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The 30th Legislature
Second Session

Alberta Hansard

Tuesday evening, April 13, 2021

Day 96

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Second Session

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New Democrat: 24

Independent: 1

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Legislative Assembly of Alberta

7:30 p.m.

Tuesday, April 13, 2021

[Mr. Milliken in the chair]

The Acting Speaker: Please be seated.

Government Bills and Orders Second Reading

Bill 66 Public Health Amendment Act, 2021

[Adjourned debate April 13: Mr. Shandro]

The Acting Speaker: Are there any members looking to join debate? I see the hon. Member for Edmonton-Glenora has risen.

Ms Hoffman: Thank you very much, Mr. Speaker. Can I just get clarification on how long I have to speak at this stage?

The Acting Speaker: Twenty, I believe. Correct?

Ms Hoffman: Thanks so much. I rise tonight to speak to Bill 66, the Public Health Amendment Act, 2021. It's interesting because in this same session around this time last year we had the first phase of this bill, the Public Health Amendment Act – I believe it was called Bill 10 at that time – and it really was a huge overgrab. The government – part of how they, I am sure, convinced members of this Assembly, particularly the government caucus, to vote this through so quickly was that it was, you know, in early stages of the COVID-19 pandemic, and there was a lot of anxiety. Even though there was a lot of anxiety, the government's attempt at a huge overreach, I would say, in terms of people's personal information persisted. The government decided to move it forward at incredibly fast speeds because they could and because it was early in a pandemic, and not a lot of people questioned why they wanted to do things so quickly.

We did put forward a number of recommendations and specifically some amendments when we were in this place debating the same act this time last year. While those were rejected in this place, we had an opportunity because, of course, the public backlash to Bill 10 was huge. Members of the governing party's – people who would be seen as part of the governing party's base were outraged, as were people who don't typically support the governing party. It's hard to pick such a big battle and to upset so many people of so many political persuasions, but the government did it in Bill 10.

So the government decided that they'd create a special committee to review this act and come up with a number of recommendations. I happened to be one of the people that was part of that committee along with other colleagues from the NDP caucus as well as the UCP caucus. One of the main things we wanted to do was to look at how the act was being used during the pandemic. The government shut that down at every stage. We wanted to move very quickly to bring forward people to help testify, including leadership within the Premier's office, the appropriate ministers that were implicated, including the Minister of Health and the ministers of Justice, and Alberta Health Services. We wanted to actually explore the ways that this bill was either serving or failing to serve the people of Alberta, and of course we had a perfect case study in that we were living through a global pandemic and a state of public health emergency in the province of Alberta at the time.

The government was very slow to convene a committee. When they did and we put forward these recommendations of folks to

come and testify – those were the folks within government or within AHS, but we also wanted to hear from folks directly impacted in many of the communities that had already experienced outbreaks, including Brooks and High River. But the government had their earplugs in. They had no interest in taking the committee to the people, no interest in actually hearing from folks that were directly impacted by the pandemic, and that this bill – because, of course, a public health act is one hundred per cent about ensuring that we have essential public health care services and protections in place for the people of this province.

We proposed that we go to the people. One of the ironies is that we had members from the impacted communities that we were proposing we go to, and we were told by the members of the committee: no; we don't want to go to our own home ridings to do this work; we want to stay in Edmonton. All right. So we stayed in Edmonton. We proposed that we invite folks to come and testify and give expert testimony about the implications and how Bill 10 was living out in their lives. The government said no to virtually all. I think we ended up with two parties that were proposed by us and two parties that were proposed by the UCP.

At the same time, I think this committee met for about four months-ish, but there were huge blocks of time in between meetings. We were here to roll up our sleeves and get to work. One of the beautiful things is that this Assembly said that committees can meet in a variety of settings, and using technology, we were able to do it in a way that kept us all safe and distanced, even from home if we wanted to. There was such reluctance from government members to proceed with the work to prepare us for where we are today.

So that was essentially the summer. Maybe people thought last summer was going to be the best summer ever. I thought that we were all working to address a global pandemic, but, you know, there were long periods of time – at one point there was over a month; I think it was six weeks – where the chair failed to call the committee in and move our work forward.

Then they said: well, we just don't have time to meet with all the other stakeholders that you think are important to hear from because we just really need to get this feedback back to the government. But when we were in this committee, we put forward a number of recommendations, a number of amendments, and – I probably could look it up in *Hansard* – I don't recall really any of our amendments being accepted in the committee, maybe none of them. Happy to be corrected by members of the government caucus. We put forward a number of amendments. They weren't accepted in the committee, but it appears that some of them have been accepted in the actual legislation. I guess the moral of that story is that even if you get voted down at committee by a government that is aligned in voting you down, maybe the other members of the government in cabinet will ignore what their committee members have declared their will to be and actually implement the kinds of recommendations that we'd proposed. Maybe that's a bit of a silver lining.

But it was so frustrating, I have to say, that we were bringing forward these amendments, including addressing the huge overreach that the government had imposed through Bill 10, and votes were almost always unanimous in opposing what it was we were there to try to fix. Over the summer the public health committee did meet. Then there was a report, and we also issued a minority report because we really did think it was important that our advice, our recommendations, our feedback be heard.

But it's clear from this legislation that the government decided to add a few amendments that were contemplated by that committee, amendments that nobody from the public had suggested, and I'm referring to the ability of the government and AHS to recover costs of enforcing public health orders. I don't think that that was

something – that’s definitely not something we called people to testify for at the committee. This wasn’t something where we said, “Hey, you know, let’s talk about recovering costs in enforcing health orders,” but that is something that the government has worked into this piece of legislation, which, of course, a lot of people are calling into question.

What does that mean when government members, for example – well, anyone. Let’s say I happen to live in Innisfail-Sylvan Lake, and I happen to go to a restaurant and dine in at a table with somebody who isn’t in my immediate household, which is, of course, in breach of the Public Health Act. If there were implications of having to enforce that, not only the issuance of a fine but the actual enforcing of that fine, the cost associated with somebody coming out and issuing a ticket, for example – and there could be that potential additional cost. Let’s give, you know, the person who happens to live in Innisfail-Sylvan Lake the benefit of the doubt and say that they maybe didn’t know what the rules were. Some of the questions are: would that be fair? Then another question is: well, what if they actually had a hand in writing the rules and still broke the rules? Should they have the same consequence as somebody who actually wasn’t aware?

I have to say that this question of enforcement is one that people have been grappling with for a very long time. I happened to work in the service industry when I was probably 19 or 20 for a few years – well, even younger – when I was growing up in northern Alberta. My first job other than babysitting or cutting grass was working at the curling rink. I worked concession mostly. Would it be fair to a young person, a 14-, 15-year-old, who’s working a front-line service job like that to be expected to enforce the rules that the government keeps changing? I would guess that it would be very difficult for, you know, a 15-year-old me to be able to say to my peers, let alone other elders in the community: sorry; you can’t sit together at that table; you’re breaking the rules. There I would actually know the people because, of course, it was a small community and you know who lived where and you got pretty regular updates on everybody’s personal lives. But in the city, if I had that same job and I didn’t know my customers personally, it would make it even more difficult to be able to identify what the rules are and how they’re being enforced.

7:40

But the government says that this should fall on, you know, the personal responsibility of the people who are going out when we know full well that there are members even within the government’s front bench, the cabinet, that have decided to breach those rules and in very public ways. We also know that there is a group of MLAs within the government caucus that doesn’t believe that the rules are fair or appropriate, that is publicly advocating for them to be changed. Of course, many people read in: well, if the government doesn’t even have faith in their own rules, why should we follow their rules? The natural consequence of somebody undermining the law is that people start thinking about breaking the law. Whether you’ve overtly said, “Break the law” or not, that is the natural outcome that one is drawn towards.

This is sort of the context within which we’re here tonight considering yet again amendments to the Public Health Act in Bill 66, Public Health Amendment Act, 2021. The government is giving itself authority in this bill to recover all costs associated with enforcement. I would say that costs associated with enforcement: we probably don’t even know what they are yet. We’re all thinking this through in the context of this pandemic, and I’m glad we are because we are here engaging with legislation that has real impacts on people’s current lives, and that’s great.

I’m glad that we’re engaging in this way, but we also know that there will be other times where we have to use the Public Health Act. Thinking back to the last Legislature, when I was the Minister of Health, we had to use this act in response to the Fort McMurray wildfires or, in the Legislature prior to that, when we had to respond to the floods in Calgary. I think it was that same Legislature that also had to respond to the wildfires in Slave Lake. These are public health emergencies that have implications and ramifications on families throughout our province.

And while we’re thinking about what the consequences would be of this act tonight, in the context of this current government and the types of breaches, including the ones that happened outside this building just yesterday, to the Public Health Act, there are other implications that we probably can’t even imagine. What about the implications of somebody needing to be removed from their home in the state of an evacuation? They’re not complying, for whatever reason. Let’s imagine that it’s somebody who lives in Slave Lake who has mobility issues, who’s staying in their home because they can’t actually leave their home. What if you come in and, to enforce the Public Health Act order, which is an evacuation order, the government needs to physically evacuate the person? There is, of course, a cost associated with sending folks into somebody’s home, packing them up, and making sure they get to safety.

One reading of this legislation could be that the government could recover the cost of evacuating somebody who is immobile, who needed to flee a wildfire, from their home through this legislation. I don’t think that’s right. I don’t think that’s fair. I think that the government has an order to serve and protect and, certainly, a responsibility, when it comes to issues like the one I just described, to make sure people are safe and well supported.

But that, I think, is what this legislation is speaking to here tonight. I’d be very happy if there is clarity from the members opposite to give that to us here tonight in second reading so we can get clarity on that piece and ensure that somebody who is immobile, living in their home, and needs to be evacuated because of a public health order, including an evacuation order during a wildfire, won’t be hit with a bill for thousands of dollars or tens of thousands of dollars because they weren’t able to flee on their own. They needed their government to step in and help.

The government is supposed to be a safety net. The government is supposed to be there to support and scaffold families and individuals when they need it, and certainly during a public health crisis is one of those times. But the government is giving themselves the ability to bill for all of the costs associated with enforcement: costs of police, of public health officers, of their time and of their equipment. Measuring the impacts on the equipment or the cost of the equipment: I imagine that for a government that prides itself on being red tape focused in terms of reduction, this will create a lot of additional paperwork, a lot of additional layers of complexity when it comes to public health orders and the attempt to recover fees from the people of Alberta.

This is a significant change in approach, and the Official Opposition would like to hear much more from the government on this issue and how it aligns with the existing fine structure, fines that many of us are probably aware of, that have to do with other breaches of laws, including some of the most common, of course, if you get a fine for speeding or for breaking rules of parks or breaking rules of harvesting or of hunting. Those are some existing fine structures that members of this Assembly I know are well aware of, and I think it would be important for us to know how this change in legislation as it relates to fines would parallel or differ from the types of fines that Albertans currently receive for breaking those other laws.

There are a few questions that I'd like to raise at this point in discussion with regard to the Public Health Amendment Act, 2021, and the new powers to recover costs and orders from individuals. Questions include topics like that the government is proposing to give themselves this power to recover these costs. Would it be from individuals, individuals and organizations, or organizations in terms of enforcing these orders? We know that there have been some folks who've decided to organize and make a political statement out of the public health crisis that we are living through. When it comes to recovering costs, would it be each of the individuals who were engaged in unlawful activity or would it be the key organizers or would it be both? How do you measure and divide who's responsible for what? Pretty big question that I think this bill leaves open. Would love to hear if this is something that's already being discussed in regulation, how that would be broken down, but at this point I don't think I see that in the actual legislation itself.

Again, we know that we ended up in this place having to debate this same bill for a second time this year because of the fact that this government tried to rush it through this time last year, so let's not get this wrong. When I say year, I mean sitting of the Legislature since it's still technically the same sitting as 2020.

For example, the addition of a fine for breaking the public health orders: individuals will likely get billed. In the technical briefing we were told that officials were considering this within the ministry, and one example that was discussed was the recent breach at GraceLife, not just over this last weekend but over the last several months, where AHS could now bill the pastor of the church potentially for organizing and not just be billed for the enforcement of that specific date that there was a specific protest but billed for the time of the investigation that led up to the determination of what the breaches were.

Is this the intent of the government, to specifically pass fines onto different groups, including congregants of a parish, of a congregation that are engaged in this type of behaviour? If so, are there any collars around this? How big could these fines be? How big could the return on investment – I know that the videos I saw over the weekend said that there were upwards of 200 police officers there. Then, of course, the pastor was very public in saying, well, it wasn't him. Other folks were organizing it, but he wasn't a part of it this time.

