvesting happening around their

communities. It's important for the sawmills. It's important when we're looking at the softwood lumber dispute, that the minister referenced, when we're looking at the pine beetle and, potentially, the spruce beetle and the other issues that may be coming from the east that may impact our forestry industry. This gives an opportunity for that to happen.

10:40

Now, again, the minister spoke to B.C., and the minister and I have had this conversation in other areas in estimates. The B.C. market is very different from the Alberta market, but part of the reason the B.C. market struggled so much was because of the forest fires that happened in the interior and mostly because of the pine beetle. Their fibre stock decreased substantially, which caused many of the sawmills to shut down, which then meant that many people became unemployed.

Now, in saying that, this is why I have continuously encouraged, when we were in government, and I will continue to encourage the minister that we have to address the pine beetle issue in this province. Yes, it's in the national parks. It's moving in the national parks. We now see it all the way down in Medicine Hat, which is interesting, and it is spreading across the province. The issue with that is that we are going to have a fibre problem, so I would encourage the minister that as he's looking at these bills and these recommendations and talking about being an advocate for the industry, he work with the federal government, not fight the federal government, on making sure that we are addressing the pine beetle and the spruce beetle, that is potentially coming to this province, to ensure that we have a healthy fibre stock.

If we don't, it won't matter what the bill says. If we don't have the fibre, then the industry won't survive. We saw it in the interior of B.C. The island would be a different conversation, but definitely on the B.C. side of the national parks they had forest fires and pine beetle. We see that in Jasper. We see it moving into Hinton. We see it in the north. There are a variety of different places where we see it impacting, and there are concerns within the market that there will be an issue around fibre.

In addition to that, I'd also encourage the minister to look at the diversification that some of the sawmills are actually already doing. I've spoken to many of the sawmill operators, and there are some really interesting projects coming out of the pulp stock, that is the by-product of the sawmills when they are cutting and creating all of those things. They are now using those products to create other products, and they've created machinery that actually does that. There are some really innovative things happening within the forestry industry that are not just about creating timber. They're actually creating other by-products.

As, you know, the minister continues to work with the industry, I would be encouraging him to continue to have those conversations around innovation, supporting maybe some research in that area that not only supports the sawmills in doing what they do best but also in demonstrating to the rest of the world and to the province that they also are very innovative with their by-products and can create some pretty interesting products that can also be sold outside of just what they are doing right now.

With that, Mr. Speaker, I will sit down.

The Speaker: Hon. members, are there others wishing to join in the debate today? The hon. Member for Calgary-Mountain View is on her feet.

Ms Ganley: Thank you very much, Mr. Speaker. I'm pleased to rise and speak to this bill. As my hon. colleague indicated, we are in fact supporting it, which you obviously wouldn't know from the minister's comments. There are so many things that we disagree

about in this place. I find it disappointing that we have to disagree over that about which we actually agree, so I found that a little peculiar, I suppose on brand for that particular minister but peculiar nonetheless.

That is to say that we are supporting this act. I mean, we did, I will admit, in some of the earlier readings have questions, but I actually think that having questions about a bill is generally our job. It is, in fact, the role of the opposition to ask those questions. I think that questions like “Did you complete indigenous consultation?” and “Is there an economic impact analysis?” are fairly reasonable questions. Those have been answered, and we have had an opportunity to speak to members of the indigenous community, so we have ultimately come out in support of this bill, which I think is good.

I mean, ultimately, there’s a lot of legislation in Alberta. There are a lot of bills, and they need to be modernized. The minister is absolutely right. This bill hadn’t been modernized in a long time. When we were in government, we took the opportunity to modernize a number of acts, most of which hadn’t been updated in 40 years. He’s absolutely right. We ought to move forward with this. It does appear generally that there is support for this, and I think that that’s good.

We need, especially at this time in Alberta, to be supporting all the jobs that we can because we have been through unprecedented job losses. The last 18 months have been incredibly hard on Albertans. Incredibly hard on Albertans. You know, we had just started climbing out of a recession as a result of a drop in the price of oil, and then we saw significant job losses. Then the pandemic hit, and we saw even more job losses. That’s, I would say, probably a top-of-mind concern for everyone in this province, even for people who are still working. Everyone knows someone who has found themselves in that position. That’s a big concern.

I’m glad to see this moving forward. My understanding is that it does a good job of modernizing this act, that it will in fact allow industry to manoeuvre more freely, to grow, which will create jobs, and I think that that’s a good thing. Like I’ve said, that’s why we’re in support of it.

I do hope that consultation with indigenous communities will be ongoing as a conversation. It’s important to do this consultation not just on the individual projects but on the acts themselves. I certainly know that when we came into government, one of the first steps we took was to repeal an act, not from this government, obviously, because they’re new, but from a previous Conservative government, that had been passed without consultation with indigenous people. It was interesting, actually, when I came in because the intent of that government of that day, the old Progressive Conservative government, had been to help indigenous communities. They actually had their hearts in the right places, but they failed to do any consultation. As a result, the bill was sort of loudly and resoundingly rejected by First Nations throughout this province. That was one of the things we repealed early on, and consultation, as I understand, on that is still ongoing.

The issue at issue in that particular bill was about how a First Nation – many people may not be aware of this, and it affects forestry as well. When a proponent comes forward with any sort of project – oil and gas projects, forestry projects – if it’s within the traditional territory of a First Nation, they have a right to be consulted. As a result of that, they’re provided with an enormous amount of documentation that sort of explains what the impact of those projects will be. When those impacts are made clear, they have to analyze it. A lot of First Nations were very concerned because they didn’t have the capacity within the nation to analyze it, and they often didn’t have the capacity to analyze it within the

sort of time frames provided by the aboriginal consultation office at that time. That was a big concern.

It was a real problem that that previous government was trying to address, and it is, to my understanding, a real problem that continues to exist even to this day. It’s a challenging problem. I’m hopeful that it will meet a resolution at some point, but it’s a complicated issue. That’s really all that has to be said about it. I’m glad to hear the minister indicate that consultation has been done. I’m glad to know that this bill, by and large, has support.

10:50

With that, I think we’re very willing to support it, again, because, like I said, a modernization of the act generally allows things to function more efficiently, and when things function more efficiently, you get growth, and when you get growth, you often get jobs, and that is, at the end of the day, what people are looking for. If this minister can deliver on that, then I think that will be very, very good because most of this government’s economic initiatives have not been effective. One might say: have not been effective at all. I’m happy to see this. I certainly am obviously not as well versed as the Member for Edmonton-Manning in terms of the specifics of the forestry industry, but I’m really happy to see that that is the case moving forward.

With that, I think I will just reiterate that we do support this bill and we’re happy to see it move forward. Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment for the Member for Calgary-Mountain View.

Seeing none, are there others wishing to join in the debate? The hon. Member for West Yellowhead.

Mr. Long: Thank you, Mr. Speaker. It’s actually been rather entertaining during the readings of this act to listen to the NDP talk about forestry. It’s sort of awkward, like a fish out of water, mind you, but I guess it’d be like me standing here trying to tell them how to stage a sit-in. That said, I appreciate the Member for Edmonton-Manning growing up in Campbell River and having some family history with forestry. It is good to know that some of their members are aware of what actually goes on in the sector.

Unfortunately, coming from the forestry sector, I do know that when the NDP was in government, there was a lot of confusion on whether the former minister simply didn’t know what was going on regard to forestry, or the more prevalent thought with the industry was likely a little more accurate, being that the only people at the NDP cabinet table who had influence were the former Premier, the former ministers of Health, Education, and environment, and, of course, Gil McGowan.

This is why Bill 40 is so important. While the NDP was in power, they had plenty of opportunities to modernize the Forests Act and help increase economic activity and show the industry that the government knows the importance of timber supply. However, the Forests Act has not been updated in nearly 50 years. Cutting red tape was the opposite of what the NDP’s primary mandate was. That’s why we’re taking this on and modernizing the Forests Act with Bill 40.

This modernization will help accomplish several key goals. Firstly, it will directly contribute to the delivery of the forests job guarantee. Secondly, it would make good on our government’s promise to cut red tape and reduce regulatory burden. Thirdly, the removal of redundant licence requirements will reduce wait times for licence processing. These are just a few of the vast improvements Bill 40 would make to the Forests Act. Alberta’s forestry industry directly employs 19,500 people and supports more

than 25,000 additional jobs in Alberta, contributing \$1.7 billion in salaries and wages in 2019. Slashing these inefficiencies will help to support and grow these jobs to benefit our communities and will bring back investment, that's desperately needed for the sector.

The amount of jobs and capital that Alberta's forestry sector had under its belt was not the only impressive part of this industry. Our forestry sector is also known for its responsible and sustainable forest management practices. Recently I had a discussion with a company that harvested an area in 1952 and just reharvested that area again this year. This is the kind of sustainability with this sector that we boast of. Reforesting of harvested areas obviously is still a requirement under Bill 40 to ensure that this renewable resource is available for future generations to use. Properly managed forests produce outcomes such as supporting and protecting wildlife habitats, providing tens of thousands of jobs, reducing the risk of forest fires as well as cleaning the air.

Bill 40 will also be adding a preamble to the Forests Act that reaffirms Alberta's commitment to the sustainable management of forests and a sustainable timber supply. The people I talk to in the sector believe that managing forests through proper harvesting techniques is essential not only to the health of the forest but also the health of our communities. Unfortunately, far too many of the people who don't understand the industry believe that a healthy forest will actually just burn and then regenerate from there. Obviously, we all know the impacts of fire to harmful pollutants in the air, and we are all concerned about CO₂ in the atmosphere, so we should understand that there is nothing better to mitigate CO₂ emissions than a responsibly managed forest system. While the NDP likes to spend their time virtue signalling and praising their idols like Greta Thunberg and David Suzuki, we will continue to support a sector that makes sure that our forests are in good condition. Forests are like giant filters that absorb CO₂ and put out the oxygen that we all need to live, so it's important to note that young, healthy trees absorb far more CO₂ than old, dying trees, that are susceptible to fire.

If the NDP, as they say, is so concerned about the effects of carbon emissions and knowing that a responsibly managed forest is key to mitigating carbon emissions, then perhaps they wouldn't have cut the budget for pine beetle mitigation from \$30 million to \$25 million, leaving our forests much more susceptible to fire. By cutting this funding and sitting idle as the federal government did nothing, not only did this allow the pine beetles to spread; it also put our forests and our communities at risk.

Cutting the forestry budget was not the only thing the NDP has done to damage our forestry sector. Mr. Speaker, my experience is in forestry. I've worked in the industry for 14 years. I spent five years in forestry in British Columbia and another nine years in Alberta, and during all those years I've never seen so much uncertainty in this sector as I saw from 2015 to 2019. In my five years in B.C. I witnessed first-hand major uncertainty caused by the softwood lumber agreement with the U.S., and during this time we saw raw logs leave the region, one truck after another, to go across the border to the United States to be processed.

Still, during that time of angst, that uncertainty cannot compare to the four years under the NDP. I've had numerous conversations with people who refused to invest capital into our forestry sector specifically because the NDP was in power. Their four years was a reign of terror for our sector, and had they been granted another four years, it would have turned into a reign of destruction. Maybe this is partly because, according to police surveillance, the Y2Y were helping to inform the land management decisions of the NDP's former minister of the environment. From what I understand, the former NDP government didn't just meet with Y2Y; they also met with other activist groups like Ecojustice warriors and Extinction

Rebellion to help them form their decisions on what to do with our industries and how to stifle the development and investment potential that the forestry sector had to offer.

Undoing all the damage they have managed to inflict on our forest industry will not be easy, but Bill 40 is taking some of the right steps to make that happen. Allowing for important actions such as increasing transparency for how dues are calculated will empower our province and put us in a better trade position in the ongoing softwood lumber dispute. The amendments proposed in Bill 40 will enable our forest industry to be competitive by allowing more timely updates to the timber dues collected from forest companies.

In addition to this bill, our Minister of Agriculture and Forestry has been extremely proactive in meeting with the representatives of the forest sector and community leaders. I've noticed his extensive engagement personally, and I know that the industry has been very pleased with his willingness to hear their perspectives. My communities have been extremely engaged in the process. They've been rather open with me that they are actually feeling today like they have a voice in government, which is something they haven't had for a number of years.

All of these measures taken together will help to turn our forestry sector around for the better, and that's why I'm proud to stand and voice my support for this bill. Mr. Speaker, I've heard various members say that our government hadn't done any analysis on what the results of this bill will be. I'm proud to report from the industry reps and community leaders that I've talked to that we need to simply do the exact opposite of what the NDP did to their companies and communities, and they'll have a chance to survive.

I want to thank the Minister of Agriculture and Forestry for bringing this bill and for being so engaged with our forestry sector and being adamant that he is going to ensure that our communities have a future. Thank you, Mr. Speaker.

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

11:00

Ms Sweet: Well, thank you, Mr. Speaker. I feel like last week we were having this conversation about decorum in the House and how it would be really nice if we could just collaborate when we can collaborate and disagree when we disagree. What I don't understand from the last member's comments is how we went from "We all support the bill in this Chamber, and we all think that it should move forward, and we would like to see Bill 40 pass third reading today, and let's support the forestry industry to do what they do best" to what just came out of the member's mouth around going after some of our members of caucus. I don't understand why we cannot have a respectful debate in this Chamber when we agree. Why does it have to get to the level of starting to make comments about members in the Chamber on a bill that we agree on?