How are we going to divide and decide who has what liabilities as this bill demonstrates the intent is to go after those who are in breach of the costs associated with their unlawful activity? How is it that we're going to do this in a way that makes our province safer and that doesn't further the cause of civil disobedience in response to the government's enforcement of public health orders? I have to say that if we started down this path a year ago, taking the public health crisis very seriously instead of so many people in this place trying to downplay it or dismiss it, using language like influenza when talking about COVID-19, downplaying the impacts on children and families – that continues to happen today in this place.

7:50

When the Premier stands in press conferences and says that kids aren't really impacted, that is not true. Kids are impacted by acquiring COVID, and I will tell you that there are a lot of families reaching out to me about being tested because they've been close contacts in school or in community or both, so they're impacted when they get it. They're also impacted when they give it to somebody else, and I have to say, for a lot of us the fear of getting . . . [A timer sounded]

Shucks.

The Acting Speaker: Thank you, hon. member.

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

Member Loyola: Thank you very much, Mr. Speaker. It's interesting that we're back here on the public health amendments from this government when we spent an enormous amount of time in the House when we were debating what was previously Bill 10 debating and asking the government a series of questions, asking them: please, you need to take a second look at this. I can't even remember how many amendments we as the opposition brought forward during the debate asking the government to take a sober second look at their own piece of legislation, asking people to consider what it was that they were putting forward in that particular piece of legislation.

As I've stressed before, one of the things that I continually talk to my own constituents about is that with almost every piece of legislation that has come before this House from this government, there seems to be a concentration of power, and more and more of that power is being put in the hands of the ministers. I find it ironic coming from the ideology and philosophy of conservatives, that, you know, try to have less government in the lives of people, that they would be, in fact, concentrating more and more power in the hands of fewer and fewer people.

Remembering, too, that we have fine agencies, boards, and commissions here in the province of Alberta that actually help us as a Legislature to actually implement, review a number of aspects of governance. That's the way that we democratize the actual process. I would be remiss without mentioning the fact that this is happening by a government that decided to change the standing orders. I have to say this, Mr. Speaker, because I'm personally impacted by the decisions of this government. They will not allow the motion that I have brought forward into this House to be debated within this House. It's an abuse of democracy, just as is concentrating more and more power in the hands of particular ministers.

It's completely unfair and undemocratic, and I think that we need to ask ourselves – and it happened. The Alberta public decided that Bill 10: they were completely outraged at what was being brought forward in Bill 10, a number of aspects of it. Finally, again, the government decided: okay, well, we're going to build a committee to review this. Here, again, us as part of the opposition – I unfortunately wasn't assigned to that particular committee, but a number of my colleagues were – as we did here in the House, we brought forward a number of issues when it came to actually reviewing what was brought forward in Bill 10. Then, again, as we just heard from the Member for Edmonton-Glenora, the government really didn't want to reach out to the public and actually have stakeholders from across the province come in and ask the questions that they wanted to know, never mind hear insights of experts and other people of knowledge regarding how this will actually impact people's lives.

This, again, is something that I find incredibly hypocritical because the members on the other side of the House constantly get up and point the finger this way and call us ideological when all you have to do is look at any one of the pieces of legislation that they've brought forward in this House since becoming government and see that they're nothing but ideological, and I would say that the majority of them, as I've stated before, are power grabs, concentrating more and more power in the hands of ministers, taking it away from other citizens within our province that we actually have help us to make the democratic decisions and governance of this province. This is something that cannot be permitted to happen, so again here we are as an opposition asking this government to really consider what it is that they're bringing forward in this piece of legislation now when it comes to the

enforcing of public health orders and how that's actually going to take place and who will bear the brunt of this.

Who will have to actually pay – right? – and what are the circumstances? None of that is actually properly defined in the piece of legislation, and we don't know, so this is why we're bringing up a number of questions when it actually comes to the ability of the government and Alberta Health Services to actually recover costs of enforcing public health orders. We don't know if recovering the costs will be from actual individuals or organizations or a combination thereof. Who will actually have to pay for this? You know, I welcome members from the other side of the House to actually get up and speak to this piece of legislation so that we can actually hear what it is that they have in mind. It's obviously not being brought forward. It's not clear.

So here we are. The government is giving itself the authority to bill them for all the costs associated with the enforcement of these public health orders. In a scenario, for example – let's say that there was an individual that was hosting an unlawful house party, where an individual was fined \$1,000. Does this government have an estimate of how much extra the government would recoup through this recovery power? Would it effectively increase the fine by another \$1,000, \$2,000, \$5,000? We don't know what is actually going to be happening here. Is this an appropriate – is this what they have in mind, I would say, when they're talking about recovering costs of public health orders? Are they going to be charging for the number of police that actually had to go to the party and break it up, make sure that everyone goes home? We don't know.

For a standard issue enforcement and closure of a bar, for example, where public health officers tried to use education and ultimately had to issue a shutdown order, does the government have an estimate of how much they would recover from this bar? How is that actually going to impact businesses that they seem to say that they advocate for? Well, we've seen that what they've implemented has been too little too late for many of our business owners here in the province of Alberta.

8:00

The other question that I have is: what modelling and revenue estimates can this ministry share on this new provision that allows this government to recover the cost associated with enforcement? Then, again, the other important question is: well, did the ministry consult with stakeholders, the Bar Association, public health experts, or even the Ministry of Justice, for that matter, on this new enforcement and cost-recovery strategy? If so, what did they have to say? I'm hoping that some of the members can get up and actually share some of that information. If this was actually done, it would be important for us to know.

Of course, you know, I failed to even address the issue of how this particular idea even came about if – originally, Bill 10 came into the House. We had a number of amendments that came forward. None of it had to do with recovering costs of public health orders or the enforcement or public health orders. Then this bill actually went to a committee. We had some stakeholders come in from Edmonton, as was mentioned by the Member for Edmonton-Glenora. We had a number of amendments, suggestions that we actually even had to offer a minority report, but none of what was proposed was even taken into account, and then – surprise – we have this new idea that never had anything to do with the bill from beforehand or throughout debate or even when it went to committee to actually bring it forward to the public. Now, all of a sudden, there's this new aspect being brought into the bill, so the question then becomes: "Okay. Well, where did this idea come from?" Please let us know. Like, how did this become part of the proposed piece of legislation that we have in front of us at this time?

Again, Mr. Speaker, I think that one of the things that has been the most difficult for me is the fact that, as I was saying, this government continues to centralize a lot of the political decision-making power into the hands of ministers, which again I will state that I find ironic coming from the people from the other side of the House that like to talk about freedom and less government in people's lives and things like this. I don't think it squares up properly, right? Any time that this is actually being proposed in a piece of legislation, we need to start asking questions. We need to start asking questions about why it is even being proposed in the first place, because we have an enormous duty within this House, which is, of course, I would say, Mr. Speaker, not only to uphold democracy the way that it's been done within the British parliamentary system, but I would even go so far as to say: how can we even make it better?

As we all know, institutions aren't static. They change over time based on particular ideology. Of course, this is exactly what happened when the members on the other side, in the actual government, decided to propose new standing orders that, again, Mr. Speaker, won't even let one of the members of this House debate in the House when it is within my right as a private member of this Legislature. When that is being done, we seriously need to take a look at what it is that the government is up to and how we actually permitted that to happen: when you cannot bring an idea into this House to be debated in the first place. This government is going to have to wear that and always wear it, and I won't let people forget it. I find it incredibly undemocratic what they have done with those new standing orders and the way that they are using them in order to push private members' business to the bottom so that it just can't be discussed time and time again. They've done it twice so far, Mr. Speaker. You know, I'm trying not to be upset about it, or I would say that I'm trying not to be angry about it. But I do see it as an abuse of power. It's a complete abuse of power, that they won't allow for private members' business to actually be debated within this House.

The Acting Speaker: Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-Mill Woods has risen.

Ms Gray: Thank you very much, Mr. Speaker. I'm pleased under 29(2)(a) to respond to my hon. colleague. Let me wish him and all others observing a Ramadan Mubarak right now as we enter into the blessed month of Ramadan.

The member was speaking in a few different veins when it comes to the response to Bill 66. But as a member who was part of the Public Health Act Review Committee, certainly some of his earlier comments about the actions of the government at that committee through changes to the standing orders paint a real picture. To be clear, we started down this path because of a Bill 10 overreach.

Now, at the committee the question I had for the hon. member was – the NDP Official Opposition tried a number of times to make sure that that committee was hearing from a wide variety of Albertans and, in fact, put forward several motions to invite key witnesses, people that we thought the government may not normally consult or be hearing from, including motions to bring forward health care workers, doctors, and nurses, motions to bring forward people with expertise in long-term care and in the processing facilities, where we'd seen high rates of infection and illness as well as, quite unfortunately, death as well as – and this was interesting to me – inviting Dr. Hinshaw not just to appear a single time, which she did. She did appear at the committee. Interestingly, though, it got scheduled at the exact same time as an important government fiscal update, making fewer people – perhaps shrinking the audience for Dr. Hinshaw's report to the

committee. But the committee members voted down a motion to bring Dr. Hinshaw back a second time for follow-up questions. In the end, as a committee member, I felt that there were a number of key witnesses that were not heard from.

I wonder if the member would mind responding to the question: who would you have liked to have heard from more when it comes to the Public Health Act, this bill, as well as understanding how the Public Health Act actually works in the real world, the implementation of it? We are currently during a pandemic that has changed so many facets of our lives as we all work to respond to it, and I think hearing those perspectives is incredibly important in getting legislation like this right.

The Acting Speaker: Thank you.

I see the hon. Member for Edmonton-Ellerslie has risen, with about two minutes and 20 seconds left on 29(2)(a).

Member Loyola: Thank you very much, Mr. Speaker. I know that you've actually been in the House when I've brought up the concept of subsidiarity. I know that it's important for us, especially when we're drafting legislation and bringing it forward and debating it within this House – one of the things that I constantly think about is how it's going to impact the people that it's going to be – well, how this piece of legislation will impact the ones that will be mostly impacted by the decisions that we're making. If I were on the committee – and I'm sure that my colleagues did a brilliant job of doing this – I, like them, would have invited the people that would have been directly impacted by this particular piece of legislation – because it's important to hear from all those people – not only just from Edmonton, but I would have put the call out to the entire province so that we could hear from people.

I'll be honest. I know that the members on the other side try to push us as, you know, being in cahoots with union bosses and things like that. But I can tell you as someone who was a union president, what these people on the other side like to call union bosses, that my job was to listen to everybody that I was representing. I would actually go out on the floor in different areas of the entire university, because that was my job as the president of NASA, the Non-Academic Staff Association. I talked to everybody I possibly could to get feedback and insight on the things that we were proposing as the board of directors of the Non-Academic Staff Association. That's the way I did it then, and that's the way I would continue to do it now, standing here in this Legislature. I'd go out to the Alberta public. I'd go out to the people and ask them.

8:10

The Acting Speaker: Thank you, hon. member.

Are there any members looking to join debate? I see the hon. Member for Lethbridge-East has risen.

Mr. Neudorf: Thank you, Mr. Speaker. I am pleased to rise and speak to Bill 66, the Public Health Amendment Act, 2021. The proposed amendments in this legislation will modernize the Public Health Act to provide greater transparency during public health emergencies and balance the protection of public health with individual rights. I would like to make something clear from the start, that these amendments have no impact on the current health measures and will not impact our ability to respond to the current pandemic. I think that's important just to say at the outset.

On March 17, 2020, Alberta declared its first state of public health emergency in response to the COVID-19 pandemic. Mr. Speaker, like much of the pandemic this was an unprecedented event in Alberta and was the first time this measure had ever been used under the Public Health Act across the entire province. Shortly after, Bill 10, the Public Health (Emergency Powers) Amendment

Act, 2020, and Bill 24, the COVID-19 Pandemic Response Statutes Amendment Act, 2020, were passed to support Alberta's initial response and included a requirement to review the Public Health Act. This review was done by the Select Special Public Health Act Review Committee, and as one of the members that served on that committee, I want to thank the Minister of Health for tabling this legislation.

To be clear, this committee was struck to review the Public Health Act, not the pandemic response in general, which is why there was a limited list of those asked to speak to the committee, limited to those who had legislative input as opposed to a pandemic response input in a broader context. The review committee met with the Justice Centre for Constitutional Freedoms and the Canadian Civil Liberties Association, who made recommendations, including repealing the Public Health (Emergency Powers) Amendment Act, 2020. The committee also received 636 public submissions with their feedback on updating the Public Health Act. Albertans expressed concerns about the powers that the Public Health (Emergency Powers) Amendment Act, 2020, gave to authorities to modify legislation by order. Mr. Speaker, while I understand that those were extraordinary powers given under extraordinary circumstances, I too shared Albertans' concerns.