The government says that it's, you know, the tone of the NDP and, like: they're the ones that are doing this. We hear this all the time from the government side, yet on a bill that we all agree on, that I personally just stood up and said nice things about and my colleagues have said things about, and we've voted in favour through all the stages, to have a member of the government decide to stand and then make comments about individual members of this caucus and to deliberately try to create an environment that is not collaborative makes no sense to me, not under a bill that we all agree on. If we disagreed – you know what? – sometimes tempers increase, and sometimes we say things, and we start engaging, and we try to get responses from people, because for some reason that is part of the environment that we work in when we disagree. It is

very uncommon, though, when we are all collaborating together and we are all supporting a bill, that that's the level that it has to go to. It doesn't make any sense.

I thought that after last week we'd gotten to a place where we were all coming to understand that we can communicate and have respect for each other when we agree, we can also disagree at times and try to still be respectful when we disagree, and that the tone would be changing over the next few weeks. We all support this bill, so I just would really like to encourage for the rest of the night – I mean, we've got a while to go still – that we get to a place where we can actually just talk about the contents of these bills and not about each other.

That's all I'm going to say.

The Speaker: Hon. members, is there anyone else wishing to join in under Standing Order 29(2)(a)? The hon. Member for Spruce Grove-Stony Plain.

Mr. Turton: Thank you, Mr. Speaker. How much time do I have?

The Speaker: A minute and 55 seconds.

Mr. Turton: Okay. Excellent. It's an absolute pleasure, obviously, to speak for a couple of minutes to this bill as put forth by the Minister of Agriculture and Forestry. You know, over the weekend I had the pleasure, Mr. Speaker, of driving through West Yellowhead. I could see quite clearly, as I drove through that riding as I was going to Jasper, why the member is so passionate about trees and the forests. You really sense an entrepreneurial spirit out there.

When I was 18 years old, coming out of high school, I had the option to either go to acting school in Montreal, Mr. Speaker, or else I was going to take up, get into forestry or get into oil exploration. You know, just as the luck of the draw, I decided to get into seismic drilling, but I worked beside a lot of forestry guys, a lot of slashers, to be exact, as they were cutting up the cutlines. You could sense the passion because it wasn't a normal job for those guys and gals out in the forests. It was a passion because it truly is a different type of occupation.

I know that the Member for West Yellowhead talked about spending extensive time out in the industry. I was just hoping, perhaps, that in the last couple of seconds he could elaborate on some of that experience and the impact that forestry has had on his riding.

Thank you.

The Speaker: The hon. Member for West Yellowhead should he choose.

Mr. Long: Thank you very much, Mr. Speaker. Yeah. As the member pointed out, I am very passionate about the forestry sector and the forest industry and my communities. Heaven forbid that I would ever say anything that would be deemed inappropriate in this Assembly, but I have been saving up for about six years, watching what was transpiring while I was feeding my family with a paycheque coming from that sector. So I did feel the need to bring to light some of those issues that I was seeing first-hand.

Thank you, Mr. Speaker.

The Speaker: Hon. members, we are on the bill. Is there anyone else wishing to speak to it?

Seeing none, I am prepared to call on the hon. minister of forestry to close debate should he choose to do so.

Mr. Dreeshen: Thank you, Mr. Speaker. I wish to close debate on Bill 40.

[Motion carried; Bill 40 read a third time]

Bill 38

Justice Statutes Amendment Act, 2020

The Speaker: The hon. the Deputy Government House Leader and the Minister of Transportation has risen on behalf of the minister?

Mr. McIver: Thank you, Mr. Speaker. You are correct. I rise on behalf of the Minister of Justice and Solicitor General to move third reading of Bill 38, the Justice Statutes Amendment Act, 2020.

The Justice Statutes Amendment Act, 2020, contains proposed changes to six pieces of legislation: the Police Act, the Provincial Offences Procedure Act, the Jury Act, the Referendum Act, the Queen's Counsel Act, and the Victims Restitution and Compensation Payment Act. The amendments would recognize First Nations police services and police commissions in the legislation; modernize the jury selection process; streamline court procedures, access, and flexibility; expand Queen's Counsel qualification requirements; reduce red tape; and make minor housekeeping changes.

First, I'd like to address changes to the Police Act. First Nations policing is currently not included in the Police Act. This is wrong, especially as First Nations policing has been around in Alberta for more than two decades. While the Police Act did come into force before First Nations policing was a reality in the province, this omission has yet to be rectified, so an unequal standing for those police services and commissions compared to their municipal counterparts persists to this day. Bill 38 contains two sets of amendments to the Police Act. The first is a critical step in providing recognition and equity for First Nations police services and commissions and showing our commitment to fair access to police services for all Albertans. Declaring First Nations police services as equivalent to municipal police services in legislation will boost police officers' morale and give First Nations police chiefs the power to appoint their own officers. First Nations police services have told us that being excluded has created a lack of equity in the legislation.

The second change to the Police Act is technical and minor. It is to simply update population references for communities and bring them in line with prior changes to regulations under the Municipal Government Act. In other words, we're making sure we use the same source, Treasury Board and Finance, for population figures as the rest of the ministries.

The Provincial Offences Procedure Act next. There are five amendments proposed for the Provincial Offences Procedure Act. The act sets out the, quote, how-to for enforcing provincial and municipal bylaw offences. Two amendments would streamline procedures for law enforcement in order to save time and resources. The first would allow peace officers to prove that they served a ticket by written statement. This statement would be considered to be made under oath, so officers don't need to spend time appearing before a Commissioner for Oaths. The second would allow tickets for more types of offences to be served by mail.

Another amendment will help to save court time with the procedures for persons applying to set aside their convictions in absence being streamlined. Changes would allow people 30 days to apply, eliminating the need for them to go before a Commissioner for Oaths to swear an affidavit.

To increase access to the courts and allow for more flexibility to deal with court matters, amendments would allow justices to let

parties take part in trials and hearings by video conference or telephone. This would increase access to justice, particularly in remote areas.

Other amendments would allow routine court matters to be dealt with by telephone, e-mail, or other electronic means and let First Nations use ticketing provisions to enforce their bylaw offences.

Finally, housekeeping changes would remove reference to a regulation that prescribes the locations of Provincial Court offices in Alberta and add a reference to paying tickets online.

11:10

The Jury Act. Amendments to the Jury Act are also included in Bill 38. The amendments would remove the requirement that a juror summons be in a specific form and allow summons to be served by e-mail. This would result in courts being better able to adapt to changes, and sending summonses electronically will save time and resources.

The amendments to the Jury Act and Provincial Offences Procedure Act are supported by the judiciary. The amendments remove an onus on persons charged with these offences to prove they have a lawful excuse for failing to attend court or abide by a condition of their release.

The Referendum Act. Bill 38 also contains minor changes to the Referendum Act. We passed the Referendum Act because Albertans should have a direct say on important matters that affect their day-to-day lives. Referendums enhance democracy and enable real debate on specific issues which involve all citizens, not just politicians and the media. A minor change to the act would allow referendums and Senate elections to be held at the same time during a municipal election. Holding a referendum as part of municipal elections will allow for efficiencies to cover costs.

Again, I want to thank the Minister of Justice's office for monitoring the opposition's legitimate questions during debate, and I'm pleased to provide those answers. The Fair Deal Panel was a massive consultation by Alberta's government. We heard loud and clear from tens of thousands of Albertans that they want a direct say on important matters, and this legislation will set the stage for that. There could be government-led initiatives, and discussions about other types of initiatives on how Albertans can get more involved are ongoing.

The Queen's Counsel Act. Amendments to the Queen's Counsel Act would allow us to recognize and celebrate the contributions of more exceptional lawyers with diverse backgrounds. Right now the Queen's Counsel Act restricts appointments to those who are entitled to practise in the superior courts of the United Kingdom of Great Britain and Northern Ireland or Canada for at least 10 years. This excludes some members of the Law Society of Alberta, who make valuable contributions in our province. The proposed amendments would expand qualification requirements to include almost all Commonwealth jurisdictions, those that incorporate or use common law as the basis, in whole or part, for their legal system.

Right now there's no set amount of time that a lawyer has to be entitled to practise in Alberta to be eligible for a Queen's Counsel appointment. Amendments in Bill 38 would require lawyers entitled to practise in a superior court in a Commonwealth jurisdiction other than Canada to have been entitled to practise for at least a 10-year period, including in Alberta for a minimum of five years, to be considered for an appointment. This would impose a new restriction on those entitled to practise in the United Kingdom as these lawyers would also have to practise in Alberta for at least five years. Other provinces have minimum practise requirements in their jurisdictions.

Moving on to the final change, we have an opportunity to reduce red tape. We are proposing to automatically revoke a QC appointment when a lawyer is disbarred or resigns in the face of discipline and is deemed to have been disbarred. This would replace the current route of requiring the Lieutenant Governor to revoke the QC appointment.

The Victims Restitution and Compensation Payment Act. Finally, amendments to the Victims Restitution and Compensation Payment Act would take away more criminals' tools of the trade and their profits. Doing so helps to reduce crime and increase community safety. Expanding the offences that are eligible for civil forfeiture would help deter a larger variety of crimes. The changes in Bill 38 would let the government use proceeds of crime to recover the costs of running the civil forfeiture program instead of relying on taxpayers, as in the past. Make no mistake, though, the government will still use the proceeds of crime fund grants for community crime prevention and victims of crime initiatives.

In addition, we will use the proceeds of crime for law enforcement grants. These would be available to police agencies and would ultimately help police reduce crime and deter criminals in Alberta communities, and it would allow us to strike the right balance between support for law enforcement and support for community groups.

The changes to this act also support red tape reduction by getting rid of never-used portions of the act and reflect supports to victims now provided through the restitution recovery program. This will bring Alberta's legislation in line with other provinces and disincentivize criminals from relocating proceeds of crime committed in other jurisdictions to Alberta.

To conclude, I want to emphasize that the amendments in the Justice Statutes Amendment Act, 2020, would help us to streamline and modernize the jury selection process and some court procedures, provide greater access to justice, and allow us to recognize First Nations police services and even more Alberta lawyers.

Thank you, Mr. Speaker.

The Speaker: Hon. members, are there others wishing to speak? The hon. Member for Calgary-Mountain View has the call.

Ms Ganley: Thank you very much, Mr. Speaker. I'm pleased to rise and speak to this bill. There are a number of different changes in this bill, as is the case with bills that touch on multiple acts, sometimes called omnibus bills. I don't know if this one quite rises to that level, but it can be challenging for an opposition caucus because there are things one supports and things one doesn't.

So I think it's worth starting with what I support, which is the changes to First Nation policing. This is a really good thing to move forward for a number of reasons. It allows them to be sort of recognized as full members, and it is the case currently that all First Nation services have to meet the same standards. So you have officers who are required to meet the same standards, who are doing the same job, but the services themselves are encumbered because they are not recognized under the Police Act.

For those services, it's difficult because they're not able to appoint their own officers. They have to go to the government to do that, so that's problematic. There are a number of other things that they're not allowed to do sort of in terms of redeploying their budgets. In my last sort of round of consultations with the police chiefs, for the three chiefs of the First Nation services, this was probably their top priority, so I would like to congratulate the government on that. Hopefully, my congratulating of the government will not cause the Member for West Yellowhead to rise once again and talk extensively about what a terrible person I am,

but, yes, we'll see. We'll see. Perhaps he'll come back in and have more nasty things to say about people in this Chamber.

The Speaker: I would just provide some caution for the hon. member on referring to the presence or the absence of any member inside the Assembly. Of course, members have all sorts of responsibilities that may take them away from the Chamber, or they may be here at all times.

Ms Ganley: They do indeed, and it certainly wasn't my intention to comment on his presence or absence, simply his deeply, deeply inappropriate comments, probably the worst I've ever seen in this place, and that's saying quite a lot.

All right. Returning to the bill, that is one thing that I definitely support, and I hope that the government will accept that particular support. [interjections] I'm not really sure why government members are heckling at that, but, yes, we are in support of that. I think it is, in fact, a great thing to do, to ensure that those First Nation services are recognized. It has been a while in coming, and I hope that with those changes having been made to the Police Act, we will be seeing additional changes to the Police Act because I think we all know that they are sorely needed.

Some other things that are impacted here. Now, the changes to the Queen's Counsel Act as they stand I think are not problematic. I think my problem with this is not the changes that are included in the act. My concern is about changes which are not included in the act. One of the difficulties with Queen's Counsel appointments is that historically they fall disproportionately to certain people. There is definitely a lack of minorities that are recognized of all sorts, particularly persons of colour. There is a comparative lack of women who are recognized as Queen's Counsel. Now, in part, this is as a result of... [interjections] Sorry. I'm not really sure what the conversations are about.

In part, this is as a result of the fact that the legal profession itself at senior levels suffers from similarly challenging problems. When you see people graduating from law school, you see women graduating, actually, usually more than 50 per cent. It's usually more than 50 per cent women coming out of law school, and that's been the case for at least a decade, but 10 years out you don't see that many women in practice anymore. That's something that I think the profession has to wrestle with, and I think that when you're making any sort of appointment you should be concerned about what the demographics on that appointment are. I know that members in this place have suggested that the problem is a lack of merit amongst those underrepresented groups. I don't believe that to be the case. In fact, I think there is probably pretty good evidence to support that that is not the problem that is occurring here.

I think my concern is that with the changes made, I don't necessarily feel they will address that, which is, in my view, sort of the largest concern with the Queen's Counsel appointments; that is, the lack, the underrepresentation of persons of colour and the underrepresentation of women. But the changes themselves are something that I don't think I object to.