Section 52.21 in the Public Health Act states:

(2) On the making of an order under subsection (1) and continuing until the lapsing of that order, a Minister authorized under subsection (1) may by order, without consultation,

- (a) suspend or modify the application or operation of all or part of an enactment for which the Minister is responsible, subject to the terms and conditions the Minister may prescribe, or
- (b) specify or set out provisions that apply in addition to, or instead of, any provision of an enactment for which the Minister is responsible,

if the person is satisfied that failing to do so may directly or indirectly unreasonably hinder or delay action required in order to protect the public health.

Mr. Speaker, that provision gives some very strong powers to the minister and the chief medical officer of health. Bill 66 repeals this and ensures some checks and balances to limit that quite extreme power. No one person should be able to enact regulations without consultation, and I'm happy to see Alberta's government moving forward in removing all sections in the act that authorize a minister to modify legislation by order.

The health and safety of Albertans is the number one priority of this government and should be of every government. As more and more vaccines are administered, we can see a light at the end of this pandemic tunnel. Alberta's government has been working extremely hard and quickly and safely to get vaccines into the arms of as many Albertans as possible and as quickly as possible, but, as I've stated at the beginning, no one should be forced to get vaccinated. The ability of government to force mandatory vaccinations is a power that's existed for decades but has never been used, and we want it to stay that way. Bill 66 will protect the rights of individuals to forgo vaccines by removing unnecessary powers to order mandatory immunization or conscription.

Over the past year I've heard from many constituents about how important it is to protect individuals' rights during a public health emergency. I believe that Bill 66 does just that and strengthens individuals' rights by: one, establishing that individuals must be immediately informed of the location if they are going to be detained; two, establishing criteria that must be met before an individual can be treated or even examined; three, outlining how personal health information is collected or disclosed under the act, and; four, requiring orders that apply to the public or groups to be

published online. This amendment was one that I was personally able to bring forward in the committee.

Mr. Speaker, the Public Health Act was originally introduced in 1907, and as one of Alberta's oldest laws Bill 66 will ensure that the Act will reflect current and emerging public health challenges and best practices by requiring a review every 10 years. In keeping with modernizing the act, Bill 66 proposes new sections to address chronic diseases and preventable injuries, something I believe the Department of Health brought forward. Currently chronic disease is the leading cause of death for Albertans and accounts for the largest share of health care costs. The proposed sections will provide a framework for health promotion and prevention activities and will help address the costs of chronic disease on our health care system by allowing for a focused, collaborative, and co-ordinated approach to these illnesses.

The proposed amendments will also implement lessons learned from the public health response, including the COVID-19 response, by updating provisions on absence from employment to reflect the possibility of working remotely and establishing the qualifications for the chief medical officer of health in legislation, again, specific things that we heard in our consultation process under the Select Special Public Health Act Review Committee.

Mr. Speaker, we learned a lot last year, and one of the biggest challenges we have faced is the impact that the COVID-19 pandemic has had on mental health and addictions in our province. Recovery-oriented treatment for those who use substances is a priority for this government, and vulnerable Albertans struggling with addictions should not be inappropriately penalized, which is why the proposed amendments will also repeal section 70 and the regulated matter regulation from the Public Health Act. This means that Albertans who use inhalants as an intoxicant will no longer be fined for their addiction.

Mr. Speaker, the amendments in this act are a result of extensive feedback from Albertans and address all recommendations at the Public Health Act review committee to protect individual rights, add checks and balances to address public concerns, and modernize the Public Health Act. For these reasons I am proud to stand in support of this bill and support the rights of all Albertans.

Thank you, Mr. Speaker.

The Acting Speaker: Standing Order 29(2)(a) is available, and I see the hon. Member for Calgary-Mountain View has risen.

Ms Ganley: Thank you very much, Mr. Speaker. I am pleased to rise and make some follow-up comments there. I actually have a question coming, believe it or not, but I'll just start out by laying the background here.

Of course, Bill 10 went into the House. It went forward against the objections of the Official Opposition and went through very quickly. We had questions about it. They were written off as fear and smear, as they normally are. Then it went through. The government realized its error – which it could have done if it had slowed down in the first place, but here we are – and sent this bill to a committee. I had the privilege of being a member of that committee, as did the Member for Lethbridge-East.

We heard from a number of stakeholders. We had a number of presentations, and I think, generally – I mean, not from everyone, but generally it seemed to be the consensus that the powers granted by the UCP to their cabinet in Bill 10 ought to be walked back, that they were an overreach and they were overbroad. Arguably, the powers as they existed previously in the act, which was written I don't know how many decades ago, were themselves potentially overbroad. But, of course, it not really having come up in the interim, no one had considered that too much. So at that committee,

you know, our members brought forward amendments to attempt to do exactly that, to walk back the overreach that came out of Bill 10 and to walk back, in some cases, those other powers. In those instances the Member for Lethbridge-East voted against that, as did all the other UCP members, which is why the recommendations coming out of the committee were not that.

8:20

So I was surprised and pleased to see these changes in the legislation, but I think that the question I have for the Member for Lethbridge-East is – and I'm certainly not a proponent of no one ever being able to change their view on anything – that I'd be interested to know what has occurred between then, you know, after all the presentations to the committee and after we heard all of that, and now that has caused him to reverse his position and now be in favour of these changes?

The Acting Speaker: I see the hon. Member for Lethbridge-East has risen to respond with about 2:20 left.

Mr. Neudorf: Thank you very much, Mr. Speaker, and I thank the member opposite for that very thoughtful question. I have very much appreciated that member's particular individual contributions, especially during that committee. I've found her questions and her tact helpful to learn. I will honestly say that, yes, I've learned a lot of things. I think many of us have changed positions over the past 13 months.

I believe initially that when we brought forward Bill 10 and Bill 24, we did feel the urgency to act quickly because this pandemic was of such a global nature, and there were many, many unknowns. Even during the course of committee meetings and deliberations during last summer, which is now six months ago and better, again, there's still much that we are learning under that period of time. Even, if I recall correctly – I don't mean to misrepresent anything if I happen to get this wrong – Dr. Deena Hinshaw, chief medical officer of health, herself did speak to the requirement at certain times for whatever future eventuality there would be under different pandemics – not every pandemic will be exactly the same as this one – that there may be the requirement to act quickly and have powers to move things very quickly. I do believe that since that time as well, as we've come now 13 months into this pandemic, we've learned more and more lessons, and I believe that there has been time to evaluate and consider that position, including myself, to realize that we can still encompass many of the actions that we need to do and appropriate measures while reversing and stepping back on some of those things.

There are times where, I'm sure, the members opposite would be very happy if we agreed with their position early or in this case maybe a little bit later, but I am very proud to be part of a government that is willing to humble itself, come forward and recognize lessons learned, and make the corrections needed in a timely and appropriate fashion.

I do feel that this job is very new to me. I have no shame in saying that before this I was a construction worker and a project manager and very proud of that industry and those learnings, and I'm very proud to be part of this Legislature and continue to learn lessons here. I hope that will help me personally as well as the rest of my caucus to make better legislation.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members looking to join debate? I see the hon. Member for Calgary-Mountain View has risen.

Ms Ganley: Thank you, Mr. Speaker. Sorry. I'm just setting a timer. I have noticed in myself a tendency to run a tiny bit long.

I think I'd like to start in discussing this because I think it highlights a really important lesson that I believe that all of us in this place ought to take to heart. In our system, generally, in the absence of a minority government, which complicates things somewhat – we have a majority government, and in that case the idea is that the government governs, and the opposition has a role, too. That role is to draw the attention of the public and the media to certain issues, so essentially to bring forward alternate proposals, to ask questions about proposals, to criticize proposals, and that is a role that I think we should take very seriously.

I, certainly, when I was a minister in government, took criticisms from the other side very seriously. I think that in almost every instance questions that were asked into the record in the Legislature I responded to. I think that that's important because I think that, you know, people standing in this House are often speaking to others. They're speaking to subject matter experts, they're speaking to their constituents, and they're learning things about the legislation and about the policy area in which they are operating. No one can be an expert on everything, Mr. Speaker. It's impossible. So I think it's very important that we're able to learn from each other in that way.

This bill reverses changes that were made in Bill 10, and those changes were rushed through this House. They were rushed through this House. Questions were asked, those questions were not answered, and it was suggested that the act of asking those questions was somehow anti-Alberta or against good governance or something like that. I think, you know, those sorts of allegations are extremely problematic. We hear them still today. The opposition says, "Hey; this could have this possible effect," or "Hey; what is this meant to do?" or "I see a problem here," and the government stands up and says: "Fear and smear. You're trying to destroy the province. You're running down Alberta," whatever the allegations are that day, usually peppered in with a few colourful names. I think that that is extremely problematic because I think that those questions and that back and forth is actually really important to forming legislation.

This example demonstrates a situation in which the government did overreach. There were questions asked about what these changes meant and what they were going to do and what impacts they had. I certainly had significant concerns because to me suspending or modifying is quite different – obviously, I mean, legal experts have weighed in on this all over the map, right? People had different opinions. But to me, suspend or modify is very different than the creation of new provisions because in one case you are simply taking away that which exists, and in another case you're essentially writing new legislation by ministerial order. I think that that is a distinct thing, and I think it's problematic.

Now, this bill repeals both of those powers, which seems right, actually, because I don't think that the other powers had ever been used. Given the fact that there seemed to be at least some who were of the opinion, different than mine, that these were essentially the same things in the first place, that's probably the right outcome. So I'm glad to see this legislation, but I think it really highlights the fact that we wouldn't have had to go through the whole intervening process – the fact that the legislation was passed, it was constitutionally challenged, we had to strike a committee. The committee recommended against making these changes, and now we're here making them anyway. I think it really suggests that perhaps the government ought to take questions coming from people outside of the government a little more seriously because occasionally we're worth listening to and we have ideas. Sometimes, like is the instance in this case, they may find themselves walking back what they did in the first place.

After it was rushed through the Legislature with the allegations that questions were somehow anti-Alberta, we struck a committee. That committee went through a process. I actually think the committee should have gone through a significantly more rigorous process. We tried to ensure that the committee went through a more rigorous process. I was surprised to discover that the government felt that it was possible to consider the act in its entirety without considering how that act performed under the first public health challenge it had pretty much ever experienced. I was a little surprised to hear that we couldn't consider how the act operated in the COVID-19 pandemic. I think that that was an error in judgment. I think that that was something worth considering, but the government members voted against it, so that's not what happened.

Ultimately, the government members voted against the provisions which are in this very bill – that is, to reverse Bill 10 – yet we come forward to this Legislature with the recommendations. That's fine. Perhaps members changed their minds. Perhaps the minister overrode them. I mean, obviously, you're not meant to see behind that curtain, so it is what it is. But I do think it really highlights the importance of trying to work together. That's the first thing.

8:30

Then the next thing that arises is that one of the provisions – well, several of the provisions but one in specific, that I'm about to highlight, in this act were not recommendations of the committee. One of them is the ability to be able to get cost recovery of enforcement, which I think is an interesting provision. Now, this bill was introduced very recently. I've only just read it, so I will admit to not having examined the issue yet in great depth. But I do have some questions about it because I think that's interesting.

Now, cost recovery on enforcement can be a good thing, right? You see folks, I mean, like we saw with GraceLife church recently, sort of flouting the law, intentionally flouting the law. This could be used in those circumstances. You know, it can be the case – and this has I think been my argument sometimes with the enforcement of regulatory compliance obligations, with respect to environmental compliance obligations, with respect to labour law obligations – that when the cost of violating the law in terms of dollars or in terms of whatever the cost is is so low that an organization can look at it and just consider it the cost of doing business, that's problematic.

It's problematic because if the cost of not complying – or if the cost of compliance is higher than the cost of not complying, then we're not suggesting to the company that it ought to comply. That's very, very problematic because corporations are not necessarily themselves moral entities. Now, they're run by people, and those people are moral entities, but corporations are governed by legal provisions. So when you set up the law in such a way that a company posts far greater profits by breaking the law than by following the law, you haven't set up a very good system. This is the case in all laws.

I think that in some cases, certainly, this is potentially good, but there are other cases where I think it's potentially extremely problematic because it doesn't say why the individual isn't complying, and because this isn't a criminal matter, there isn't the same sort of level of requirement of intent necessarily. So I'm just a little bit curious: you know, what problems specifically was this trying to solve? Did the government foresee some of the things that we are experiencing now, and was that the intent? Is that what this is aimed at? Is this provision specifically intended to get at a case like GraceLife church, or is it a provision that was aimed at something else? It's not clear where this came from. The recommendation is obviously not in the report. It's just sort of, from my perspective, come kind of out of nowhere.

I would be interested to know what the government's intent was here because potentially you wind up in a situation where, if you're talking about an individual, say, an individual who didn't have strong intent, who maybe didn't understand the law, and we are all, as we know – the law assumes that we all know the law rocking around there, whether we do or not. So someone who may have violated the law, who didn't really know the law was the law – but they're assumed for legal purposes to know that the law was the law – is now potentially getting fined, and potentially they're getting fined in amounts that are orders of magnitude larger than the fine as set out in the legislation. I think that that in and of itself creates a legal problem because the legislation says, "If you do this thing, you get fined, say, \$500" or whatever it says, but the cost recovery could end up being \$50,000. That's a pretty big difference, right?

The cost of enforcing things is very, very high. It's one of the reasons I have always been such a big proponent of early intervention and investing in early childhood education because that cost is wildly offset by what you ultimately save when people go on to be productive members of society and you don't have to pay for the cost of enforcement. Enforcement is expensive. Putting someone in jail is far more expensive than putting them in affordable housing, and it is definitely more expensive than assisting with child care when they were small.

Sorry; I digress. The point is that it's not clear to me what this provision is meant to do. I mean, I don't know. I would like to hear the minister's opinion on the sort of constitutionality and, even bigger than just the legal constitutionality, the sort of ethics of this and what it's intended to achieve. I think there are a lot of questions there.

I believe as well that I have some questions. Most of this act modifies existing pieces of legislation, but there's also a new part. Section 27 of this act inserts a new part into the bill, part 3.1, public health plans and health impediments. I find it interesting because it's not totally clear to me what this is doing. A health impediment is defined quite broadly. It's defined as a condition, thing, or activity

- (i) the cumulative effects of which, over time, are likely to adversely affect public health,
- (ii) that causes chronic disease or disability in the population,
- (iii) that interferes with or is inconsistent with the goals of public health . . . [et cetera, et cetera], or
- (iv) that is associated with poor health within the population.

That's quite a broad definition.

Those health impediments: the active section is section 58.2, which says, "The Minister may by order require a public body to make, in accordance with any regulations, a public health plan in respect of a specific issue or geographic area." So you can require a public body. Many of the things are things that are under the health authority, but it also includes a school jurisdiction and a municipality. I just think it's interesting. I'm not a hundred per cent sure. Again, it's something that could potentially be good but seems very, very broad.

In light of the issue which brings us here in the first place, which is to say an issue of significant breadth, I think I would be interested to know what exactly this intends to solve and how it's intended to be used. I think that's an interesting part of the legislation. I'm hopeful that we'll be able to hear answers from the government because I think that that which brings us here today, as I've mentioned, is specifically the government sort of going forward without being willing to answer reasonable questions. I'm hoping that in this instance we will hear from members of the government specifically about these provisions about the cost recovery and sort of what the intention there is and what – yeah – the minister or the

government thinks of those problems which I have highlighted; i.e. people being subjected to potentially excessive fines.

The Acting Speaker: Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-Glenora has risen.

Ms Hoffman: Thank you very much, Mr. Speaker and to the member for her remarks. I too enjoyed serving on this committee with her. Even though we've been MLAs for a few years, at the time it was struck, it was my first select special committee and, I think, the member's as well.

One of the things that I know we proposed was that we hear from front-line health care workers about the way that the legislation impacted their lives and their work and what they called on this Assembly to do, to make sure that we impact it in a positive way. We had proposed that we would visit the communities to make ourselves available for them to be able to share this feedback with us, the following communities: High River, Brooks, Medicine Hat, Calgary, Red Deer, Edmonton, and Grande Prairie. Of course, no public members were invited. There were a couple of specific stakeholders.

8:40

We'd also suggested that the Premier, the Minister of Health, the Minister of Justice, the minister of labour, the Auditor General, the Deputy Minister of Health, CEO for Alberta Health Services, chief medical officer, Alberta Health Services zone leads, Alberta Health and Seniors Advocate, the respective deputy ministers associated, and then folks that were presidents at the plants that had already been impacted by this day as well as leadership from, at that time, the few assisted living or long-term care facilities that had experienced cases – but, of course, we know that those numbers exploded and that so many of the lives lost in the province of Alberta to COVID-19, the more than 2,000 lives lost, were folks who had direct connections to those massive outbreaks in long-term care and assisted living. So I can't help but reflect on what I imagine we could have potentially done had we actually heard from the staff and the leadership at those facilities to make things safer.

I'm wondering if the member wanted to share some of her remarks regarding the other members of the committee refusing to allow us to invite these witnesses. Thank you.

The Acting Speaker: I see the hon. Member for Calgary-Mountain View has risen to respond. Please.

Ms Ganley: Thank you very much, Mr. Speaker. Like the member, this was my first such committee. I was actually quite saddened that we weren't able to hear from some of those stakeholders, particularly in the instances of some of those plants, because this is precisely the sort of thing a legislative committee ought to examine, which is to say a place where regulations in one ministry, Health, and regulations in another ministry, Labour, interacted, and they didn't do so well.

You know, the folks in Labour are obviously not public health experts. The public health experts are obviously not experts in how different labour facilities operate or OH and S requirements, and as a result of that, somehow we wound up in a situation where intervention didn't occur and tragedies did occur. I think there can be no better use of any of our time in this place than to look at exactly those sorts of problems where two ministries are meant to interact to protect the public, to protect lives and livelihoods, and they just don't.

I was incredibly disappointed to see that we weren't able to do that work, and I'm disappointed to see that there's nothing in here that would have changed that situation. I certainly hope that nothing

like that happens again, but I wish that we had been able to step in and do something to ensure that it didn't. I don't really think that hope is a strategy. I think a better strategy would be to examine the problem with all of our different perspectives and all of our different knowledge and suggest solutions, solutions that could, at the end of the day, save lives.

I think that committee had a lot of potential. It did do some good work, but I think it could have done much, much better. Specifically, it could have done much, much better by examining this gap or failure of different legislation to interact to protect those workers who showed up at work every day, as they were required to do, who put their lives on the line, and who ultimately, many of them, got sick. Ultimately, you know, lives were lost, and that's tragic.

The Acting Speaker: Thank you, hon. member.

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

Member Ceci: Thanks very much, Mr. Speaker. It's my first time, of course, speaking to Bill 66, and I will speak to it in subsequent stages as this bill moves forward. As a result, like my colleagues, I'm getting into the actual bill and reading parts of it and needing to get through more of it, but I think I want to spend my time this evening talking about two parts of this bill if I might. I'll start with thanking my colleagues who have gotten up and spoken to this already. Some of this might feel familiar in terms of some of the things that they're concerned with as well, and I share those concerns.

This bill, I think, Mr. Speaker, is not about promoting public health in its broadest sense, but it's about dealing with an issue that arose as a result of Bill 10 coming to this House and the significant public backlash that occurred from all quarters if you recall. I haven't looked up the media or the news articles with regard to this, but I do remember there was a pretty massive outcry that this was an overreach in terms of this government's actions with regard to taking advantage of the situation that was ongoing in the province at that time, really early stages. It was before the second wave of the pandemic.

All quarters were very concerned that we were in this situation with Bill 10 because the government had overreached. It was a political mess, and the UCP government, as I'm inferring, wrote a law that permitted individual ministers to override the Legislature and to essentially do as they wanted without the benefit of coming back to the Legislature and working through this House and our processes.

I'm pleased that we're here, of course, talking about changing that. I think cabinet belatedly understood that they had made an error. And, as my colleague talked about before, there was a committee formed, and we've heard about that committee somewhat. It's very interesting to read the recommendations that came out of the committee but also, more importantly I think, to look at the minority report recommendations that were put forward by my colleagues.

I have some experience with minority reports, being a part of a committee that's written two now, with respect to two issues. The first issue was recall legislation. The second one was citizen initiative. The opposition members, which I am one of, wrote recommendations that we felt were appreciating and listening to the testimony or the people coming forward to speak to us, but government members, who have the majority on that committee, essentially wrote recommendations that had little relevance to what was brought forward by the people that we had listened to, the testimony I guess you could call it, that was before us all.

It made me wonder about the motives of the government members on that committee, and essentially my feeling was that they were getting their marching orders and putting forward what they felt was important to them, believing that they were putting their platform commitments forward. And, no matter what the recommendations of the testimony were or the views of the people testifying, they were going to do what they wanted to do.

That's, I think, what we saw in this committee report for the Public Health Act that my colleague spoke to, of being about four months long. I believe that in that case the UCP members used that committee to use their majority to vote down the recommendation that was put forward by members of the opposition to remove the powers of the minister that were an overreach. Members of the Official Opposition disagreed with the majority members, who wanted to keep those powers in place. We thought it was an overreach that needed to be corrected, but the committee, dominated by members of the government, left those in place.

8:50

We know that later the Minister of Health essentially agreed with members of the opposition, against his fellow caucus members of the government, and believed that he would change those powers. We see those here today. We see that he has reversed the Bill 10 power grab that was there, that prompted a lawsuit, prompted rebellion within his own party. We essentially were on the side of the angels or right in that case to make that recommendation that was not upheld by committee members who are of the government side, and that's unfortunate.

That's my experience, too, from the committees I've been on, that we make recommendations, the government overrides those and brings forward their own recommendations. But in this case the opposition was making the right call. Members of the committee were on the wrong side in that case. We see that here in this bill, 66. It's unfortunate that other recommendations the opposition members in that committee made have not shown up in this bill. That is something I think we all can learn from in terms of being less partisan and more driven by the evidence we receive at committees from the people who come and speak to that.

Just a point, if you look at the committee report, you see the hundreds and hundreds and hundreds of Albertans who sent in their objections to Bill 10 as it existed at the time. I'm always impressed with Albertans when they stand up and they say: this is not right. They did that in spades in this case.

I want to talk a little bit about what my colleague from Calgary-Mountain View just touched on, and that is the recovery of costs. I'll have greater opportunity to address that specifically going forward with subsequent stages of this bill. The recovery of expense is on page 17, and I want to fully understand all of that, but I think my colleagues have raised some interesting questions with regard to the recovery of costs. It is new in terms of in this act, not previously in Bill 10, but it's here, and there's been little kind of explanation. Certainly, it's not in the committee report. There's been little explanation with regard to where that comes from and the exact parameters of the whole thing. It might be outlined in the actual bill, which I will have more opportunity to read as we go forward. But I do want to kind of express some questions with regard to all of that.

It seems very likely that GraceLife church was in part the motivation for bringing forward this aspect of the bill. I just need to understand that myself. I think when things come out of the blue, you need to have an opportunity to hear from government with regard to all of that, and we may in the subsequent days. But a place like GraceLife has been in the news, obviously. People have wondered why there's been little or no enforcement of the

GraceLife situation. What are the impacts on the rest of Albertans when that sort of behaviour goes on on a regular basis? We know that, as my colleague previously said, there were significant costs evident, from setting up the fencing to police being on site to probably government lawyers being involved, lawyers for AHS being involved, people working overtime trying to make plans. So how does that get quantified? And is that in part what will go forward with the recovery brought forward to enforce that public health order?

I think, too – you know, how far does it go? If individuals, as a result of their attendance at GraceLife or other places where they're not following public health orders, get sick as a result of all those things, and it is kind of tracked back to their participation at something like GraceLife, and there is an impact to our health system as a result of all of that: is that recoverable? Right now we know that Albertans are insured for their health needs. We don't pay for those things. We pay through our taxes, and we pay through purchasing insurance, Blue Cross, but we don't have individual costs levied on to us. Will that change as a result of this bill? That's something I'll be reading further to understand what the background is with regard to all of that.

I wanted to just focus on one other recommendation that the opposition brought forward with regard to what this bill should be like, and that's with respect to the chief medical officer of health, that person. The only thing that seems to be done here is to ensure that the CMOH is a physician with appropriate training and registration and certificates and all those things. The opposition in the committee that was struck also talked about or made the recommendation that that person, the CMOH, should be an independent officer of the Legislature. That recommendation wasn't made lightly. It was made with the view that we currently have a problematic model, where the only way that the CMOH can express extreme dissatisfaction with the actions of the emergency cabinet committee with regard to decisions that are made in light of a public health emergency – the only way that person can act to express their extreme dissatisfaction would be to resign their position, I think.

The Alberta history is certainly one where we know that an individual who was a member of this House did something very similar when he was a medical officer of health. Dr. David Swann believed that the government of the day was not doing enough to address climate change issues and expressed those views, as it was his desire to alert Albertans that more needed to be done to take us off the route of growing emissions affecting our climate in this province and beyond our borders. He resigned his position because he did not feel that he was getting . . .