11:20

There are a number of other changes in this act, and the only other one I wanted to touch on was changes to civil forfeiture. It will be called the civil forfeiture act following this bill. It was previously called the Victims Restitution and Compensation Payment Act, not to be confused with the Victims of Crime Act. I'm actually really glad that they're changing the title because it was a very confusing title, and it caused people to get confused between the two acts. I'll start by saying that I'm really glad they're changing the title of the act because, I mean, across the country they're called civil forfeiture

acts, right? Everyone knows what that is, and this will be an improvement.

I'm a tiny bit conflicted about those changes, and the reason I'm conflicted is because civil forfeiture is extremely effective. It's a very effective means of curbing crime, and that's why it's allowable. The concern that always arises is that if you allow police services to be funded from the civil forfeiture fund – and that's not currently the case. Currently the monies in the civil forfeiture grant go out. There is sort of a call for grants, and it can be either groups that are doing crime prevention initiatives or groups that are supporting victims, but it cannot be police groups. This will change that so that it can go towards policing. The concern that always arises is that the police are ultimately the ones who are making the decisions – well, I mean, in consultation with the Crown, but they're generally the ones who are making the decision about the applications to forfeit.

The concern always is that if police are funded directly by way of civil forfeiture, there is an incentive to perhaps bring more applications than otherwise might be brought. Now, that isn't to say that that will necessarily happen, but when you're setting up a system, you don't set it up with the majority of actors in mind. You set it up on the basis of things that could go wrong in that system, so on the basis of the few potential bad actors. That leaves me in a position of sort of being of two minds, shall we say, about the civil forfeiture changes. I mean, potentially it can do good, but it also, I think, leaves some room for concern. The only reason I would raise the concern about it is because when we are taking people's private property, when we're taking the things that they own, we should be very cautious about that. Again, that isn't to say that they're necessarily bad, just that it leaves me with a certain source of concern.

Most civil forfeiture applications are brought against the individual, and in some cases they're because whatever it is is the proceeds of crime. The concern I think more so can arise when you're talking about something that was used in the commission of a crime is because sometimes it won't be the offender's property. Sometimes it can be a parent or a grandparent or a friend or another relative – right? – and that can leave that other individual in a bit of an unfortunate position. Now, that isn't to say that police ever set out to do that. I mean, the challenge is that oftentimes people who have obtained funds by unlawful means, shall we say, will deliberately purchase things and put those things in the names of other people, of other relatives of theirs, right? It's a difficult position that police find themselves in when they're making these decisions because it's difficult to know whether the property is rightfully the other person's or whether it perhaps has been moved into the other person's name in an attempt to circumvent exactly that.

With that, I will say that overall I think we're ultimately supportive of this bill. My colleague from Calgary-McCall put forward a number of what I think are very, very thoughtful amendments. I wish that some of those amendments had been accepted, but they were not. That leaves us in a position where we're in favour of some of the bill and not in favour of other portions of the bill, but I think that on the whole, for me, I'm supportive of it because I think the changes to First Nations policing are overdue and warranted, and I think they're very, very important.

I would like to thank the minister for bringing those changes forward, and I think that, with that, I will take my seat.

The Speaker: Hon. members, are there others?

Seeing none, I'm prepared to call the question or to allow the Minister of Transportation on behalf of the Minister of Justice to close debate.

Mr. McIver: Closed, Your Worship – not Your Worship; jeez, I’m having a brain cramp here – Mr. Speaker.

The Speaker: Just don’t call me the mayor of Calgary, and we’ll still be friends.

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

[Several members rose calling for a division. The division bell was rung at 11:27 p.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Aheer	Issik	Stephan
Ceci	Loewen	Sweet
Dang	Long	Toor
Ellis	McIver	Turton
Fir	Pancholi	van Dijken
Ganley	Pon	Wilson
Goodridge	Shepherd	Yao
Hunter	Sigurdson, L.	Yaseen

Totals: For – 24 Against – 0

[Motion carried unanimously; Bill 38 read a third time]

Government Bills and Orders

Second Reading

Bill 46

Health Statutes Amendment Act, 2020 (No. 2)

Mr. Eggen moved that the motion for second reading of Bill 46, Health Statutes Amendment Act, 2020 (No. 2), be amended by deleting all of the words after “that” and substituting the following:

Bill 46, Health Statutes Amendment Act, 2020 (No. 2), be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

[Debate adjourned on the amendment November 25: Mr. Dang speaking]

The Speaker: The hon. Member for Edmonton-South has eight minutes remaining should he choose to use it. The hon. Member for Edmonton-South has the call.

Mr. Dang: Thank you, Mr. Speaker. It’s always a pleasure to rise in this place and continue speaking to the Health Statutes Amendment Act, 2020 (No. 2), particularly when we’re talking about an act which was so concerning and continues to be so concerning for members of the opposition and members of the public. Of course, I think, certainly when we look at the Health Statutes Amendment Act and we look at the information that’s been presented in the public and to people like the Information and Privacy Commissioner, how absolutely astonishing it is that this bill was even brought to this place – right? – without any proper consultation, without any proper input from the Information and Privacy Commissioner, without any consultation with Albertans, without any consultation with privacy experts.

[Mr. Milliken in the chair]

It simply is legislation that weakens the privacy rights of Albertans, it’s simply legislation that does not make sense, and it’s simply legislation that we must put the brakes on and properly review. Mr. Speaker, it does not make any sense. Nobody can

explain why the government would eliminate the need for things like privacy impact assessments. Nobody can explain why this government would allow out-of-province, out-of-jurisdiction, and possibly out-of-country organizations to access the personal and private health records of Albertans.

The clauses in this bill actually allow the personal and private health record, the personal and private health information, some of the most confidential and private data that will ever be generated on Albertans – that information can be released at the discretion of the Health minister, the Health minister who has the discretion of somebody who would yell at a physician on their driveway, the Health minister who has the discretion of somebody who would use his office to acquire the personal and private phone numbers of physicians so he could call them and berate them. Mr. Speaker, this is not a man Albertans can trust. It’s not a man that this government should have in that role, but it’s certainly not somebody who we should be trusting with the personal and private health records of Albertans and giving those away.

Mr. McIver: Point of order, Mr. Speaker.

Point of Order Language Creating Disorder

Mr. McIver: There are a long-standing number of rulings here where people want to say, make disparaging suggestions. They make it about the party or the group but not an individual. I believe that the hon. member just crossed that line about three times in a row.

The Acting Speaker: Are there any members from – looking for a response, I see the hon. Member for Edmonton-South has risen to respond.

Mr. Dang: Thank you, Mr. Speaker. I would certainly withdraw and say that I should have been speaking about the government.

The Acting Speaker: I will consider this matter to be closed.
If the hon. member could continue.

Debate Continued

Mr. Dang: Thank you, Mr. Speaker. This government cannot be trusted with the health records. When we have ministers on this bench, when we have government members, when we have government officials acting in this manner, when we have elected officials acting in this manner, this UCP government, this Premier’s government cannot be trusted and should not be trusted. Albertans do not trust this government.

The Information and Privacy Commissioner has raised significant concerns with this legislation. The Information and Privacy Commissioner has explicitly stated that this legislation should be stopped or reviewed at a committee stage, Mr. Speaker, has explicitly stated that this legislation is inadequate, that this legislation is perhaps the only legislation in the world that is actually diminishing and reducing personal protections for information and privacy. This government is introducing one of the most regressive privacy rights legislations ever seen in the world.

Mr. Speaker, it’s simply shocking that this government is so lacklustre, is so willing to degrade the rights of Albertans, degrade the information and privacy rights of Albertans, to release their information to foreign organizations without their consent, to release their information to even out-of-country, out-of-province organizations without their consent. It’s simply shocking because without having done robust consultation, without having introduced

any safeguards, without having introduced any measures or talked to any experts, this is an absolute overreach – this is an absolute overreach – of the information that Albertans are going to have to give up. It simply does not make sense.

The government acted and told this Assembly that they had consulted with the Privacy Commissioner. Why did the Privacy Commissioner come out and say that that was not true? The government had stated that the Privacy Commissioner was consulted, and the Privacy Commissioner released a letter in a very unusual – and as you know, Mr. Speaker, and as members of this Assembly know, the Privacy Commissioner is an independent officer of this Legislature, one of the highest safeguards we have for Albertans' privacy rights. Why would the Information and Privacy Commissioner release a letter saying that she was not consulted, that the government had done an inadequate job? It simply does not make sense.

It does not make sense because this government did not do the work required. This government did not take the steps required to ensure that we would have the privacy enforcement mechanism, to have the appropriate steps in place. Mr. Speaker, one of the most concerning points raised by the Information and Privacy Commissioner, one of the most concerning points made was that any privacy law introduced in Alberta, anything introduced by this minister, by this government, by this Legislature, if the information was released out of jurisdiction, would have no effect. We would not have the rights, we would not have the jurisdiction to go and defend Albertans' privacy because of that.

11:50

Because of this legislation, this government is actually telling Albertans that their information can be sold or given off to foreign corporations. That is what this government is suggesting. It is absolutely shocking, Mr. Speaker. It doesn't make any sense. It is unfair to Albertans. It really is Americanizing our health care system and in the midst of a global pandemic, when we should be trying to ensure that Albertans' safety and information privacy is at the forefront. When we are seeing Albertans needing to access health care in unique ways that we have never seen before – we saw the Health minister, for example, activate telephone billing codes earlier this year, at the beginning of the pandemic – when we're seeing Albertans access health records in unique and new ways, it makes no sense that we would be the only jurisdiction in the world that is making it easier to give away Albertans' private information, to give away Albertans' health records, to give access to foreign corporations to Albertans' health records without their consent.

Mr. Speaker, I spoke in this place about it before, but the GDPR, the general data protection regulation, in the European Union is considered by privacy and information experts to be the gold standard in how we should be dealing with privacy information. One of the tenets, one of the core principles of the GDPR is informed consent. What this legislation does does not provide that. It says that Albertans' health records, their medical health records, can be released without that. It can be released at the discretion of this minister, the minister who, again, berated a doctor on their driveway, who, again, accessed health records to call physicians who had criticized him on social media. It doesn't make any sense.

When other jurisdictions around the world, whether it's here in Canada – we've seen the federal government even do hearings with social media companies and request hearings with social media companies. We've seen what's happening in many United States jurisdictions, whether it's the United States' federal or state level jurisdictions also introducing new privacy regulation. Mr. Speaker, we have seen across the world that information privacy is at the forefront right now, that introducing stronger information privacy

safeguards is at the forefront right now, and it is simply is not the case that we are seeing this here in Alberta. It simply does not make sense because this government is reducing those restrictions.

Thank you.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available should there be any takers for questions or comments.

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

Ms Pancholi: Thank you, Mr. Speaker. It's a pleasure to rise on Bill 46, the Health Statutes Amendment Act, 2020 (No. 2). I understand that we're speaking to a referral brought forward by my colleague the Member for Edmonton-City Centre to refer this bill to committee for further review. You know, we've had a number of bills come through this Legislature since at least the time that I was elected, and I can tell you that this bill – there could not be a clearer bill where there is a requirement for this to go back to committee for review.

The reason, Mr. Speaker, is quite clear. We've talked about it a number of times. The government made it very clear that they were not interested in seeking the input of perhaps one of the most qualified individuals who is an independent officer of this Legislature, which is the Information and Privacy Commissioner, on legislation that significantly impacts the privacy and protection of health information of Albertans. It quite honestly baffles me, why this government would not seek the advice and recommendation and insight and expertise from the Information and Privacy Commissioner on legislation that directly relates to her roles and responsibilities with respect to protecting health information in Alberta.

Simply said, Mr. Speaker, we were – you know, I'm certain that most of the members here saw the news stories that came out. I know that the Member for Edmonton-City Centre spoke very clearly about his experience while getting briefed on the bill by the Minister of Health and was told that the Information and Privacy Commissioner had been involved and had been consulted and, while in the middle of that briefing – the story broke on social media – the Information and Privacy Commissioner actually stating: no, I was not consulted.

Mr. Speaker, this does not mean, of course, that – consultation, we know, is a process. It's a process by which perhaps the, you know, Information and Privacy Commissioner might not have had all her views and recommendations accepted, but certainly to caution the Minister of Health and the government with respect to perhaps unforeseen circumstances and advise as to how to interpret certain provisions: this is key.

I've heard that the response from the Minister of Health and the government as to why they didn't consult was that they're claiming that they're not permitted to share copies of the bill and draft legislation before it's tabled in the Legislature, but that is certainly not what is required to do proper consultation. I can give an example directly, Mr. Speaker, because having been an opposition critic on a bill that is currently still before this Legislature, which is Bill 39, the child care licensing act, I know very well that a number of stakeholders were told ahead of time: these are the policy directions in which we're going. It wasn't the draft legislation, but I know that stakeholders actually were given a clear indication from the ministry as to what would be within the proposed legislation.

Certainly, that is a very – it's the nature that governments have done all the time with respect to consultation on legislation. They provide an indication of potential policy directives, options even, perhaps, and seek input as to whether or not to pursue those or what

concerns might be raised by those policy directions. So that is a poor excuse for this government's failure to consult with the Information and Privacy Commissioner.

Now, I spent some time, Mr. Speaker, going through the detailed letter – and perhaps it's been tabled already by one of my colleagues, and if it has not, I would be pleased to table this letter in the Legislature – which is a letter dated November 13, 2020, from the office of the Information and Privacy Commissioner with respect to Bill 46, the Health Statutes Amendment Act, 2020 (No. 2). I took some time, and I went through the concerns that the Information and Privacy Commissioner outlined. Quite honestly, these are concerns that should have been put before and had the opportunity to be put before this government before Bill 46 was drafted. It's clear that they were not.