The Acting Speaker: Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-McClung has risen.

Mr. Dach: Thank you, Mr. Speaker. I'm pleased to rise this evening to ask the member from Calgary who finished speaking if he might delve a little bit more into a topic that I care to hear a few more details on. He did mention in his comments that he was involved in a minority report situation previously in other areas. I'd certainly like to hear a bit more detail about the minority report that was produced by the Official Opposition in October 2020, when, of course, the opposition couldn't agree or did not agree with the government's refusal to call witnesses, including the chief medical officer of health, to the select review committee and, of course, resulting in what was then called by the Official Opposition a sham of a committee.

9:00

I think I would like to hear some comment from the hon. member about the light that this cast on the whole committee review process, where a government refuses to call in essential witnesses to a committee to provide committee members with an appropriate venue and ability to make decisions based on real, fleshed out context of the situation at hand and perhaps bring in other examples of a committee review process that he's been through when minority reports became necessary in the view of the opposition members of the committee.

The Acting Speaker: Thank you, hon. member.

I see the hon. Member for Calgary-Buffalo with three minutes and 15 left.

Member Ceci: Thank you. I just will quickly say, then, that, you know, when the committee was struck, there was an opportunity for the Select Special Public Health Act Review Committee to undertake a robust review of the act in light of the COVID-19 pandemic. There were probably eight members of the government on that committee and four members from the opposition on that committee. It's disappointing that there was so much potential in that committee, and so little actually came out of it that is in this bill.

We know that the Minister of Health and cabinet essentially overrode the recommendations of the committee members and came up with a better approach than the committee members on the government side came up with. There was significant public expense, of course, invested or incurred within the Ministry of Health to support the committee's work, and the anemic recommendations ultimately adopted by the UCP-dominated committee in the final report largely wasted the funds that were put to work to try and come up with good recommendations.

I have been on a committee as well where we had to come up with minority reports because the UCP-dominated committee essentially wrote their own report, which didn't seem to be based on the input of the people who were coming forward.

This Bill 66 corrects some egregious overreach, as I said, that was present in the previous Bill 10. It was a power grab, plain and simple. The committee had an opportunity to fix all of that, to look at the recommendations, to behave in nonpartisan ways, but they chose to continue their partisan ways, and the Minister of Health ultimately, with, you know, the support of cabinet, did not accept the work of the committee, Mr. Speaker.

I think, lastly, that the chief medical officer of health should be independent. There are other examples across this country where those situations exist. We have far more transparent situations in other provinces when they're dealing with this pandemic than we do here.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

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

Mr. Feehan: Thank you, Mr. Speaker. I certainly appreciate the opportunity to spend a fine spring evening with my peers across the floor, talking about legislation. Of course, it's made much finer by the fact that we have a situation where this government has kind of been hoisted by its own petard and has been required to return to the House to correct one of their many egregious errors. It's good to see that they're here to essentially withdraw the horrendous Bill 10 that they introduced into the House last year and are making at least some changes to the legislation that will make it slightly more

palatable. Of course, they had many opportunities to recognize these terrible errors in the debate we had on Bill 10 last year, but being fundamentally ideological in their approach to legislation, they failed to do so.

Really, we have arrived at this point only because they were in danger of being sued on constitutional grounds for enacting legislation, which really demonstrates a complete, well, a fundamental misunderstanding of the democratic process, one that attempted to give extraordinary powers to a minister of the Crown, to allow them to make rules and laws in the province of Alberta that would not be brought to the House and thereby reviewed by the democratically elected representatives of the people of Alberta. You know, the gall to actually do that is quite appalling and very undemocratic, so I'm glad that it has been reversed in this legislation.

I wish the government, you know, didn't put us in this place where we had to be afraid that democracy itself was under attack, and indeed it was. But, thank goodness, some significant pressure in the community has brought us to this place where now we are addressing Bill 66, which is the replacement for Bill 10. I wish, of course, that they had taken some time with Bill 66 to try to get it all right and not simply correct some of the egregious errors in their previous bill, but unfortunately they failed to do that.

You know, I'm particularly concerned that the minority report that had been put forward in committee with regard to some of the issues that are covered in this bill has been largely neglected yet again in spite of the fact that it's demonstrably true that the minority report was quite correct in its assessment of the bill and therefore should have been brought back in to help correct this bill in a variety of areas and not simply with regard to the issue of the constitutionality.

I guess I'm particularly concerned about the fact that a suggestion had been made to introduce some aspects to the act which would allow some greater focus on the very serious issue of the opioid crisis which we are experiencing in this province and indeed all across Canada. It would have been a great opportunity for this government to get in front of a problem for the first time and to actually deal with the problem in their legislation. It would have allowed the chief medical officer to provide the Minister of Health with an annual report around opioids and would have allowed the chief medical officer's recommendations to the government of Alberta in respect of the measures required to reduce mortality rates to be made public. These kinds of provisions would have been a great addition to this bill, and I certainly wish the government would have taken some time to read the minority report and to introduce some of these very important considerations into the act.

9:10

I am happy in this particular case that they did agree to increase some of the transparency pieces in the minority report that the members of the opposition had suggested, including of course making the orders public and posting the orders online so that the public could have ready access to the orders. Good on you, to the government, for at least picking up small pieces of the changes that had been recommended to you. I wish you had taken some time to really do a more fulsome job than indeed has occurred in this situation.

I'd like to take at least a little bit of the time I have available to me in this particular speech to talk a little bit about a section that they introduced into this revision of Bill 10 that was not at all covered in Bill 10, and that is the recovery of costs. It is one that, of course, has again provoked us all to wonder what the intention here is of the government and whether or not they have actually taken the time to consider the implications of their decision or

whether, again, this is another rushed, back-of-the-envelope kind of bill that we see so often in this House under the current government.

Overall, I guess at this point it's mostly that we have questions. I certainly have questions about where they are going and what the implications will be of going ahead with this section. I'm certainly open to hearing some satisfactory answers that would cause me to want to support their addition into this bill. I do hope that the minister or other members who are versed in this bill will take the opportunity throughout the various stages of the bill to provide for us some greater, expanded discussion around the direction of the bill and what will be happening.

I don't want to repeat too much of what some of the other members have already said around the cost recovery, so I have a couple of additional questions I would like to ask. One of them is about the disbursement of those costs. Now, the first thing I would want to know is: if the costs are being billed to, you know, some group for a variety of aspects of costs to the government, including, for example, police time, the use of police vehicles, and so on, will those costs, once recovered, then be returned to the police budget to provide them compensation, or is the government using this process to essentially use police time and then extract the money back for government's other missions and activities, thereby having the police service subsidize, through their work and effort and through their intervention, other aspects of government operations? I think that that would be somewhat problematic.

Is there a definition here about what will happen with the money as it is claimed from people in the community? Will it actually go back to the actual departments that used up that cost in the provision of the services so that they could then use the money more wisely in other areas? If not, it seems like it's a shuffling of money out of various groups such as the police service in order for the government to do things which may be very problematic.

I mean, here we are back saying that if the government is actually worried about money and worried about costs, why don't they simply get rid of the war room? It would give you lots of money. I can't imagine that this particular bill will actually bring in nearly as much money as is wasted on the war room every year. If this process is essentially going to be such that the money coming in from the individuals charged in the community is back into the general coffers, then what we have is the police working to provide services that eventually will pay for a war room, which has nothing to do with police services. How much sense does that make?

I'm also concerned about third-party interests in all of this. For example, on the weekend we had this horrendous situation where a number of protesters from around the province came to GraceLife church to protest a public health order and in doing so did a number of things which we found reprehensible, including tearing down the fencing and so on but also invading the sovereign territory of the Enoch Cree First Nation, trespassing, and, unfortunately, during that process also throwing racial slurs at the chief of the Enoch Cree Nation and vandalizing his car.

I seriously am concerned about what happened in this case, but what we also have in this case is an example of a third-party interest. It's not only the government of Alberta that had costs associated with this event. The government, of course, had costs associated with the police force, the fencing, and so on, the Health Services investigation, and all of those kinds of activities. But so, too, did the Enoch Cree First Nation, and their costs are now ongoing because subsequent to this horrendous event that occurred on Sunday, the Enoch Cree First Nation, for their own protection, has had to make a decision to institute a First Nations security force to protect the land on their nation from further invasions, which means they now have people brought in. I don't know if they're being paid, but I assume there must be some costs associated, including perhaps

salaries. There may be other costs such as vehicles or warming booths or food or anything else of that nature or items to block off the road so that it cannot be misused and trespassed upon by other people.

So here we have a third party now that has got expenses against them. This bill does nothing to identify whether or not third parties will also be able to recover their costs or whether any of the costs that the government is seeking will be shared with those third parties. That's quite concerning because it also may have an effect on the third party if they choose to go through a legal process to try to recover their costs and, in this case of the Enoch First Nation, take the GraceLife Church to court to recover the cost for their new security force that they've had to put in.

If the government has already charged GraceLife church and that has cost GraceLife church a significant amount of money, will that influence the outcome of the court case in which the First Nations are seeking to recover their costs, or are we in the position of the courts identifying that the GraceLife church has already paid out costs for this and therefore should not have to pay out costs twice or that at least some consideration should be given for the costs that have already been paid out in the judgment and determination of costs awarded to the Enoch Cree First Nation?

I have a lot of concern about whether or not third-party interests are being considered in this process of cost recovery and the disbursement of costs. Will it influence their ability to seek and achieve justice in the court system, or will the prior decision of the government to seek costs influence the outcome that's available to them? This does not seem to be covered by this bill at all. It doesn't seem to have been considered.

Thank you.

The Acting Speaker: Standing Order 29(2)(a) is available should there be any takers. I see the hon. Member for Edmonton-McClung.

Mr. Dach: Thank you, Mr. Speaker. I'm pleased to rise and speak to the legislation before us. I know that the Member for Edmonton-Rutherford spoke eloquently about a number of issues that were germane to the topic.

9:20

The Acting Speaker: I hesitate to interrupt the hon. member. We are under 29(2)(a), or at least that is the understanding that I'm under as well. I just thought that there was a little bit of confusion around the room. Is that your understanding as well?

Mr. Dach: Under 29(2)(a)? Yes.

The Acting Speaker: Perfect. Please continue. My apologies for interrupting you.

Mr. Dach: I did hear you. I thought I might be missing something.

The Acting Speaker: No. It was all me.

Mr. Dach: Okay. Thank you, Mr. Speaker, for clarifying.

What I wanted to do was ask the hon. member if he wanted to perhaps talk a little bit about one element that he was about to touch on, I think, and that would be to whom else or what other parties might the recovery costs be extended to by the government beyond Alberta Health Services in order to recover costs that were used in enforcing public health orders. I'm thinking about different agencies of the government, not necessarily third parties, but beyond the Alberta Health Services. What other agencies and – not only other agencies of the government but what other levels of government, municipalities, might be having this ability to recover cost through enforcing public health orders by AHS that were

incurred by them as a result of enforcing the public health orders or providing services to do it?

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

I see the hon. Member for Edmonton-Rutherford has risen to respond with about three minutes remaining.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate that, and I thank the Member for Edmonton-McClung for addressing this because I have identified, of course, one case example of the Enoch Cree First Nation being a third party with actual costs associated with contravention of public health orders on Sunday of this week in relation to the GraceLife church situation.

He has also identified, you know, the fact that it isn't just private interests that are also of concern here, but it could be other levels of government that are also of concern here because in many cases it's not RCMP who are attending, who are perhaps paid for through provincial mechanisms. It may also be city of Edmonton police or city of Calgary police or another agency who is actually spending the costs, and if we are actually billing these costs in these situations against the people, is there provision in this bill for the provincial government to share that cost back to the municipal government who actually experienced the cost itself? How has that been done? How is the dispersal of these funds being set up?

Is there provision, if the provincial government chooses not to pursue costs, for other municipalities to step in and to pursue costs under this bill where the provincial government has chosen not to do so? In the case of the city of Edmonton police having to go in to enforce the public health order, can the municipality choose to do that when the provincial government chooses not to do that? Does this bill allow that kind of action on the part of the municipal government, or is this only a privilege of the provincial government? I think that is a very serious question.

You know, there are a variety of other agencies besides police, of course, that may need to look at cost recovery in all of these situations. Of course, it also begs the question of are we moving to a place where the government, rather than providing services to the citizens of Alberta, is actually going to start charging citizens of Alberta for the application of government services. Does this open a door? For right now it seems to be based on somebody having violated a provincial health order, but once you open this door . . .

The Acting Speaker: Thank you, hon. member.

I see the hon. Member for Fort Saskatchewan-Vegreville has risen to join debate.

Ms Armstrong-Homeniuk: Thank you, Mr. Speaker. I am honoured to speak on Bill 66, Public Health Amendment Act, 2021. This important piece of legislation introduced by the Minister of Health will modernize public health legislation and balance the protection of public health with individual rights. These amendments to the Public Health Act are based on recommendations from the bipartisan Select Special Public Health Act Review Committee as well as the Ministry of Health. The proposed amendments address all of the recommendations of the committee to protect individual rights, add checks and balances to address public concerns, and modernize the act.

These changes were reviewed after Alberta declared its first state of public health emergency on March 17, 2020, in response to the COVID-19 pandemic. Bill 10 and Bill 24 were enacted to support Alberta's initial emergency response and included a requirement to review the act. Albertans provided feedback to the Select Special Public Health Act Review Committee. This included the recommendation that this bill addresses. To make changes to checks and balances on authorities, Bill 66 would affirm individual

rights and create additional safeguards on authorities while maintaining the ability to respond to public health challenges.

The amendments would remove all sections in the act that authorize a minister to modify legislation by ministerial order, remove unnecessary powers to order mandatory immunization or conscription, establish that individuals must be immediately informed of the location if they are going to be detained, establish that criteria must be met before an individual can be treated or examined, check how personal health information is going to be collected or disclosed, any order that applies to the public or a group be posted online, a mandatory periodic review of the act every decade, and extend pandemic influenza provisions to other pandemic diseases. These changes are necessary as they give more power to individuals rather than to the government, something that we've heard from many Albertans during the review process. It also gives freedom of choice such as freedom to choose to get vaccinated, which affirms to Albertans that we are not forcing mandatory COVID vaccines.

This bill will also make changes to several sections of the act that no longer reflect current realities and need to be modernized. For example, chronic disease is the leading cause of death for Albertans, and it accounts for the largest share of health care costs. Bill 66 proposes new sections to be added to address chronic diseases and preventable injuries. This would provide a framework for health promotion and prevention activities. This would also allow a focused collaborative and co-ordinated approach to chronic disease prevention and help bend the cost curve for our health care system. The modernization amendments would establish the qualifications of the chief medical officer of health, clarify ambiguous provisions, and establish monitoring and planning provisions for chronic disease and preventable injuries.

Alberta's government has learned a lot from the COVID-19 pandemic. It has raised questions on protocol of an outbreak, how to trace contacts of an affected person, and how to collect information about infected people and the best practice amongst others. The knowledge we have gained throughout the COVID pandemic will be reflected in this bill as it will reflect the current and emerging public health challenges and practices such as a pandemic.

Bill 66 will also repeal section 70 and the regulated matter regulation from the Public Health Act. For Albertans who use inhalants as intoxicants, Alberta's government has focused on recovery-oriented treatment for substance abusers. These measures are unique to Alberta and are punishments that do not help these vulnerable Albertans. With this in mind, it is Alberta's government priority to remove these measures that enforce fines and imprisonment instead of focusing on supporting recovery.

Our government has heard Albertans loud and clear. Throughout this past year we have been through some unpredictable times. Albertans want to ensure that they have their say, especially when it comes to their health. I believe that Bill 66 has reflected many of the concerns brought by the Public Health Act Review Committee as well as concerns of Albertans. I also support an approach to health that is proactive rather than strictly reactive. This will not only keep Albertans safe and healthy but also keep costs down in our health care system. For instance, if Albertans take the proactive steps with their doctor towards keeping themselves healthy, there will be less need for surgeries or emergency treatments.

I'm also fond of the section to repeal punishing vulnerable Albertans with addictions to dangerous inhalants. I know the associate minister of mental health has done a great job and is making a difference by working focusing on recovery-oriented treatment in Alberta and helping rather than punishing them.

I would like to thank the Minister of Health for bringing this important piece of legislation to the Assembly. I am supporting Bill 66, Public Health Amendment Act, 2021, because it will modernize Alberta's public health legislation while balancing protection of public health with individual rights. I hope that all members of this Assembly will join me in supporting Bill 66.

With that, Mr. Speaker, I'd like to adjourn debate.

[Motion to adjourn debate carried]

9:30

Bill 57

Metis Settlements Amendment Act, 2021

[Debate adjourned March 15: Mr. Wilson speaking]

The Acting Speaker: Are there any members looking to join debate? I see the hon. Member for Edmonton-Rutherford has risen.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity to address the House on this very significant and very unfortunate bill today, Bill 57, the Metis Settlements Amendment Act, 2021. I come to the House with a great deal of concern having been expressed to me by countless numbers of members of the Métis community, who have, without exception, told me that they fundamentally disagree with this bill and quite universally seek to have the bill withdrawn and reconsidered. So at this particular time I certainly would like to see that occur.

I think that the whole process of arriving at this place with this bill has been extremely problematic. I know that the minister has stood in this House and has identified that they have had a number of meetings with the Metis Settlements General Council about this bill and therefore feel like it is okay for them to proceed. But it is quite clear that those meetings were not at all a dialogue but, rather, a telling to the community of what was going to happen. So let there be no pretense that this was a negotiated bill or that there was appropriate consultation on this bill; rather, this is an imposition on the self-government of the Métis settlements in this province by the province of Alberta against the interests and expressed concerns of the Métis settlements and their leadership.

I cannot emphasize enough how much I think this government's introduction of this bill is an extreme disrespect of the Métis people and, in fact, goes to the heart of the question of the Métis people's status as indigenous people. In this bill it is quite clear that the government does not recognize the Métis people having the right to section 35 rights. Those rights would include the Métis people being able to determine for themselves the nature of their government and the nature of the relationship of their government to the citizens that they represent. I think this is extremely problematic because it's fundamentally an attempt to eradicate a people's ability to decide for themselves and to govern themselves in spite of the fact that constitutionally they have the right to do that.

You know, we have in this House addressed time and time again how governments throughout Canada, including the government of Alberta, have acted to try to suppress the very existence of indigenous people in this province, and I believe this bill fits into that legacy of attempting to eradicate the rights and the existence even of the indigenous people in this province, in this case particularly the Métis people. I think it is that important that we understand that.

The Métis people have a right to be recognized as indigenous people; they aren't simply another cultural group like my Irish heritage or someone else's Ukrainian heritage or someone else's Indian heritage. They are a distinct people recognized by the Constitution of Canada, and we need to recognize that reality when dealing with them. That includes their right to a self-government

process. Now, the Métis settlements are unique in the country of Canada. We are the only province in which Métis settlements exist, and we should be happy that Alberta made such a bold decision and acted in such a forthright manner with this group of indigenous people. Yet here we are undermining our own relationship with them, our own history of recognizing these people and supporting their ability to be successful in the province of Alberta because we are making a decision here that we are going to take away the descriptors of them as being self-governing, and, instead, essentially reducing them to a specialized municipality in which they simply have the ability to exist based on their ability to tax their own people and to run their governments based on that taxation.

This is a significant shift and really a betrayal of the reconciliation that we have promised the indigenous people in this province, and I think it should be treated as such. I can tell you that I have spent a significant amount of time with the Metis Settlements General Council members and members of many of the settlements hearing about how they fundamentally believe that this is a tragedy in the making, a tragedy for their communities because it is imposing, yet again, a colonialist structure on to a group of people that have their own system of government, that have gotten together and voted for people to represent them and have those people establish rules and laws about how that would happen. Now the government has swept in, swept aside all of the self-determined rules and made decisions about how the Métis people will be allowed to govern themselves. I think this is fundamentally problematic.

The Métis people were more than happy to sit down and engage in a process with the government. They actually did agree to a process that was to occur. Unfortunately, COVID came along, and that process was stalled because they could not have public meetings in order for them to go to their own community to consult with their community about the changes that would be necessary, which was all that they were asking. This government said, "Too bad about COVID; you didn't do the public consultations," which actually in some cases may have been against public health orders, which is ironic given the last bill that we just spoke about, and said, "Well, in spite of the fact that you haven't been able to do this, for completely understandable and legitimate reasons, we are going to proceed as if you had, and we are going to proceed as if we already knew what the outcome was, that there was going to be agreement on these things," a complete violation of the nature of reconciliation and a failure to properly consult not only with the Metis Settlements General Council but with the people whom they represent, as the government was asked to allow, asked to allow for consultation with settlement members, not just a few of the council members.

9:40

I think this is very problematic, and I can tell you that the anger in the Métis community about this decision is extremely high. The government is going to have to deal with the fact that the Métis people are very upset about this process and will be antagonistic in all the other work that the government has to do with the Métis people moving forward. This is a terrible way to establish a relationship and really, truly against the direction and nature of the history of Canada over the last number of years under the guidance of such important documents as the United Nations declaration on the rights of indigenous peoples and the outcomes of the Truth and Reconciliation Commission. Anybody reading either of those documents or attending the processes in which those documents were created will know that this is a complete violation of the spirit and intent of those processes. I think the government would be best

to make the decision to stop this process now and go back and have a reasonable conversation with the Métis people.

The implications will be huge here. The implications are so big that we may be in a place in the very near future where we are discussing the actual viability of the Métis settlements themselves. We may be in a place where we have to ask ourselves: are we prepared to see the Métis settlements themselves disappear? Or perhaps that's the intention of the government. I certainly hope that members opposite will stand and refute that concern because I would be absolutely devastated to hear that the government is hoping that the Métis settlements will in fact get to a place where they are nonviable and will need to be shut down. That would just be such a repetition of what's happened to so many indigenous people in this country and in this province over the last few hundred years. I think it's time that the government recognize that imposing this kind of activity and action on the Métis settlements is so wrong that they would indeed be the focus of great international shame for having engaged in this kind of behaviour in this day and age, given everything we've learned over the last number of years.

I certainly would like the government to consider the question of whether or not appropriate consultation has occurred, when the Métis people themselves say it has not, and go back on that process and ensure that the appropriate consultation does occur and that the Métis people are able to make the decisions as to how they will be governed.

In this bill the government is trying to specify how many people they will elect. You know, that's something that is not imposed on other governments. The provincial government doesn't tell the city of Edmonton, for example, exactly how many people they're allowed to elect. That's a decision that's made at the municipal level. So why is it that suddenly, when it comes to Métis people, they are being told: you don't have the right to make self-government decisions even as much as municipalities have?

I'm very concerned that the idea that the Métis settlements are somehow supposed to be self-reliant at this point, given the history of why they are not self-reliant up to this time, is being totally neglected. To suggest that somehow the Métis settlements are going to be able to finance their own government process by fining their own citizens and that that's how they're going to proceed from now on is really appalling. We know that, given historical circumstances, the Métis people are largely overrepresented in issues of poverty, of isolation, unemployment, and other negative aspects of society. To somehow think that the Métis settlements are going to be able to go to these people and squeeze from them significant amounts of money in order to proceed forward is just atrocious. It fails to recognize the reality that the Métis people have lived in this province and in this country for many years, and when we fail to recognize these things, then we dishonour them, and we go against our own commitment to reconciliation for the very things that we have done to them that have caused them to be in this difficult situation.

[The Speaker in the chair]

The Métis settlements had agreed some years ago, based on some court cases and some discussions with the government, to work with the government to create a fund that would help them to move forward in financing their own government. That did indeed happen at one time, but this government has decided to just simply allow that fund to be depleted and not to replace the fund and to leave it on the Métis people themselves to somehow come up with money, squeezing blood from a stone, to try to finance their own government when, in fact, if we recognized these communities as indigenous communities, we would need to recognize that we have

agreed, under section 35, to actually share the benefits of the land with the Métis people and that their contribution to society comes, in part, from that agreement to share the land.

Therefore, this government continues to have an ongoing responsibility to share the wealth that comes from our land, whether that comes from natural resources or other aspects of the land, that the Métis people have long lived on. Instead, this government has decided that we won't recognize that historical legacy – nor will we recognize the current circumstances that the Métis people find themselves in – and just simply leaves them in a position that is ultimately untenable. This is not something that I think that we can do and hold our heads up high. This is a violation of everything that we have been talking about in terms of proceeding in our relationship with indigenous people in this province.

The Métis people have been asking time and time again to come back to the table, to negotiate with them, to allow them to have a fulsome process with their own members to consult their membership, as is traditional in indigenous communities. Decisions are not made by governments alone; they're made by having deep and respectful conversations with the people they represent and coming to a consensus as to the direction that the government will take. It really behooves this government to recognize that there is a traditional governance structure in the Métis communities and that that traditional governance structure should be respected. If changes need to be made for the well-being of the community, that needs to be addressed with the community, and support needs to be given to the community to see how changes might be able to help them and to uplift them rather than suppress them.