Now I want to highlight some of the key concerns that the Information and Privacy Commissioner outlined in this letter because these are the things that Bill 46 should have at least considered or addressed. Now, several members in this House have already spoken to what the health information is within Bill 46 that's being shared, and it's primarily that information that's contained within Netcare, Netcare being this, you know, database of patient information that can be accessed by care providers.

That health information, of course, naturally, Mr. Speaker – one of the reasons why we have separate legislation governing specifically health information is because of the unique privacy concerns and the deeply personal nature of health information. The very essence of any good privacy legislation is to really – and it should be the essence of how government approaches all personal information which it manages – balance the need for the proper use and disclosure of personal information and health information with, of course, the fundamental privacy rights of those individuals.

Specifically, in her letter dated November 13 the Information and Privacy Commissioner outlined her deep concern that, of course, what the bill – one of the things Bill 46 does is that it allows health information of Albertans to be used by companies and individuals outside of Alberta and outside the jurisdiction of the Information and Privacy Commissioner, which means, Mr. Speaker, that should an Albertan believe that their health information has been misused, has been disclosed improperly, and their privacy has been breached by one of these organizations or individuals outside of Alberta, the office of the Information and Privacy Commissioner has no right and no jurisdiction to be able to hear that complaint and potentially issue a penalty should it be appropriate. Simply said, this Bill 46 states to Albertans: you might have privacy rights here in Alberta, but we're going to allow your health information to be used outside of Alberta, and you have no recourse. That's what the Information and Privacy Commissioner outlined.

She said that she is

and will remain strongly opposed to any expanded access and use that does not include a robust privacy and security assessment and consultation on increasing risk, with commensurate, updated and enhanced controls that reasonably mitigate such risk. Transparency is critical in this regard.

That's essentially the importance of privacy legislation, balancing that. You cannot provide greater access, particularly to individuals outside the jurisdiction of Alberta and outside the jurisdiction of the Information and Privacy Commissioner, without putting in additional safeguards and measures to protect the privacy of Albertans' health information.

12:00

On the contrary, we see that Bill 46 goes even further. It actually says that a privacy impact assessment is not even necessary. Now, a privacy impact assessment is a requirement right now under the

Health Information Act. It's a requirement under the Freedom of Information and Protection of Privacy Act as well. It is one of the measures that we are required to do in Alberta to make sure that health information, private information – an assessment is done to determine how best to protect it, when it is appropriate to disclose it, what level of consent you need. It is the very measure, when you're looking at a specific collection of personal information, of how to ensure that it is protected.

The words used, Mr. Speaker, by the Information and Privacy Commissioner in response to Bill 46's removal of the requirement for privacy impact assessments are:

I cannot stress more emphatically my concerns with this amendment...

Frankly, it is shocking and disappointing to see an amendment that proposes to remove this PIA requirement that supports and documents the assessment of privacy risk and ensures that reasonable controls are in place...

Removing this PIA requirement is simply unacceptable.

Now, we don't know, Mr. Speaker, what the rationale was for removing this. Perhaps, had that discussion happened with the Information and Privacy Commissioner prior to Bill 46 being tabled, there could have been some mitigation of that risk, but as it stands right now, Bill 46 just wholesale removes the privacy impact assessment process. As we've heard, it is absolutely unacceptable to the Information and Privacy Commissioner, who has no other objective than to protect the deeply personal information of Albertans. That is her sole object.

I think that is quite a damning critique, if I might say, Mr. Speaker, of Bill 46 and the process that led to Bill 46 and, quite frankly, the lack of process, which is precisely why we're standing up in this House and saying that this needs to be referred to committee. Clearly, the proper assessment and consultation were not done on this bill.

Now, there's actually another comment that the Information and Privacy Commissioner speaks to in her letter with her concerns about Bill 46 that actually stood out to me for, I'll be honest, Mr. Speaker, a different reason. She speaks to one of the things that Bill 46 does, that it removes the words "imminent danger" and substitutes "significant risk of harm" for the threshold for disclosing health information without consent to avert or minimize harm.

Now, this stands out for me. Actually, I have to say that the Information and Privacy Commissioner actually is in favour of this amendment in Bill 46. She actually thinks it's a good thing to remove the requirement of imminent danger before health information can be disclosed to prevent harm to an individual. She speaks to the fact that the requirement of imminence is such a strict standard that it has prevented custodians of health information from disclosing information when there might be actual significant harm to an individual. Why? Because imminence requires the harm to be just about to happen.

Mr. Speaker, why I'm speaking to it even though the Information and Privacy Commissioner has indicated she supports that proposed change is that it really stands out for me with respect to a debate we had in this Legislature just last week with respect to Bill 39, the Child Care Licensing (Early Learning and Child Care) Amendment Act, 2020. The government proposed an amendment to Bill 39, which I actually supported. It spoke to the ability to issue a stop order against an unlicensed child care provider. The standard which was incorporated into Bill 39 was "an imminent threat to the health, safety or welfare of [a child]."

In debate on Bill 39, Mr. Speaker, I spoke out about my concern about the use of the term "imminent" because it does reflect a point in time. I don't mean to re-debate something that was debated in Bill 39 although I should note that Bill 39 is still before this

Assembly for debate. But I spoke about my concern that imminence actually is a barrier to taking action when we know that there is a very real threat. It says that we can only take action when a threat is about to happen. It's a point in time. It actually doesn't value and doesn't consider the nature of the harm, which to a child in an unlicensed child care setting could be a very significant harm even if it's not just about to happen.

Now, the government struck down my proposed subamendment to remove the word "imminence," and they said that it just wasn't necessary. I have to say, Mr. Speaker, when I read the letter from the Information and Privacy Commissioner, who actually agrees that the standard of imminent harm is too strict – it's too hard because it actually prevents those people who are disclosing, who may be custodians of health information, from actually averting risk to an individual.

I have to just point that out, Mr. Speaker, because when I was debating on Bill 39, I was thinking about this. I have a little bit of experience, not specifically with the Health Information Act but with the Freedom of Information and Protection of Privacy Act, which also requires there to be an imminent threat before somebody can disclose personal information about an individual to avert harm. I know, having been in circumstances working for school boards, that that's been a real dilemma because certainly sometimes school boards become aware of information that they may need to disclose to potentially protect from threat a student or even a staff member, but that standard of imminence is so high that they're concerned that they can't. I see that that's the same concern as reflected here in the Health Information Act, and the Information and Privacy Commissioner is voicing that imminence is actually an incredibly high threshold. While imminence is important – we want to be able to take action when there's imminent harm – we also want to be able to avert risk to an individual even if the risk is not particularly imminent but is grave.

I read that comment because it struck me very closely as the same type of argument that I wish this government had considered under Bill 39 so that we could have made sure a stop order could be issued any time that there is a serious threat to the health, safety, and welfare of a child. I'm disappointed that the government did not accept that amendment under Bill 39, but I think the Information and Privacy Commissioner's wording here is very relevant. I do hope that this government will consider this advice, not only with respect to Bill 46 before this House but to any legislation brought forward, because if we're trying to avert harm, we should do it whenever it is seriously the case and not only when it is imminent.

Mr. Speaker, I've highlighted some of the concerns the Information and Privacy Commissioner clearly outlined with Bill 46 that could have been mitigated or averted had this government done the consultation which they should have done. It is simply baffling. We have yet to hear an explanation from the Minister of Health, a real explanation, as to why he or this government would not choose to consult with the Information and Privacy Commissioner before bringing forward Bill 46. But it's not simply the failure to consult that is the problem – we know the government has a repeated record of doing that – but there are very real problems and concerns identified by the Information and Privacy Commissioner that have a direct impact on the most deeply personal information that Albertans hold dear, which is their health information.

I do encourage the members of this government to take the time, if they want to make changes to benefit Albertans, and do this right and go back to committee and have consultation. Let's hear from the Information and Privacy Commissioner, and let's find out ways that we can amend this bill so that it better reflects the protection of

privacy that Albertans expect with respect to their deeply personal health information.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available should there be any takers for questions or comments.

Seeing none, are there are other members? I see the hon. Member for Edmonton-Riverview has risen on REF1.

Ms Sigurdson: Yes. Thank you very much, Mr. Speaker. I'm happy to join the debate on Bill 46, Health Statutes Amendment Act, 2020 (No. 2), and this motion to refer. I'm going to talk about an aspect of the bill that's kind of specific to the College of Social Workers, which is the college that I'm a part of – I'm a registered social worker in this province – and that is the separation of the regulatory body and the association. I'm concerned about this decision in this bill because for a smaller college like the Alberta College of Social Workers, it really is the death knell for the association piece. Having been a registered social worker in this province for many, many years, it sort of breaks my heart to know that this legislation will destroy the association and the college, which is one body currently, as I know it.

I fear that this is just another way that this UCP government is silencing advocates. Certainly, in the spring session, what they did to unions, where union members have to opt in to any kind of advocacy work that that union does: that's another way that they did that, and this is just a progression along that road.

12:10

That means that the UCP really doesn't want to have a robust democracy, doesn't really want to hear the voices of all people. It wants to shut people up. That is what this bill is going to do, and it's certainly going to do that to my association, the Alberta College of Social Workers. That's troubling because it's kind of a fundamental value of the profession of social work, to be advocates, and despite Minister Shandro's . . .

An Hon. Member: Names.

Ms Sigurdson: Yeah. Sorry; the Minister of Health. My apologies.

The Acting Speaker: Withdraw and apologize and feel free to continue, noting his correct ministry.

Ms Sigurdson: Yes. My apologies. I apologize and withdraw. I guess that after midnight I'm a little bit less aware, and I apologize for that.

The Minister of Health was quoted in a recent *Edmonton Journal* article as saying that the colleges serve "the interests of the public and patient safety, and the associations are serving members and serving the interests of the profession, and advocating for the profession." It's not quite that simple. It's absolutely not that simple for social workers. Certainly, the association piece actually advocates oftentimes for equality, for making sure that nobody is left out, for fairness and justice for the client population that we serve. That doesn't work for us. I mean, we're being lumped in with a lot of professions that use the strict medical model, which is, you know, yes, with the word "patient": we don't talk about patients. We have clients in social work. So it doesn't really work for us, yet we're all lumped into this. We're negatively impacted by that.

Just sort of to bring this home a little bit more, certainly we have six core values in our code of ethics as social workers. Value 2 is the pursuit of social justice. There it is in black and white, that it's

fundamental to our profession. It's not something that we can just carve away and not do; it's part of it. It's disturbing to me that we're going to be forced to not work collectively to advocate. I just will read it so that the other members understand what it says.

Social workers believe in the obligation of people, individually and collectively, to provide resources, services and opportunities for the overall benefit of humanity and to afford them protection from harm. Social workers promote social fairness and the equitable distribution of resources, and act to reduce barriers and expand choice for all persons, with special regard for those who are marginalized, disadvantaged, vulnerable, and/or have exceptional needs. Social workers oppose prejudice and discrimination against any person or group of persons, on any grounds, and specifically challenge views and actions that stereotype particular persons or groups.

The principles are:

- Social workers uphold the right of people to have access to resources to meet basic human needs.
- Social workers advocate for fair and equitable access to public services and benefits.
- Social workers advocate for equal treatment and protection under the law and challenge injustices, especially injustices that affect the vulnerable and disadvantaged.
- Social workers promote social development and environmental management in the interests of all people.

It's just that a fundamental part of being a social worker is that you are an advocate. You are an advocate for the collective good. You know, the minister is saying: "Well, that's different. You're just advocating for the profession itself." No, we're not. We're advocating for the people we serve. Us having to separate means that part of our obligation as social workers, as part of our code of ethics demands of us, is going to be taken away.

Certainly, we talk in social work a lot about the dual purpose. You know, we call it sort of the micro and the macro. The micro is the individual service to maybe it's an individual. It could be a family system. It could be a larger community. And the macro is looking at larger societal policies, programs, that kind of thing. Certainly, our work here, in this Chamber: we're creating policy that's province-wide. That's sort of a macro. I see myself as a social worker in macro practice, but it's never either/or, one or the other. It's always and/both. It's demonstrated in this legislation how misunderstood the social work profession is by our Health minister because to do this is like a false separation. It's impossible. It's incumbent on us as social workers; we must integrate both the micro and the macro. It's not one or the other. The separation of college and association will be: you know, it really destroys the whole way that we as a profession practise.

Before I was elected, I used to teach at the university. I used to teach social policy to social workers. You know, I always shared this story with my students to help them sort of understand that because a lot of times when people come into the profession or when people don't know much about social work, they just think it's: oh, you just help people; that's what you do. But it's much more complex than that, of course.

One of the stories that I used to tell them is that – I think it's a good way to think about this – one afternoon: it's a beautiful afternoon; it's summertime. I'm walking along the North Saskatchewan River, and the sun is shining, the birds are singing, and it's a beautiful day. Then all of a sudden I hear: help, help. I look and there's someone in the river, and they're drowning. I'm: oh, my God. I run and I'm able to catch them, you know, get them out of the water. I get to save them, and they're so grateful to me. They're very thankful for what I've done. I say: "Are you okay? Is everything okay?" "Yeah. Yeah, I'm fine now. Thank you. I don't know what I would have done if you weren't here, but I'm fine

now." Then they go on their way. It's a beautiful day. I'm: whew; that was kind of strange. But I decide to just continue on my walk along the way. I start walking again and think: whoa; that's never happened before.