I know that the government is not saying directly that this is essentially an attempt to shift the Métis settlements into specialized municipalities, but I can assure you that the Métis people view it as the actual direction that is being taken here, one which they fundamentally disagree with and one which, of course, I fundamentally disagree with as well. I'm asking at this time that the government take a step back.

9:50

I am not going to introduce amendments in this House trying to tell you how to change the government structure for the Métis people; I'm asking you to go to the Métis people to have that kind of conversation. I'm not going to impose and step in. Instead, I'm asking this government to recognize that the Métis people themselves need to be appropriately at the table before any changes are implemented. Otherwise, we simply risk reproducing the colonialist structure which has been imposed on the indigenous people in this country since the time of early settlement. In this modern age it's really impossible for us to do that without risking so much that has been worked on and created through our renewed relationship of reconciliation with the indigenous people in the province of Alberta and in the country of Canada.

Thank you very much, Mr. Speaker.

The Speaker: Hon. members, before the Assembly: Bill 57, Metis Settlements Amendment Act, 2021. Are there others wishing to speak? The hon. Member for Fort Saskatchewan-Vegreville, followed by – I believe it was the hon. Member for Edmonton-Glenora caught my eye there.

Ms Armstrong-Homeniuk: Mr. Speaker, I'm honoured to be speaking on Bill 57, Metis Settlements Amendment Act, 2021. I would like to thank the Minister of Indigenous Relations for introducing this important piece of legislation. The Metis Settlements Act will modernize and bring the necessary changes that many Métis leaders and members have been asking for. The

bill will make changes that will increase community sustainability and fiscal accountability. It will also empower Métis settlements to create sustainable and self-sufficient communities to support future generations. Alberta's government will need to update the Métis settlements' 30-year-old legislation in order to assist them on this road towards self-determination.

In Alberta there are eight Métis settlements, and it is the only province in Canada with an established land base for Métis people. Approximately 5,600 people live on these Métis settlements, with each settlement ranging from 600 to 1,000 people. The Metis Settlements Act, which was passed in 1990, established the settlements as corporations and created the Metis Settlements General Council. It's been over 30 years since this bill has been implemented, and it needs to be modernized. The current Métis settlements have called on our government, wanting greater self-sufficiency and autonomy for the settlements and their members. Amending this 30-year-old legislation will bring us closer to the goal.

One of the concerns that was brought to the ministry about this act was the size and the cost of settlement governance. They are concerned about sustainability and tell Alberta's government that they are ready for change. These concerns couldn't come at a better time. Alberta's long-term governance and funding arrangement agreement ends on March 31, 2023, which concludes Alberta's \$85 million, 10-year commitment to the settlements. Métis settlements and council elections are also on October 4 of this year. This gives Alberta's government time to help settlements make a smooth transition towards the new changes that this bill will make. Sustainability and accountability for Métis settlements include council responsibility to charge for services such as water and roads. This will also reduce the costs of governance by reducing the size of the settlement councils and the Metis Settlements General Council as well as rebuilding the remuneration of settlement council members.

Our government's platform included the promise to make life better for Alberta's indigenous peoples. The platform states, "Indigenous peoples in Alberta deserve a government that will be a true partner in helping them address economic and social issues." These amendments from Bill 57 will provide greater future economic sustainability for Métis nations. Albertans elected this UCP government to give indigenous people such as Métis people more sovereignty while addressing economic and social issues. Bill 57 will ensure that Alberta's government will give greater governance and fiscal autonomy for the eight Métis nations.

The modernization of the Metis Settlements Act is based on the wishes of Métis settlement residents to enable sustainable and self-governing communities. This intent of the bill is to leave it to the Métis settlements to control their own destiny so that they can be financially independent, successful, and competitive. This is all while reducing the role of the Minister of Indigenous Relations. I think this is a very important step because it will allow Métis settlements to have greater autonomy to make financial and other decisions. Our government highly respects Métis culture and history. We respect the importance of the Métis settlements' land base, and we know that Métis people are capable of making these decisions without excessive government involvement.

Our government, especially the Minister of Indigenous Relations, consulted with the eight Métis settlements in Alberta. This includes communicating with the Metis Settlements General Council executive and settlement chairs 19 times, going back to March of last year. I'm happy to see that these changes were widely accepted by Métis communities. I'm also very pleased to see the respect and the consultation process that was involved in making this piece of legislation. I would like to thank the Minister of Indigenous

Relations for bringing forward this bill and also taking the time to consult with the Métis people.

I'm glad to support Bill 57, the Metis Settlements Amendment Act, 2021, because it will create greater governance and fiscal autonomy for the eight Métis settlements in Alberta. These changes that Bill 57 will make will ensure future success and long-term sustainability.

Thank you, Mr. Speaker.

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

Ms Ganley: Thank you very much, Mr. Speaker. I'm sure I will get a chance to speak to this bill more generally soon, but I think it is worth making a few comments with respect to what the Member for Fort Saskatchewan-Vegreville just had to say because some of it is just factually incorrect.

I'd like to start with the idea that this has been widely accepted by the Métis settlements. I don't believe that to be the case. In fact, I believe there has been an enormous amount of criticism. It's one thing, Mr. Speaker, in my opinion, for a government to go ahead and do whatever it wants; it's quite another for them to claim that the people they are doing it to, who are objecting very strongly, are widely accepting the thing which they are saying. I think it bears clarifying that that just absolutely is not the case. I think that members of the Métis settlements, members of the Metis Settlements General Council have made their objections to this fairly clear.

I also feel that the statements about the amount of consultation that was done about this are wildly incorrect. Again, you know, certainly, the people who live in the Métis settlements don't feel that consultation was adequate or appropriate, which I think, Mr. Speaker, is the point of consultation. In fact, I believe that they made their objections to this current legislation known rather resoundingly both before and after its introduction.

You know, the government is going to bring in the legislation. They're going to do what they do. I don't agree with the legislation, but I think, at minimum, the thing that we should do in this place is to talk about it realistically. I mean, the government has certainly passed plenty of legislation that the opposition and the public dislike rather resoundingly, and that's fine. They have a majority in this House. Well, I guess I shouldn't say that it's fine, but it is legally permissible. That is a power that they have, so they will do that.

But I think that while they are doing that, they owe it to the people of Alberta to at least acknowledge what people have said, because in this case it has definitely not been widely accepted; quite the opposite, in fact. There was definitely not a lot of consultation; quite the opposite, in fact. I think there has come to be a tendency in this place for the members of the government caucus to – it's almost like opposite world. Like, they say the opposite of what they mean. I mean, it would be funny if we weren't talking about legislation and the governance of our province because it is that ridiculous at this point. I think, Mr. Speaker, the point I would like to make is that this has not been well consulted; it has not been widely accepted. There are objections by the Métis people in this province to basically every provision of this bill as far as I am aware.

10:00

I mean, I think there may have been one or two things in there that slipped through that were sort of accurate in that last speech, but other than that I think there were a lot of inaccuracies. I don't think that it helps us in this place when we don't focus on the facts

because I think that in focusing on the facts, we make better decisions, and perhaps if some of the members of the government spent a little more time doing that, we would all be making better decisions in this place. I'm troubled. I'm troubled by what I heard. I am troubled by this tendency to say the opposite of that which is the case, and I'm troubled that it has become so commonplace at this point.

With that, I will resume my place. Thank you very much.

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

The hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Mr. Speaker, and thank you to the Member for Calgary-Mountain View for the correction to some of the misinformation that was just shared. There was one point in time not that long ago where a difference of opinion was absolutely very aware in this place but a difference of facts was far less argued in this place. There should be one set of facts. The facts are very clearly presented, that the Metis Settlements General Council is incredibly strongly opposed to this legislation, like, feels so disrespected and that so much trust between the government of Alberta and the members of the Metis Settlements General Council has been so eroded and dramatically broken.

This doesn't just impact – there were a few things that were correct. I do want to focus on those from the last speaker for Fort Saskatchewan-Vegreville. There are eight settlements. The population, I think, was referenced at about 5,000 people. I'm not going to dispute that. But there is one Métis Nation. There are eight land bases and settlements, and while this is focused mostly on the settlements and the land base and the 5,000 people who directly live there, this impacts tens of thousands, hundreds of thousands of other Albertans, including people who are Métis who don't live in settlements. This really speaks to the relationship that the current government wants to have with the Métis people of Alberta.

What this bill does is not collaborative. It's not a partnership. It's paternalistic and disrespectful, and people who are involved have told me that the language that is being used, including by the minister and other members of government, about how folks want a hand up, not a handout, is incredibly disrespectful to the self-governance structure that has been in existence for many, many years and the relationship that was built. This started, I believe, during Ralph Klein times. Like, the Métis settlements have been in existence here in the province for many, many years, and this relationship is one that should be a partnership and should certainly not be rooted in this assumption that self-governance is not capable for many others.

I think that the members for Bonnyville-Cold Lake-St. Paul and Lesser Slave Lake probably should rise in this place and make very clear where they stand on so many of their constituents who will be directly impacted by this bill. I know that the leadership from Gift Lake has been on the record about their strong, strong, strong opposition to this and the fact that it should be withdrawn. They've written a letter to the Minister of Indigenous Relations asking him to withdraw the bill, stating that the MSGC was not appropriately consulted. So for members of the government caucus to come in here and say things that aren't accurate and then to imply that folks are onboard with something that is clearly not collaborative, not consultative, not supported by the party that is being directly impacted by this government's decision to irreparably damage the relationship and the structure that exists with folks who absolutely have the right to self-governance, or at least they do now but not necessarily as we move forward under this legislation.

I know we talk a lot about relationships in this place, but foundational to a good relationship is trust, and if when you are speaking up and you are making your voice clearly heard and you are trying to be heard by all Members of the Legislative Assembly, no matter which party or if they even happen to sit as an independent and it's clear that the earplugs are in and the blinders are on, the trust between folks who are impacted by this legislation, the Métis people of Alberta, is damaged.

It's clear that this is not something that the government campaigned on. This was not something that was put in a platform. This is not something that, when the Member for Lesser Slave Lake was asking people to vote for him in Gift Lake and other areas of the constituency, was proposed to those folks. This is not something that this government was open and transparent about. It was something that continued to be rammed through under the cover of COVID in a noncollaborative fashion, and it is something that will have negative implications today, tomorrow, and for future generations. So to come to this place and to imply – state, not imply. To state that there is broad, overwhelming support is not true. It's demonstrably false, and I think all members of this place should know that.

Sometimes governments do things that are unpopular. I get that, but when you are doing things that are incredibly unpopular and damaging and hurtful to the relationship, don't pretend that everyone is on board. That is in a lot of ways just as insulting as the piece of legislation that tries to erode your rights. Doing that and then implying and stating that you are supportive of it takes a special kind of privilege, a special kind of creativity to say things that are clearly in opposition to the record and things that just aren't true in other fashions. Eight settlements, one nation: that's probably a good start on that piece.

I do have to say that I have enjoyed working with the Métis people of Alberta for many, many years. I'm proud that I grew up in the north and that there are many Métis settlements and also folks who don't live on settlements who are Métis in the north, in Edmonton-Glenora, in our province, in all corners, in all facets of our society.

I don't often tell stories about when I first came here and worked as a political staffer, but one has sort of rose to mind tonight, and that was that in 2007 there was at that time a lot of conflict between the Métis Nation and the province of Alberta around Métis harvesting rights, something that, again, had been put into place under previous iterations of Conservative governments and that was being eroded during that time. It wasn't every day that the Métis Nation came knocking and said, "Hey; I want to do media with you, NDP," which was probably the third party at that time, but they absolutely did. They were so offended and frustrated by the way this government was treating the people, the Métis people of Alberta, and their rights around harvesting. Some of the language that the government used at that time was around, like, fishing and hunting, and it's so much richer and deeper than the way the government was speaking about the rights of people to gather traditional medicines, to harvest traditional food, to be able to take care of themselves and their families and to be able to live and celebrate their culture.

This continues to be one of the underlying trust questions when it comes to this legislation. This fund that's being set up, many have said that it will probably be evaporated within two years. Within two years, possibly, this fund could no longer be sustainable.

10:10

If you want to talk about sustainability and support for diverse cultures and people and organizations, think about the decisions that are being made in this place that are directly counter to that.