Then again I hear someone yelling: help, help. Again I turn, and I see that someone else is drowning. Again I go, and I help them out of the water. I'm able to save them. Again they're very grateful to me, and they say: I don't know what I would have done without you. Then they say, "I'm fine," you know, and they go on their way. I'm just sort of like: wow; can you imagine that that happened twice in one day?

I continue on my walk, and then a third time it happens, but this time I don't go and save them. I go upstream, and I find out who's throwing them in. Of course, you never do that. You always do and/both. You save that person, but you create great policies so they don't have to be saved in the first place. That's the thing in social work. We do both, not just either/or, one or the other. That's something the Minister of Health doesn't get.

This separation of the organization, saying that, you know, the association is only taking care of their own interests: that's not true at all. We care very much about the people we serve. I mean, it's why I became a politician, because I felt like I needed to be in a position to make more decisions. After 44 years of Conservative governments – and I lived through all of those – I felt: I was mad as hell. I'll just say that. It was time that things changed and that people were supported, and I was very honoured to be part of the first NDP government in this province, that changed things dramatically. I had the opportunity to put \$1.2 billion into affordable housing, do tremendous things to create equality in this province. It's very disturbing to watch this current government sort of destroy all that and make inequality even greater.

It disturbs me greatly to know that by this bill the government is, you know, causing some tremendous challenges to the profession of social work in our province, and it doesn't need to be that way. I mean, all my colleagues have talked about this before, and I'll just mention it again. It is largely, again, to do with lack of consultation. I don't think the minister even understands sort of the error in his ways, and that's largely because he didn't consult. They had just a very cursory – I don't know – e-mail that came to the college to ask a few questions, but they didn't understand the scope of what was being done or how it would impact the profession.

12:20

Certainly, for many, many years the profession has operated as a joint body without any trouble, having a regulatory piece and an association piece that have had no trouble together. So I think that this bill is really not needing to do this, and I think that the government needs to be more sensitive to the individual professions that it is impacting. I know it's not only the College of Social Workers that is not pleased with this separation of the college and the association, that there are others, too, but certainly I can speak very strongly from my perspective as a social worker that this is very difficult for us, and I think it is just another way the government is silencing advocates, you know, keeping people quiet so that they can put forward their agenda without any push-back.

You know, forcing this will force social workers, probably, to choose. They'll have to be part of the mandatory regulatory body, but the association: there won't be a mandatory requirement for that. It will be just by choice. Social workers don't make much money, so it would be part of costs, fees. I mean, it will be very difficult for that association to keep running, which really is extremely troubling to me.

You know, besides what I've just described, something else that is concerning and just about silencing is also the change in the spring session about increasing 50 per cent for public members in all of the colleges in the health professions. Again, that just creates more control by government of these sorts of independent bodies that are meant to be self-governing. You know, that's how they're set up. It's a self-governing profession, so the government is really fundamentally changing the whole look of professions in our province.

I hope that the minister and the government can understand sort of some of these concerns specifically for the profession of social work. I know that it's really going to negatively impact the profession. You know, I know that in other provinces where this has happened, it's really been the death of the association piece. I imagine that's going to happen here, too, and it doesn't have to. I just ask the government to look at that and please consider what you're doing because I think that the complexity and the way the profession of social work is quite different than many other health professions, so it really needs some special considerations, which I don't think the government has understood or gotten its head around. This is going to create, I think, tremendous difficulty for the profession. I'll just say it again. It's just a . . .

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. I believe I see the hon. Member for Spruce Grove-Stony Plain.

Mr. Turton: Thank you, Mr. Speaker. Always a pleasure to speak on a couple of points. I just wanted to touch base on a couple of items that the Member for Edmonton-Riverview was talking about. I guess I've heard a couple of times throughout tonight about, you know, the lack of consultation and really specifically referencing the time from 2015 to 2019 as an era in Alberta's history where the purest example of consultation took place here in the province of Alberta. I'll probably say just that in a doughnut riding outside of Edmonton I do take a little bit of exception to that. I think that, if anything, the period between 2015 and 2019 was an era where we can learn how not to do consultation.

A couple of points specifically. You know, Bill 6 was a perfect example of the previous government when they were talking about how they were so good at consulting with people. Well, that one bill alone, in essence, fired every rural NDP MLA throughout the entire province. I don't really think that consultation was used too much when all of my family and friends west of Edmonton, the rural areas – I'm sure that a couple of members here, especially the Member for West Yellowhead, would probably agree. That was an era where many residents in rural Alberta felt as if they were not properly being consulted.

Also, in my neck of the woods specifically, as an area that was adversely affected by the climate leadership plan, you know, there wasn't a lot of consultation there either. That one move alone resulted in over a thousand coal workers – unionized coal workers – finding the unemployment line years ahead of schedule. I mean, I remember quite clearly, Mr. Speaker, during the campaign cycle door-knocking in Stony Plain and seeing a sign saying, you know: if you're NDP, don't door-knock here; an unemployed, union coal worker lives here.

There wasn't a lot of consultation during that point, so when I see the members opposite talking about that they were experts in consultation, that they should be emulated in how they dealt with Albertans, I mean, there are two very clear-cut examples in my neck of the woods, and that is why they were soundly fired in the election just almost two years ago from my neck of the woods and from most

of the province, because they showed exactly how not to do consultation.

I think that, if anything, when I see the words and actions from the ministers putting forth the bills on this side of the House, it clearly shows that we realize that, you know, the people are in charge and that we have to listen to them. That's why we do the consultation that we did. I think it's a little bit of revisionist history perhaps from the members opposite, looking back nostalgically, saying how they had it all down to a science, how they can consult. It kind of reminds me of Al Bundy in *Married . . . with Children* always talking about the big touchdown that they did.

An Hon. Member: Four touchdowns in one game.

Mr. Turton: Yeah, one game. One touchdown in one game.

But the people of Alberta remember, and I'm thankful that ministers on this side of the House are taking time to consult with Albertans on these bills.

Thank you.

The Acting Speaker: Thank you, hon. member.

With another minute and a half or so, I see the hon. Member for Edmonton-Whitemud has risen.

Ms Pancholi: Thank you, Mr. Speaker. I just want to thank the Member for Edmonton-Riverview for her comments as well as the Member for Spruce Grove-Stony Plain. I'm certainly hearing his vociferous commitment to consultation and his stated concern about perceived lack of consultation by the former government. I look forward to hearing his comments to speak and demand the high level of consultation which he's speaking so passionately in favour of for his own government's legislation.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

With another minute or so under 29(2)(a)?

Seeing none, are there any members wishing to join debate on this? I do believe I see the hon. Member for Calgary-Buffalo has risen.

Member Ceci: You do believe? Yes. Right here. Thank you very much, Mr. Speaker, for that opportunity to speak to Bill 46 and to obviously say that I am opposed to the bill. I think it needs to go back to committee, as we have put before this House, for consultation.

The Member for Spruce Grove-Stony Plain: I think we urge this bill to go back for consultation so it can be heard, so we can hear the views of, certainly, the Information and Privacy Commissioner, who says categorically that she was not consulted. An independent officer of the Legislature whose sole task is to protect the privacy and information of Albertans, upon which much of this bill is based, was not consulted.

Also, it would be really interesting to get the views of other key stakeholders who can come before that committee. I believe that that was missing in the production of this bill. I'm not sure why it was missing. We know from experience that Bill 10, another bill brought forward by this government, was – there were vociferous complaints from people very familiar to the government who said that it was an overreach and something that shouldn't have been done, so we are of the view that this bill, omnibus though it is, should not go forward at this time because of the deep concern that the health information changes here will travel beyond the borders of this province. And, as my colleague from Edmonton-Whitemud has so clearly outlined, once they're beyond the borders of this province, our independent officer has no jurisdiction, and then

Albertans' private information with regard to their health can be used for purposes that aren't under the control of the government of Alberta. That's deeply concerning.

12:30

Like the tolls bill that was before us earlier this evening, if the government wants to address a situation as was talked about with regard to Lloydminster and doctors on the Saskatchewan side of the border needing the health information of their patients that are Albertans but go to see them on the Saskatchewan side of Lloydminster, then make this legislation about that. But because it's an all-encompassing legislation, it does not speak specifically to that issue and then leads people on this side to be concerned about what the actual motives of the people on that side of the House are all about.

Mr. Speaker, the fact that the Health Information Act is so broadly changed with this bill should be concerning to all Albertans. We know that the minister is putting Alberta Health and the minister in charge now of determining the administrative, technical, and physical safeguards of health information, which seems problematic to me on a number of levels. You know, putting this minister in charge of determining who has access to health records is a step removed from the proper handling of it at this point in time under AHS, who manage health information for Albertans.

Allowing that information to be accessed or controlled by the minister and Alberta Health and to be accessed out of province is problematic for a couple of reasons; namely, that – I mentioned one – the Information and Privacy Commissioner only has agency inside this province, and it allows out-of-province doctors and health practitioners to enter the Alberta health market through the provision or the availability of understanding what the health information of Albertans is all about. Those are significant changes to the current safeguards. It reduces safeguards for all of us with regard to that. The changing of who the authorized custodians are of electronic health record information is presumably going to be fleshed out in further detail in regulation, but it opens it up for corporations to become authorized to access that information, corporations who may have other motives than the health of Albertans.

My colleague from Edmonton-Whitemud and my colleague from Edmonton-Riverview talked about a number of important aspects of this bill that are problematic. I'm not going to touch too much on the information shared by my colleague from Edmonton-Riverview. I, too, have concerns that a small college like the 8,000 practitioners or so who are social workers and registered in this province will see the separation of their professional association from the regulatory college as something that does not contribute to the enhancement of their profession. That's just one example of another change in Bill 46 that I think needs to have further examination to hear more from the principals at the College of Social Workers, and going to committee would allow that further examination.

Back to the health information outsourcing, as it were, beyond the borders of this province. We know that if access to the information is expanded in the way that the legislation includes, it will potentially be utilized for research, education, investigations, disciplinary hearings, inspections of health professions or disciplines, and for planning management to the health care system. Those in and of themselves, if they're under the control and agency of the Information and Privacy Commissioner, I have less issue with, but if the Privacy Commissioner can't intervene with any of that beyond the borders of Alberta, then I think, you know, it opens up the number of potential sets of users exponentially in that

manner, and the number of eyes that can be on the health information of Albertans, with that kind of potential opportunity, is of great concern.

One thing that does make sense is the increase of fines for improperly accessing health records. One wonders how that would be levied in the event that the Information and Privacy Commissioner doesn't know about or makes a judgment on the improper use of health records beyond the borders of Alberta.

I just want to point out some pretty alarming quotes from the key person who spends their time looking at the use of information in this province, that being Commissioner Jill Clayton. We heard earlier that the minister's office, when the briefing took place, talked about the consultation with the commissioner having already taken place, but with the sharing of a news release that came over at the same time, it was clear that the commissioner hadn't been consulted. The commissioner went on to say:

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 . . .

And this is underlined several times and is the germane part to all of this quote.

. . . of the proposed amendments to [the Health Information Act] are heading in the other direction.

Heading in the other direction means that there are less enhanced privacy laws, it won't build public trust, and it won't ensure accountability if the actions in Bill 46 are approved, if the changes to the Health Statutes Amendment Act are approved. The commissioner asked that the government either amend the legislation or put it on hold and consult. As my colleague from Spruce Grove-Stony Plain said: that's the commissioner of the information and protections of privacy saying that consultation needs to take place.

I would just want to conclude by indicating that my colleague from Edmonton-City Centre has raised numerous concerns with regard to the work of the Health ministry, not only with regard to COVID-19 but the issue before us, which is the weakening of privacy legislation for all Albertans.

12:40

We know that if that were put to a vote, as it were, that Albertans would want to go in the other direction. They would want stronger privacy legislation. If that were put to a referendum, they would probably come down on the side of increasing the accountabilities around their personal information.

We, of course, want to have a best practices province not only with regard to our health information and who has access to it but all government services and programs. We strive to incrementally improve those, and this is going in the other direction. It's not just me saying that; it's a professional who has responsibility for making these judgments, who is saying that from her perspective everything about the changes to the health information here are going in the other direction, and that other direction does not bode well. It does not bode well for the privacy of Albertans.

I just want to say, lastly, that our public health care system, since this government got into power, has taken a number of direct attacks with regard to the people who work in that system, being told during COVID that 11,000 of them will be outsourced via some private enterprises picking up responsibility for aspects of the current system we have in place and for others being told that they won't be outsourced, they'll just be downsized in terms of, you know, making things more efficient, which is just a code word for reducing the size, the number of public servants working in this province.

The public health care system is under attack on the labour side. On the institution side we know that this government has talked about outsourcing more laundry, talked about other aspects of cleaning being outsourced, which is problematic.

Thank you very much, Mr. Speaker.

The Acting Speaker: Hon. members, 29(2)(a) is available for brief questions or comments.

Seeing none, are there any members wishing to join debate on amendment REF1?

[Motion on amendment REF1 lost]

The Acting Speaker: Moving on to the bill proper, I see the hon. Member for Calgary-Mountain View has risen.

Ms Ganley: Thank you, Mr. Speaker. I rise to move an amendment. Sorry; I'll keep a copy that is not the original.

The Acting Speaker: Thank you, hon. member. Just one second, actually. I'll just give a little bit of time here for the table.

Thank you. If you the hon. member could please read it in for the record for the benefit of all those here and at home. This will be referred to as amendment RA1. There will be copies at the tables, of course, for anyone, and if you put up your hand, then one of our amazing pages will deliver one for you.

If the hon. Member for Calgary-Mountain View could please continue. Thank you.

Ms Ganley: Thank you very much, Mr. Speaker. I move that the motion for second reading of Bill 46, Health Statutes Amendment Act, 2020 (No. 2), be amended by deleting all the words after "that" and substituting the following:

Bill 46, Health Statutes Amendment Act, 2020 (No. 2), be not now read a second time because the Assembly is of the view that it jeopardizes the confidential health information of Albertans by failing to put adequate safeguards in place for the use of that information.

The reason I rise to move this amendment, I suppose, is laid out in what I've just read, which is why they call it a reasoned amendment. The reason therein is because it jeopardizes the health information of Albertans. I think this is a big concern. What they often call sort of access to information and privacy legislation or the Health Information Act: they're fairly new acts. Like, legally speaking, this sort of concept that surrounds the idea of accessing information and not accessing information, this sort of privacy, is relatively new. It's still developing, so I will admit that privacy legislation can be a bit complicated to operate, and it sometimes has certain unintended consequences.

I certainly know that in my time as the Minister of Justice and Solicitor General, one of the primary complaints I received regularly from police services was that Alberta Health Services was very reluctant to share health information with them, and that made it very difficult for them to do their jobs. Officers will often interact with individuals who are acting in peculiar ways. Obviously, somebody thought they were doing something potentially illegal if they've called the police. Often those individuals will be suffering from mental health challenges, but because the information doesn't flow to the police services, the officers can't determine what the source of the issue is because they're obviously not mental health professionals. They don't know the history and the background of the issue, so it makes it more difficult for them to get that person to a place where they're not creating disorder for other people but where they're also not a danger to themselves.

I do know that there are challenges that are still evolving with the way health information moves, but I think it is still fundamentally

a very important value. This is not just information about individuals, but it's information about their health, information that can be very personal and very private and which they may not want other people to have and which other people have no right to have. I mean, I think most people would be troubled by the idea of their information potentially falling into the wrong hands.

[The Speaker in the chair]

Now, we haven't had things sort of happening here like they do in the States, but while we have public health care here and we have sort of private disability and life insurance in a lot of cases and those places tend to do their own series of tests and tend to ask a lot of questions, I think, I mean, there could be concerns. There could be concerns in terms of where that information flows to. I think the reason that we would like this bill to go and the reason we wanted to refer it and the reason we want to suggest that it shouldn't be read a second time at this point is because we just think there's a little bit more work that needs to be done with respect to this.

This isn't to say, necessarily, that there was bad intention behind the legislation. It's just to suggest that this, in my view, frees things up just a little bit too much. It removes the need for privacy impact assessments when information is shared between AHS, Alberta Health, and the Health Quality Council. Now, again, that can allow people to do their work more effectively. It can allow information to flow more freely. But it's important to take the time to consider what the impacts of that are and what all of the impacts of that are. The removal of the need to consider that is, I think, potentially problematic.

12:50

You know, whereas previously there were fewer people that could access Netcare, this would expand that access. Again, this potentially has beneficial effects. The challenge here is that the free flow of information between different organizations can actually be used in a really good way, but at the same time privacy legislation exists because, however benevolent the state in question for whom the information is sort of free flowing, there is still a concern, right? Especially when you're talking about information that's this private, that's this personal, there's sort of a natural reluctance to just say: "Oh, well, it's the state. The state must have my best interest at heart, and therefore I'm just going to let them do whatever they want with my information." It would be nice if we lived in a world where we had that level of confidence, but that isn't the world in which we live. We find ourselves in a world in which people want to keep some things private, and I think that that's pretty legitimate.

I think that taking the time to sort of consider what all the implications of this are, especially in light of the fact that I don't think we've heard – well, we remain at this point at second reading, so obviously we can't have heard from the minister himself again. But we haven't really heard from the government, generally speaking, to allay these fears, and that's a bit of a concern for me. Perhaps it's forthcoming – perhaps it is forthcoming – but I think the job of this place, the function of this place, the purpose of this place is to ask exactly these questions, to ask, you know, about whether the changes to the use of private information are justifiable in the circumstances or whether it is too much of an infringement on the privacy rights of the individuals.

You know, reductions in terms of safeguards, which we see in this bill, and changes in terms of who can be an authorized custodian of health information: it doesn't sound like much, but at the end of the day what it means is sort of more individuals being able to have access to that information. And we have seen that there have been a number of very troubling cases of individuals – again, we're talking

about bad actors – who have inappropriately accessed the health information of others; that is, you know, somebody's neighbour maybe finding out about a disability that they didn't want them to know about. That's problematic. It's extremely problematic.

Now, I understand that most actors aren't going to be bad. Most people are going to be fine. But, again, we write the law to protect individuals from the potential of those bad actors, because, as much as we like to believe that such people don't exist, it just isn't the case. Because we've seen cases of individuals who have access to information using databases to access that information inappropriately, we know that those bad actors potentially exist.

The system, while it is true that it needs to be set up in such a way that the information can flow when necessary, also needs to be set up in such a way as to ensure that it doesn't flow where it is not necessary, which is, admittedly, a very difficult balance to strike. At the end of the day, the challenge with privacy legislation like this is that it's being operated by an end-system user, and the end-system user isn't necessarily going to be an expert in privacy law. Because the rules are so complex and the exceptions are so varied and many, it's very difficult to have everyone who accesses the system be an expert in those sorts of rules. In that situation, in a case where we find ourselves in that position, I think we need to be mindful that we ought to err on the side of caution, particularly when we're sort of seeing technology apps like Telus Babylon sort of coming into the situation.

You know, companies currently spend an enormous amount of time and money engaged in the pursuit of data, and that's not because the data is worthless to them. Companies do things to make money. They don't do things just because they're interesting. So I think we should be erring on the side of caution, and we should be taking that cautious approach.

With that, I think I will move to adjourn debate on this bill.

The Speaker: The hon. Member for Calgary-Mountain View has moved to adjourn debate.

[Motion to adjourn debate carried]

Bill 47

Ensuring Safety and Cutting Red Tape Act, 2020

Member Irwin moved that the motion for second reading of Bill 47, Ensuring Safety and Cutting Red Tape Act, 2020, be amended by deleting all of the words after "that" and substituting the following:

Bill 47, Ensuring Safety and Cutting Red Tape Act, 2020, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Alberta's Economic Future in accordance with Standing Order 74.2.

[Adjourned debate on the amendment November 25: Ms Hoffman]

The Speaker: Is there anyone wishing to provide some comments this evening on the bill? I see that the Opposition House Leader is on her feet.

Ms Sweet: Thank you, Mr. Speaker. It's an honour to rise tonight to speak to Bill 47 and to the referral amendment. This is an important bill to me, and I think many will understand why as I move through this in the next little bit. I fundamentally believe that workers should have a right to some form of protections in their employment. They should have the right to go to work, they should have a right to feel safe when they go to work, and they should have a right to be able to have an employer that is accountable for their safety, that does everything in their best interest to keep them safe.

There are relationships between employers and employees that are respectful and equal. My concern with this bill, as we start to debate it and will continue to debate it, is that I believe that fundamentally this changes the balance between the employer and the employee. When you start looking at cutting red tape when it comes to WCB and workers' protections, that shifts the balance of the relationship. Employees no longer have the same protections and the same abilities to bring forward concerns that keep them safe when they go to work every day, and I think everybody should feel safe when they go to work. I have had friends of mine who have lost parents because their workspace wasn't safe. I have a very good friend of mine, actually, who, unfortunately, lost a leg because of a forestry accident while he was logging. You know, he had a pretty serious uphill climb in his adjustments to life after he lost his leg. Many of us didn't actually think he was going to make it when it first happened. He was pretty young. We were in our 20s when he got pinned between a tree and a log.

You know, there are stories, I think, that we all probably have of people that we've met or that we know that have been impacted by situations that have happened in their workspace. Because of that, I support the fact that this bill should be referred. I think it's important that we hear those stories and that we understand the impact that this bill is going to have on the working people of this province and on the supports that they're going to receive.

I mean, I know that in my constituency office alone, I deal primarily with people who are calling around getting AISH supports and then people who are calling about trying to access WCB, because it is an uphill and constant battle to try to have WCB claims or to appeal a WCB claim or find out what doctor they have to go to to get their forms filled out and the processes that go with that. When you're already at home because you can't work, it creates a lot of stress. When you're trying to pay your bills, it creates a lot of stress.

1:00

I don't think that we should be making it harder for individuals to be able to access their WCB. I don't think that we should be capping insurable earnings just because for some reason the government feels that it is appropriate. I mean, if you're a high-income earner, if you work in oil and gas, for example, and you have an accident at work, with these capped maximum insurance premiums we're now going to see less compensation for people that are injured at work. That is a problem. If people pay into a program, they should be able to access that program and get the same in return from that program.

The other piece that I have which I'm a bit concerned with – and I think again the government needs to go back to committee and have conversations with different working professionals – is this presumptive coverage for psychological injury where workers experience a traumatic event. What's happening now through this piece of legislation is that now it's being limited to only select occupations. An example of that – and I have a personal example of this – is that currently under the UCP bill, if a social worker and a police officer both respond to the death of the child, the police officer would be covered and the social worker would not.

Let me put this another way, my personal experience. I had to go out to a home. I did all of my precalls to make sure that I knew the address that I was going to and I knew the people that were in the home. When I got there, because I was going to have to unfortunately apprehend a child, I had six cruisers waiting for me, which is usually a good indication that the house you're going into is probably not the safest house. Of course, I mean, respecting confidentiality, the police only tell you so much, but I'm the one

that has the court order, so I'm the one that has to enter the home. I had this rookie with me who was my buddy, his first, like, apprehension, I think, ever. He's, like: well, you go first. I was, like: "There are a lot of you here. Why am I the one going first?"

Of course, I knocked on the door, whatever. There were two entrances, one that I went in, and then there were officers at the other door. We were anticipating someone was going to run. We went in, and I was talking to the individual, the parent or guardian at that point, of the little one that I had to apprehend. Luckily, the police officer was standing beside me, because as I was talking to her, she decided to pull a knife on me because there was no way that I was taking that baby out of that house.

You know, not my best day at work. Thankfully, again, I had a ton of EPS officers with me, and that rookie had a really good first day in the sense of learning about what can go wrong when you do an apprehension. But I had coverage after that incident, and so did he. Obviously, I'm pretty sure that he had to process that first day. I had to process that first day. But if we look at this bill – and let's say that I was working for a nonprofit and I wasn't working for the government of Alberta and didn't have my benefits that I had then, I wouldn't have had any coverage. I wouldn't have had anybody that I could have gone to speak to if this bill existed in the form that this government wants to do.

I would have been forced to probably go back to work the next day as if nothing had happened. Luckily, I didn't have to do that, and I'm not sure, but I'm assuming that the officers that I was working with that day had their debrief and did their thing. But there are experiences that happen in the professions that we do. Let's keep in mind with Children's Services, specifically – when I worked for Children's Services, although I was a government employee, I had partners that were working for nonprofits, my family support workers, my youth workers. They wouldn't have had the same coverage that I had. To be honest, when I was working with the kids that I was working with, my gang kids, you know, there were probably some moments where I could have gotten myself into some trouble. Luckily, I had good relationships with those kids and my youth worker had really good relationships with those kids. I mean, they hung out with some pretty sketchy people, and there were opportunities, for sure, when we were picking them up from places and stuff where there probably could have been some things that happened.

Again, to say that the work that that individual is doing doesn't deserve to have the coverage when the likelihood as a social worker working in Children's Services, in a nonprofit, working at Boyle Street – when I worked at Boyle, I mean, we had ALERT calls once an hour, probably, depending on the day and depending on what was on the streets that week, where there was a high probability that things could go sideways very quickly. The people that do that work do that work because they love that work, and they want to work with the community members that they work with, but they also deserve to have coverage. So I'm really disappointed in this piece of legislation in that sense, that now we are deciding or the government is deciding in this piece of legislation who, as a worker, is entitled to have psychological injury covered and then who gets to decide what those occupations are.

I mean, it says: a select few occupations. I'm assuming that's going to happen in regulation, but who decides, first of all, what a psychological event is for a worker? I'm using social work as an example because those are my experiences, and there are other professions, for sure, with vicarious trauma and PTSD and all that fun stuff that you definitely have a high probability of being exposed to. What determines one profession from another profession, and whose event and whose traumatic event is more damaging than someone else's? I mean, when my friend got hurt, was logging and got pinned

between a tree and another tree, like a log and a tree, I'm pretty sure those first responders that responded to him on-site thought that he wasn't going to make it and were pretty traumatized by that event. He, I would think, would deserve to have some kind of access to trauma counselling for "psychological injury," as it is worded here in this piece of legislation.

I don't think that there can be a piece of legislation through regulation that decides who is traumatized at work and who isn't. We all have different experiences. We all manage our experiences differently. COVID-19 would be a prime example. Some of us are dealing with it in different ways. You know, that's just the way that it is, and that's how we are as human beings. You can't decide in a regulation how a human being is going to react to a workplace environment where something traumatic might happen. It could be a fast-food restaurant where someone drives through the front window. Like, we've heard and seen that happen. I'm pretty sure that was traumatic. Do they get coverage through WCB? It probably wouldn't be considered an occupation that would be qualified.

Again, I think that the government really needs to reconsider what they're doing with these pieces of legislation. Take it back to committee. Maybe consult with the variety of different occupations that this government has decided are the haves and the have-nots, and really reconsider the reason that this exists and the reason that WCB offers these supports. I mean, it's a government that continuously stands up in the House and talks about how they support mental health and addictions and they put all this money into it, and then we see a bill that literally does the opposite and takes any type of, like, financial assistance away from the very people who need the mental health supports and potentially addiction supports out of WCB.

The irony in that is quite sad, actually, and it's slightly hypocritical in the sense that you can't – like, do people have to get to their worst moment in life before the government decides that maybe they need to help, or could the government just do what's right and make sure the supports that people need are there so that they never get to that worst stage in life before they have to access serious mental health supports or go to a treatment centre because the supports that they've been looking for aren't available until they're at those moments in their lives? That's what this bill will do. It will decide who deserves psychological supports in an event that something happens. It's counter to everything this government says about mental health and addictions.

I think I will leave it there, Mr. Speaker, but I did want to make sure that I spoke about that particular section and why I thought it was important that it get referred back.

1:10

The Speaker: Hon. members, we are on amendment REF1. Is there anyone else that wishes to speak to the amendment this evening? The hon. Member for Calgary-Mountain View.

Ms Ganley: Thank you very much, Mr. Speaker. I'm pleased to have the opportunity to speak to this referral this evening. The reasons that I think the referral is so very important are the same reasons that I disagree vehemently with almost everything that's in this bill.

I think the first place to start is with a little bit of context. Over the course of our term and primarily, I think, in the years 2017 and 2018 amendments were made to occupational health and safety, amendments were made to workers' compensation, and amendments were made to labour legislation, to employment legislation. By and large, these amendments, often the first sort of large-scale amendments that we have seen to these pieces of legislation in nearly 30 years, were essentially to bring us, not even in all cases, in line with other jurisdictions in the country.

Essentially, in terms of the rights that a worker was entitled to, Alberta had lagged behind significantly, so changes were made not to result in the best legislation in the country but to come up so that workers had equal rights in Alberta as to what they had elsewhere. These rights are fairly important rights. They're rights around the refusal of unsafe work. They're rights to compensation if one is permanently disabled at work. They're rights to have certain rights respected, whether you're an employee in a unionized or non-unionized situation.

There is a lot to object to in this bill, significantly more than I could ever cover in the time allotted to me, so I'm going to focus on a couple of parts that I find particularly problematic. Just for other context, it is after 1 a.m., so I have dog-eared my legislation so that I would be able to find the sections that I found particularly objectionable.

I think that perhaps I'll start with occupational health and safety. There are a lot of problems in here having to do with sort of the walking back of – oh, my gosh; what were they called? – joint worker health and safety committees. Those were committees where employees and employers got together, and they talked about health and safety. Both representatives could be involved. Previously, before the changes that are made in this bill, they had the right to participate in inspections and investigations and a whole series of other things. This walks that back significantly, so that is a big problem in terms of allowing workers to advocate for their own safety.

There are a number of other changes, but probably the one that troubles me the most – it's timely – has to do with the right to refuse dangerous work. I am now in the legislation – it's a very lengthy piece of legislation – and I'm on page 61, section 17. It talks about the right to refuse unsafe and dangerous work. I'll just read section 17(1):

In this section, "undue hazard" in relation to any occupation includes a hazard that poses a serious and immediate threat to the health and safety of a person.

We're moving from a hazard in terms of refusal of unsafe work to an undue hazard. The reason that's relevant at this particular moment is that an undue hazard isn't something you would be expected to normally encounter. Well, as the pandemic continues, there's a certain amount of hazard that people are going to be expected to encounter, people that aren't exceptionally well compensated, people that are working at a grocery store for \$16 an hour. So this potentially alters the scenario so that if someone is concerned about the protections that their employer has put in place with respect to the current COVID pandemic, that doesn't necessarily create this presumptive right. I think that's really, really troubling.

I think, also, the idea that we're increasing the barrier, making it more difficult – this isn't something that happens all the time. It's pretty rare for an employee to refuse work on the basis of it being unsafe. There are not a lot of these cases around, and I don't think generally that employees want to do this sort of thing, right? So it's really unclear to me why you would increase that barrier, why you would make it more difficult for an employee to be able to come forward and say: I don't feel safe in my current environment. I think that's really, really troubling, because with work that is potentially hazardous, that could pose a danger to someone of injury, of death, I think that we should all be concerned about that sort of work, and I think that an employee should have the right to come forward under those circumstances. I think that that part of the legislation is quite troubling although there are a number of troubling parts in there.

The other piece I wanted to talk about was workers' compensation. I mentioned that our workers' compensation legislation was updated in Alberta, and I think it's worth noting some history on that as well.

Historically, essentially, the way workers' compensation works is that it removes the employee's right to sue, so if an employee is injured at work, they're not allowed to go through the normal court process that a person who was injured by someone else anywhere in the world is able to go through. Normally, you know, if you're not dealing with your employer and you're out there somewhere in the world and someone does something wrongful which results in your injury, you get to sue them, and a judge determines whether they wronged you and whether that caused the injury and how much compensation you're entitled to. Well, in your employment relationship you don't get that; instead, you get WCB.

Now, I'm not suggesting that this is bad. I actually think that it's probably better in a lot of ways than sort of a private insurance system. However, there were concerns. There were significant concerns with it because in Alberta what we had is a system – and this is how it works everywhere, just for clarity. Employers pay in, and then it creates a fund, and that fund is used to fund disability payments for the injured workers. In Alberta, despite higher wages on almost every measure, the payments into that WCB fund were consistently lower. It shows a pattern, a systemic pattern, in which employees are compensated less or are less likely to be compensated in the same circumstances. That is very, very problematic because you're talking about people who were injured through no fault of their own. They turned up at work and they got hurt, and as a result of that, they were – it could be a partial disability; it could be a total disability, but let's talk about total disability because it's the simplest case – rendered unable to work. It was more difficult for a worker in those circumstances in Alberta than in any other province to claim compensation.

The cases that came forward were atrocious. There were people who fought – and you can read this; it's in case law – for 20 years with the workers' compensation system, who went up and down and up and down because it has this sort of system where a caseworker makes a decision and then you can appeal to them and then you can appeal to their boss and then you can appeal to this internal WCB process, and then there's a special appeals board, and then you went up to judicial review in court, and then the court ultimately didn't make the decision that this person down here could have made. They just said, "Oh, no, the decisions were wrong," so they sent it back to the beginning again, and potentially it could go up and down multiple times.

1:20

Understandably, these workers, who were often in a position that they had lost their livelihoods through no fault of their own, who were then sent through this wringer of a process, up and down, were in a tough position already. They didn't have income, they couldn't pay their mortgages, they couldn't buy food, and, you know, now you're putting them through this sort of complex legal process over and over again. I mean, there are people whose lives have been destroyed by this. This was an extremely problematic system.

Now, all systems are going to have problem cases. There are always going to be some that arise. Most cases won't be problem cases, but I think the systemic measures in Alberta, the fact that employers paid in significantly less, despite, again, average wages that were much higher in Alberta, demonstrates pretty clearly that compensation wasn't being paid out at a level that would be considered reasonable in other places. In addition, that money wasn't even all used. Even those lower payments tended to be returned to employers.

That was a very problematic situation, and we changed a lot of that. I think a lot of them were very, very good changes. They were changes that just afforded that little bit of dignity to injured workers just trying to get compensation for what had happened to them.

One of the changes that's made in here – and there are too many to go into. But one of them that I think is just unfair is one – and I'm on page 21 now, in subsection (22), which repeals an old section 59 and brings in a new section 59. It's talking about a cost-of-living adjustment. It doesn't really sound like much. It sounds like a weird legalistic thing. But why this is important is that we're talking about someone who's receiving benefits. So someone somewhere has adjudicated that this individual was in fact injured at work, they are disabled in a certain way, and they are deserving of compensation. Now, if someone gets injured – I mean, these are cases that exist. Say that someone gets injured in their 30s or 40s at work in a way that renders them permanently disabled. That's a lot of years during which they are not receiving income.

What this does is that it changes – the old section 59 read in part that the commission must adjust “cumulatively from year to year by a percentage equal to the increase to the Alberta Consumer Price Index.” The new language in section 59 suggests that “the Board may by order, for the purpose of maintaining [appropriate] parity with the cost of living, make adjustments in the amounts payable as compensation to persons who are receiving compensation under this Act.” That's very different language. It's moved from that the rate shall go up with the consumer price index to that the rate may go up, and we know not by how much. That's a big concern.

Now, one of the things that WCB doesn't take into account – and there are good and bad things about this. Say that you're working in a job where you have the potential to be promoted. So you're, say, 32. You're working in a job, and you get injured. Now, maybe you started at that job four or five years before, and you expected, you know, a couple of times over the course of your career to potentially be able to go up for promotion. WCB doesn't capture that. You basically get paid out assuming that you kept that same job forever. What it did capture prior to these changes being made was inflation. So even though you didn't get what you might have gotten had you been promoted at your old job – it was assumed that you never got promoted – at least you got that little bit of increase to keep pace with inflation, and you don't even get that anymore, and I think that's wrong.

With that, I will take my place.

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

Seeing none, we are on amendment REF1, and I see the hon. Member for Edmonton-Riverview rising. However, that is a different member with a similar last name. The hon. Member for Edmonton-Rutherford.

Ms Sigurdson: Riverview.

The Speaker: Edmonton-Riverview.

Ms Sigurdson: Okay. Thank you very much, Mr. Speaker. Yes. I rise to add my voice to the debate on Bill 47 and the referral. As my hon. colleagues have already articulated very well, you know, certainly, we in the Official Opposition have grave concerns about this bill. Regardless of what we hear from the other side, this bill will actually take us back decades.

When we were government, we actually did bring it up to about the middle of the road, because that legislation had not been updated for about 30 years. We were more in step with what was sort of the current safety, like, occupational health and safety, WCB, you know, similar legislation in other parts of the country.

I know that the minister will say many times that it wasn't balanced; it was too much in favour of the workers. Well, that just

is a fallacy. That's not correct at all. This, of course, is taking it back decades, you know, behind, for Alberta's workers.

We know that about 100 workers died, Albertans died, on the job last year. They went to work that day, and they didn't return to their families. This is what we're talking about. I'm not even talking about the injured ones. These are the ones that died, and there are many more that were injured. So this is, like, a very important piece of legislation, and it's not just administrative or something. This is about people's lives, so it's quite troubling to me to see this UCP government sort of be again tipping the scales away from supports for workers.

Our Leader of the Official Opposition spoke publicly about her concerns about this, and she is, certainly, an expert in this area. She talks about the WCB piece, and she says: “When our workers' compensation system fails workers, it ruins lives. People lose everything they own. They suffer years of stress and hardship. And they almost never come back into the workforce in the same way.” And she commits that “we will be fighting this bill on behalf of Alberta workers.” So I stand in that spirit to also add my voice to that.

We know that Bill 47 would benefit from going for referral because we know, I think, it needs to be fully understood how much it will restrict workers' abilities to fully recover from a work-related injury or disease. It makes it more difficult for the WCB and employer benefits, for employees to qualify for those, and it restricts those benefits if workers do even qualify.

This bill reduces the likelihood that workers will receive benefits and reduces what benefits they do get. I just said that, so I'll say that again. Currently workers eligible to receive WCB receive 90 per cent of their lost net income.

1:30

This bill changes this in three ways. It eliminates this threshold of 90 per cent and actually gives the authority to the WCB to determine how much that compensation rate will be, so now it's kind of unknown. I can only think, Mr. Speaker, that it will mean that workers will get less, that that rate will be lowered. A second way that these benefits are reduced is that it establishes a maximum income ceiling for compensation. Previously this was also set. Again, it's another example of how the worker will get less. And, third, benefits are indexed to the cost of inflation now, but that's not going to happen anymore. The WCB, again, is going to determine this. Why would, you know, the UCP be giving all this authority? I think it's just another way to ensure that workers get less.

Another concern with WCB is the change so that it's a voluntary reinstatement after an injury. So, you know, a worker gets hurt on the job, and the employer doesn't have to take them back. Again, that's tipping the scales in favour of the employer. The appeal process has been weakened.

As my colleague from Edmonton-Manning very articulately explained and shared her own personal story, there are limits on, you know, psychological claims like, for example, PTSD. Social workers are now taken out of that even if they are in exactly the same situation as a police officer, a firefighter, that kind of thing. That hardly seems fair. Again, it just seems to be somewhat of a challenge for this UCP government to understand. There's some ignorance, I think, that they have regarding the working environments of people. To just narrow the categories of people who can get that presumptive coverage without really understanding what they're doing is a significant concern for me, for sure.

I'd like to take a moment just to talk about occupational health and safety, the joint health and safety committees. I mean, oftentimes we talk about, of course, that there are crises and there

are things that have to be dealt with immediately, but if we can prevent something from happening, that is so much better. Like, we talk about that in early childhood education. We know that the ages zero to five are so key, so if we can put resources in that, that can really bode well for that child's future – it can make a huge difference – whereas if we intervene when that child is 12, it's more challenging to help them, you know, have a healthier life situation. I think that this is true, too, of these joint and health and safety committees.

Certainly, the changes we made in the legislation were, you know, well supported, but they're really being gutted by this legislation. Employers with more than 20 workers must have a joint health and safety committee currently. Alberta was the last province to require these committees, and that was in 2018, when we brought forward that legislation. Again, just remember that despite what this government says, it's not taking us to the top of the pack as great stewards of workers. It was just kind of to the middle of the road, where we brought them. It just had been so long since this legislation had been updated. Despite what this government says, we were creating balance, and what they're doing is, again, stacking the deck against workers in our province.

As I was talking about before the prevention piece, why do we need a joint committee for health and safety? I mean, we value the workers' knowledge. Their knowledge is useful and makes workplaces safer. Workers and employers have different priorities, and both groups working together create the safest workplaces. That's the essence, that's the fundamental importance of these committees. It's about not pitting one against the other but them working together and that each has something to offer these committees.

But, of course, as I said, Bill 47 guts this system. Now it's employer dominated. Employers determine who sits on the committee. Instead of sort of a democratic process before, where workers may be elected to the committee or sometimes the unions appointed a worker representative, now it's up to the employer solely. They might, you know, decide that they just want compliance from their workers, so they won't necessarily put someone in who is a strong advocate for workers' rights.

Another change is that rules specifying how committees run are removed. You know, this sounds administrative again, but it's not. It's really important because it is kind of like an overseeing of the workplace, and if you're not having a fair system to do that, then you're only seeing a part of it. For example, before, it used to be that one co-chair was a worker and one was an employer, but now it's all up to the employer. They get to decide who the chair is or who the co-chairs are. When these meetings are scheduled: that's also up to the employer. The procedures for the committee are up to the employer. So they're employer controlled. That, again, takes away some of the rights or powers of the worker and could make a situation where their concerns aren't brought forward.

Another thing that is an example of gutting the joint health and safety committees is that the responsibility of the committee is reduced to receiving worker concerns, participating in hazard assessments, and making nonbinding recommendations. The UCP have removed any requirement for workers to participate in regular work-site inspections or investigations or serious injury or accident reviews.

Again, this just really speaks loudly to that sort of preventative thing. When you're looking at a workplace, if you have both the worker and the employer assessing the situation, they come from different perspectives. You know, the worker can know how they operate a certain – I don't know – machine or whatever; the employer might not know that, but they know other aspects of it. Then that can be brought up, and they'll say: well, we had a close

call the other day, and I think that us doing it this way isn't helpful. It seems like now that that's not even going to be happening. The reviews in place: gosh, if this can prevent an injury, if this can prevent a death even, I mean, why would that be taken out?

Also, another thing was that the routine quarterly inspections have been removed, and this is completely out of step with the other provinces and will create less workplace safety. You know, again, we are not the head of the pack in creating balance. We are at the middle point, and now we're going to be way behind everyone else. It's really a shame. It's more than a shame. It could create some pretty big tragedies for workers in our province and for employers, too, because I think that employers care and want their workers to be well cared for. Gutting the health and safety committees is a step in the wrong direction that's very much going to hurt workers.

With that, I will take my seat.

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

Seeing none, is there anyone else wishing to speak to amendment REF1?

Seeing none, I am prepared to call the question.

[Motion on amendment REF1 lost]

The Speaker: Hon. members, we are on the main portion of the bill. I'm just double-checking my speakers list here. The hon. Member for Edmonton-Glenora has risen.

Ms Hoffman: Thank you very much, Mr. Speaker and members, for the opportunity to engage on Bill 47. I'm not even going to read the other title that was given to it.

1:40

Bill 47 is a bill that, I think, absolutely moves Alberta backwards not forwards. I can't help but reflect on when the now Premier was seeking the UCP leadership. Actually, at that time I think it was the Wildrose leadership that came first. Or did the PC leadership come first? Maybe it was the PC leadership that came first. At that time there was a lot of commentary around some of the policies that were likely to come forward under that leader if he was successful in his pursuit, and I remember thinking that it would move us backwards. We have seen time and time again many efforts to move us backwards.

One, for example, in this bill, is changing the definition of occupational disease to match the definition that existed in the 1990s. The 1990s were quite a few decades ago, Mr. Speaker. Definitely, case law has changed since then. I think that having a legislation in place that reflected case law, including that around occupational disease, should be reflective of the realities of where we've moved as a society. Seeing the definition revert back to that of the 1990s is, certainly, one example of a disappointing change that is being outlined in this legislation.

I'll cut to the chase on where I'm going here, and that's that the last amendment wasn't approved, but perhaps this one will be, Mr. Speaker. So I have another amendment.

The Speaker: The hon. Member, if you just wait a moment – go ahead; it's okay – the LASS will grab the amendment from you. Once I have a copy and the table has a copy, I'll ask you to proceed. Hon. members, this will be referred to as amendment RA1.

The hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you, Mr. Speaker. I move that the motion for second reading of Bill 47, Ensuring Safety and Cutting Red Tape Act, 2020, be amended by deleting all of the words after "that" and substituting the following:

Bill 47, Ensuring Safety and Cutting Red Tape Act, 2020, be not now read a second time because the Assembly is of the view that the proposed legislation will not ensure the safety of workers in Alberta and therefore additional consultation is required.

One of the reasons why I was reluctant to read the title is because you can't just say that you're ensuring safety and therefore do it. You have to actually have legislation that reflects that value. When the government gave that title to the bill but when we see that a number of the changes are actually working to reduce safety in workplaces, it's clear that if the government's intent was to ensure safety, this bill is not the way to do it. That is why I am proudly here proposing this reasoned amendment.

For example, limiting the opportunities for people to refuse unsafe work is not about ensuring safety. That is about taking away the right to exercise one's expert opinion, as the worker, about whether or not a workplace is safe for them. Definitely, it isn't a clause that is used often, currently. I think it was about seven times last year, documented seven times, that somebody refused unsafe work through legislation that's currently in place. But that's seven times that there was able to be an effort to make sure that the workplace was safe, that the workplace was reflecting the values of ensuring that when somebody goes to work in the morning that they can go home to their family at the end of the day. For example, that is one of the changes in this bill that erodes that protection and that safety for working people.

Another example. Now, if you're self-employed, you're considered an employer. You don't have the same protections that you used to have. For example, somebody who is a contractor – there are many, many self-employed contractors – who might be working on a work site, whether that's a large industrial work site or a personal, small work site, maybe somebody coming into your home, doing some work, fixing a few things around your house, changing out some things for you, now they'll be considered the employer and will have all the responsibilities of an employer without the protections that employees once could have. [interjections] Thank you, Mr. Speaker. I really appreciate that. Yeah. Thanks.

I have to say that . . . [interjection] Thank you. I have to say that eroding the rights of workers to be able to ensure that they are part of creating a safe work environment – another example, of course, is the health and safety committees that have been in place. Who better to flag issues on a work site than the people working in that work site?

I know that in my experience when I was with the Edmonton public school board, there were many things that were raised. I'm particularly reflecting on my experiences with the custodial union, that it was the custodians who know those buildings inside and out, know what the risks are for workers. They also know what those risks are for children. They also know what the risks are for other workers in those buildings. They have a lot of expertise, and I think that it is important that we honour the expertise of working people when it comes to ensuring that we have safe working and learning environments and health care environments, for example, Mr. Speaker.

When it comes to the types of chemicals that are used in our schools, the decisions around what chemicals to use to clean were reached through these types of joint safety committees, where people were able to bring forward their questions, concerns, and fears and able to troubleshoot and use research to develop a list of safe chemicals that should be used in schools. This is, of course, good for the people who are working but also for the children who are learning. Making sure that we find ways to strengthen and bolster workers should be part of what we're here to do, not to erode their rights but call it by a title that gives the impression that it's

not. Because this government has already created lots of opportunities for lawsuits through their legislation, it would be wise for the government to reflect on some of the decisions that have been made between the 1990s and today and how we can make sure that we have workplace legislation that reflects where Alberta is now and not continue to move it backwards.

With that, Mr. Speaker, I'll cede the remainder of my time because I know that many of my colleagues will want to elaborate on the reasoned amendment as well.

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

Seeing none, is there anyone else wishing to speak to amendment RA1? The hon. Member for Edmonton-City Centre has the call.

Mr. Shepherd: Thank you, Mr. Speaker. I appreciate the opportunity to rise and speak to this amendment to Bill 47, that it be not now read a second time, because certainly I would suggest that, at least for myself and I think my colleagues here in the Assembly, we are certainly of the view that this proposed legislation will not ensure the safety of workers in Alberta and indeed that additional consultation is required.

My colleague from Edmonton-Glenora outlined a number of areas where we are certainly concerned with this bill and how it reduces safety for individuals in the province of Alberta. Certainly, part of the concern that we have with this bill is how much less this would actually assist and benefit injured workers. Part of providing safety is providing support for workers after they've been injured, not forcing them prematurely back into the workforce when they would be more prone to be injured again, not forcing them, before they have healed from their injuries, to have to seek other work, not putting them in a vulnerable position. What we see in this legislation is that there is a host of new caps and benefit reductions that indeed mean that workers on WCB will get less.

Now, of course, we have seen that that seems to be one of this government's approaches, that they feel that the way to make systems better is to cut corners and to take things away from Albertans. Now, we've, of course, seen this with auto insurance, where this government's solution to spiking insurance rates in the province of Alberta is to say: well, Albertans should expect less. They should pay more for their insurance, but they should get less coverage as a result. It's more important that insurance companies make higher profits than Albertans get better coverage.

1:50

We saw that with the Calgary cancer centre, where, confronted with an issue around fire stopping protection, the government's solution wasn't to step up the game of the contractor; it was to lower the standard.

Again, we see here with workers in WCB that they decide that if there is an issue with the system, if there is a cost, then it is the workers who should pay, the workers who should get less, than an injured employee needs to be satisfied with less. They've had it too good, Mr. Speaker. Indeed, what we see here is that the government here in this bill is bringing in a cap on benefits paid to the workers but then moving the actual regulation of that cap, setting the level of it to the WCB board level. That means that the WCB board now will decide on what the overall cap for the benefits will be.

Now, currently there is no maximum on those benefits. That means that if an Albertan who is earning a high income in a dangerous job, like, say, in the oil and gas field – this government likes to talk quite a bit about how supportive they are of oil and gas workers. However, in the case that an oil and gas worker is injured,

under this legislation that oil and gas worker now will not be compensated at the level of the income that they had earned. This government will introduce a cap, and they will tell that oil and gas worker that they should be satisfied with less, that they will not be able to be compensated for their injury at the level of the income they had been receiving from the work, the income that this government says that they believe many Albertans deserve to earn. I don't contest that. But they are saying that if that worker is injured, they do not deserve to be compensated. They need to have that cap.

Now, as I said, currently there is no maximum, but this government is planning to introduce one. The percentage of the cap that's to be paid – it's currently set at about 90 per cent as well as any adjustments for that cost-of-living increase for those injured workers in the province of Alberta. That's all going to be decided by the WCB board, and even though those changes are going to be made at that policy level of the WCB, what we have seen from this government so far indicates that Albertans can expect to see an overall cap on what they will receive, limits on cost-of-living increases.

This government is telling workers that when it comes to compensation, they should expect and be satisfied with less. Of course, that is what we see this government also doing in regard to the obligation to reinstate workers. Indeed, this legislation proposes to eliminate that requirement for employers to reinstate injured workers once they're ready to return, which puts Alberta out of step with other jurisdictions in Canada. It forces those workers, instead, to appeal to the Alberta Human Rights Commission.

Now, I'm not sure why the government feels that the many systems that we have in place for resolving issues between employees and employers – why we would not want to make use of those mechanisms but instead now push this out to become a human rights complaint.

One of the issues with that is that it puts the cost on the employee. Currently, through WCB having this requirement in place, that allows a system by which we don't have a cost to the employee for them to resolve this issue and for it to be discussed, for them to work it out. Instead, now pushing it to the Alberta Human Rights Commission, all of a sudden the costs are on that employee to try to fight to get their job back, an employee that has done nothing wrong other than being injured. They are now being forced out to the Alberta Human Rights Commission, having to pay out of pocket for those costs and, secondly, entering a process which can be extremely lengthy to remedy. It's not unusual for a case of the Alberta Human Rights Commission to go on for years, Mr. Speaker. Now this individual is being forced to go and file a human rights case, to pay out of pocket, and to wait for an extremely long time to be able to seek a resolution.

Another issue with that is that while this worker is paying out of pocket and waiting an extended period of time to resolve the situation, there is no other support provided to them. They are left hanging.

I don't know why this government wants to make it more difficult for injured workers to go back to their job. I don't know why this government would choose to say that Albertans who have been injured on the job deserve to get less. As I noted, Mr. Speaker, it seems time and time again that this government's solution to a system that, in their view, has problems is to download the costs and the responsibilities to the party with the least power, to the most vulnerable party in the relationship, yet that is what we see. Indeed, that's on par with many of the changes we see them making to occupational health and safety as well, where they are taking protections away from the employee, giving them less ability to protect themselves, and tilting the balance back towards the employer.

The way to make the system better, Mr. Speaker, is to ensure that there is real balance and to recognize that there is inherent imbalance of power in the employer-employee relationship to begin with, which is why government introduces legislation and has put these protections in over the years. Indeed, as my colleagues have noted, some of this legislation had not been touched for decades, so there were the changes that our government introduced to bring Alberta just up to speed, just back in line with other jurisdictions in Canada, yet for this government that's apparently a step too far, so we have situations like wanting to go back to definitions from the 1990s.

2:00

Absolutely, Mr. Speaker, I support this amendment brought forward by my colleague that this bill not be now read a second time because this legislation will not ensure the safety of workers in Alberta and requires additional consultation.

But I know there will be much more opportunity to debate this bill, so at this time I would suggest that we adjourn debate on Bill 47.

[Motion to adjourn debate carried]

The Speaker: The Deputy Government House Leader.

Mr. McIver: Thank you, Mr. Speaker. At this time I move the Assembly adjourn until 10 a.m. on Tuesday, December 1.

[Motion carried; the Assembly adjourned at 2:01 a.m. on Tuesday]

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For inquiries contact:

Editor

Alberta Hansard

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875

E-mail: AlbertaHansard@assembly.ab.ca