We've already had a lot of people talking about intent around curriculum, and I can tell you that the Métis Nation was one of the first groups that spoke up in opposition of this curriculum, but they certainly aren't the last. Now we're at the point where we've got the Métis Nation as well as leadership from all treaty areas. Treaty 6 was the very next one that went after the Métis Nation. Again, what was the main, primary leading criticism that the Métis Nation gave on curriculum? That they weren't even invited to the table, that they weren't consulted, and that they didn't see themselves reflected in the documents that were supposed to educate all Alberta children.

So it's not a huge surprise that they are starting to speak out, Mr. Speaker, because there's this piece of legislation, Bill 57, there are new curriculum documents, not even a bill, that are attempted to be rammed through. Now we also have Northland school division, which of course, is – I am so proud that they exist, first of all, because under previous Conservative governments the board itself was eliminated and then went into basic operational sort of maintenance mode by Colin, who did, I think, as good a job as he could have possibly done. I think that when he stepped up to do that work, he thought it was short term and temporary, and of course it ended up being many, many years, so he was so relieved when our government, under the leadership of the then MLA for Edmonton-Calder, the Education minister, stepped up and really helped us as a government create conditions so that indigenous leaders, including First Nations and Métis parents and community leaders, could be back involved in the education decision-making for kids who were going to Northland schools.

Here we are with this bill, which directly damages the sustainability, the ability for the Métis settlements to continue governing in a way that supports their autonomy and their ability to make decisions for and with each other as opposed to somebody else imposing restrictions on them. We've had Conservative governments erode harvesting rights – fortunately, we've been able to reverse that as well – and we have Conservative governments leaving the Métis people of Alberta out of the curriculum development process, which, again, is supposed to be foundational knowledge for all Albertans while they're in this province, that they have not only the right to a great education, but they actually have a legal responsibility to engage in a great education in this province.

Are we fulfilling our part in offering those educational opportunities to the people of Alberta through what's being proposed by this current government? I would say no, and many, many people who are Métis are saying no. I don't think this bodes well for government's future relationships with, I would say, probably more marginalized and equity-seeking groups in this province given that they have a direct legal relationship and engagement with the Metis Settlements General Council, which has been significantly damaged by this piece of legislation and, ultimately, by the lack of a true effort to engage in a partnership and consult adequately with one another. Consulting shouldn't be something that's a check box for doing the bare minimum, especially when it comes to guiding pieces of legislation that govern relationships. It should be something that is prioritized and that is engaged in authentically, and the Metis Settlements General Council has made it very clear that that in no way took place on this bill.

I mentioned a few constituencies that have a significant number of Métis settlements in them. To those members, I really hope that we hear from you tonight and in future stages of this bill should the government choose to have it proceed.

I know that Métis people who live in Bonnyville-Cold Lake-St. Paul and Lesser Slave Lake are hoping to hear from their MLAs on this issue. We've heard the government say that there will be the

ability for MLAs to vote with their conscience. We've seen many MLAs recently, even aside from votes, speak with what they felt was their conscience through standing up as they argue for their constituents' perspectives in this place. Tonight is the night, friends. This is the opportunity for you to show your constituents that you hear what they're saying around the rights that are being eroded of the Métis settlements of Alberta by this legislation.

Tonight is the night. There's no time like the present. So let's hear that you are receptive to the feedback that you are hearing, that you've processed it, and that you're going to act on it.

The Speaker: Standing Order 29(2)(a) is available. The hon. Member for Calgary-Buffalo has a brief question or comment.

Member Ceci: Thank you very much. Thank you to my colleague from Edmonton-Glenora for that debate and for sharing your wide-ranging experience here, that goes back many years, first, as a research assistant and then as, of course, the Minister of Health in the previous government. You know, you rightly point out the wide-ranging criticism that you've heard and that you're aware of with regard to this bill, and you point out that it falls far short of what a bill before this House affecting Métis people in eight settlements in Alberta should address.

What do you think should happen in the short, medium, and long term to actually bring a bill before this House that honours the Métis people of Alberta, the over 500,000 people who call themselves Métis, but more specifically, the 5,000 that live on eight settlement land bases within Alberta? What do you think should be taking place to respect those people and their governments and to see a bill before this House that can be supported by the Métis people of Alberta?

Ms Hoffman: Thank you very much to the Member for Calgary-Buffalo for the question. There certainly could have been steps taken by the government in the lead-up to this bill to have actually created consensus and support across Alberta for changes that the government was considering. The government chose not to engage in that prelegislative engagement to ensure that there was actually adequate support. That horse is kind of out of the barn, but there is good news, Mr. Speaker. There is always an opportunity to engage in further consultation should this Assembly direct it. The Assembly holds the power in this situation, when we have a bill before us and when we know that this bill is incredibly unpopular and really threatens equity-seeking groups.

There is, of course, an opportunity for us to consider referring this to a legislative committee, that could engage in the kind of work that the last bill we just discussed engaged in. I would hope that it is richer and more meaningful than the public health amendment act consultation, which was certainly truncated and not very fulsome. But I think that that would probably be the next-best step. If you're not going to consult before you bring a bill forward and get broad buy-in and support, you have an opportunity to consult through the committee process. So I imagine consideration of a referral is something that could try to get this on a better path.

I would say that the other piece is listening. I think that when people are reaching out to our offices – and I know they are because I've been getting the same correspondence that other MLAs have. They're telling us where they stand on a bill. Read their correspondence; think about it. Maybe even pick up the phone and call the person who wrote to have a deeper conversation and gain a better understanding of why this is so deeply offensive.

10:20

It seems, at least based on one prior speaker, that that hasn't been the case by at least one speaker within the UCP. Perhaps others are

starting to do that work and are ready to come to this place and actually fix this very damaging bill, because I will tell you that this isn't just about the 5,000 people who live on the land bases or 500,000 that the Member for Calgary-Buffalo speaks to more broadly across Alberta. This is about the relationship with indigenous peoples, period. This is about the relationship that we have with equity-seeking groups, period. This is about the kind of Alberta that we want to build together, and if the current government doesn't want to do that, people will find other folks who do. That's simply the way democracy works; if you don't want to work with the people, the people have an opportunity in this province every four years. We'll see if that law is respected in terms of the calling of election dates. But the people have an opportunity to determine who should be making decisions and working with them, so I think that that would be a good positive step forward.

The Speaker: The hon. Member for Calgary-Glenmore, and then it looks like the hon. Member for Edmonton-Ellerslie would also like to join the debate.

Ms Issik: Good evening, Mr. Speaker . . .

The Speaker: It's okay. Sorry. Please proceed.

Ms Issik: Sorry. Thank you. Tonight I'm pleased to rise to speak to Bill 57, the Metis Settlements Amendment Act, 2021, and I would like to thank the Minister of Indigenous Relations for bringing the bill forward. You know, I love the unique culture, history, and traditions of our Alberta Métis people. Alberta has got a very large Métis population, with over 114,000 in the province. There are other censuses where they're determining that that number is even larger. These people have an incredible history in this province and a unique history.

You know, Alberta's incredibly unique, actually, in the country with respect to our Métis population. This morning I was actually looking at pictures from Métis Crossing, and you could actually see in the photos the river lots. For those that know the history of the Métis, like, it actually gave me chills to look at it. I'm proud that here in Alberta we're the only province in Canada with an established land base for Métis people. In fact, there are eight Métis settlements with nearly 6,000 people who live in these communities. The communities are located in eastern, central, northern Alberta and cover over 500,000 hectares of land.

There's a long history and relationship between the Métis people and Alberta's government. In 1985 the Alberta Legislature unanimously endorsed a resolution to transfer the land to the Métis settlements and established new legislation which provided Métis settlements with greater local autonomy. That was called the Alberta-Métis settlements accord, and it was then signed in 1989 and paved the way for the establishment of the Métis settlements that exist today.

Bill 57 will empower Métis settlements to create sustainable and self-sufficient communities to support future generations. I guess, Mr. Speaker, the question might be: well, why now? For starters, the current legislation is outdated. It's 30-year-old legislation, and by amending it we are one step closer to Métis settlements completely and fully controlling their destiny, including physical autonomy. We've actually heard from Métis settlement members that they have concerns about the cost and the size of settlement governance. They're concerned about sustainability, and they've been clear that they are ready for change.

I believe that now is the perfect time to make changes to the Metis Settlements Act for two reasons. Firstly, it is the end of the long-term governance and funding arrangements agreement, or the LTA. On March 31, 2023, the agreement will conclude. It's an \$85

million, ten-year commitment to the settlements. The LTA was intended to build capacity and increase the effectiveness, efficiency, and accountability of settlement governments to their people. As part of the LTA the Metis Settlements General Council was required to develop and adopt general council policies concerning a code of conduct, standard financial reporting, council remuneration, and the relationship of settlement councils to settlement-controlled businesses. That's why we're introducing Bill 57 at this time, prior to the expiry of the LTA. This will ensure that the settlements have the time to finalize their plan's structures in their move to an autonomous, sustainable, and responsive future. We're committed to continuing to work with the MSGC and settlements to implement the remaining years of the LTA, and we'll also work more directly with individual settlements, as requested, to help them access programming and revenue opportunities.

Also, Mr. Speaker, the Métis settlements council elections will occur on October 4 of this year. If passed, this act will provide clarity as to the number of council members and their roles and responsibilities prior to the upcoming settlement elections in October. With these changes, settlements will be successful in the transition.

Alberta's Minister of Indigenous Relations regularly hears from settlement members that they have concerns about the cost and the size of settlement governance, and that's real. He's heard that they're concerned about sustainability and that they are ready for this change. They tell him that they want better governance and they want to know how their dollars are being spent. They deserve to know how those decisions are being made in their own communities. That's why it's great to see the minister bring forward this bill to update this 30-year-old legislation, to ensure that the Métis settlements will be financially independent and successful in their own governance.

The amendments will increase the Métis settlements council's responsibilities to charge for services such as water, sewer, and roads should they feel that it's necessary. It will leave it to the settlements council to determine the number of elected councillors needed from a minimum of three to a maximum of five, while also reducing the size of the Metis Settlements General Council executive from four officers to a maximum of two.

Alberta's government believes in good governance for everyone in the province and, if passed, Bill 57 will contribute to that in the long run. Mr. Speaker, it's time to reduce the role of the Minister of Indigenous Relations. If passed, this act will reduce the role of the minister so settlement governments have greater autonomy to make their own financial decisions. The proposed changes also remove the minister from financial decisions about administering the future fund. This legislation removes the minister from any decision-making powers related to the Metis Settlements General Council's financial policies. Under the existing legislation, the minister had veto power over the future fund. Bill 57 removes that power, clearing the way for decisions to stay within the Metis Settlements General Council.

The amendments will protect the Métis settlements for future generations by building a stronger foundation of self-governance. Their future success starts with a governance and financial structure that they have asked for and need. Settlement members have told us that they want an accountable governance structure and a financial structure that leads to self-sufficiency. That's what this bill will deliver. This bill is going to make life better on the settlements for the Métis people, who are such an amazing and beautiful part of this province.

Thank you, Mr. Speaker.

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

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity to address some of the things that have just been said by the member opposite that give me great concern. I certainly can see that she's read the talking points of the government, but that doesn't mean that the information that she has provided is an accurate description of exactly what's happened here. It certainly is not what the Métis people are telling me they believe about this concern.

She has talked about the end of the LTA, the long-term agreement, and said that that seems to be the issue that is spurring the decision to act at this particular time. She is correct that the LTA is coming to an end, but she's implying that there's an inevitability that it come to an end, as if there is no choice but to have it come to an end. It seems to me it's quite obvious that this government could have sat down and renegotiated the LTA and reinstated the LTA and reinstated their commitment to the LTA and created an ongoing, long-term arrangement with the Métis people of this province. That certainly was a choice, so to pretend that somehow coming to the end of the LTA was a motivating factor here is, at best, descriptive of a very narrow range of thinking about this particular issue here.

10:30

I certainly wish that this government would show its commitment to understanding the circumstance of the Métis people in this province, the history that the Métis people have endured, often at the hands of this government and, of course, the Canadian government as well, and had made a decision to enter into a relationship with the Métis people. She talks about this being an opportunity to make a transition, but you'll notice that they never say a transition to what because they actually don't have an understanding of where they're trying to get the Métis people to go. There's no transitional plan. There's no opportunity for the Métis people to sit down and set up a structure that will help them transition to something that may be more beneficial. It's simply a decision to cut them off here and good luck to wherever you're going after this, which is why I suggest that what they're really looking for is for the Métis settlements to be diminished to, at best, some kind of specialized municipality, which is a complete betrayal of their section 35 rights from my point of view. I'm very concerned about that.

She also goes on to say that the change in this act will allow the Métis settlement members to see how their money is being spent in their own communities, which I think is one of the most insulting things that she said in her time because it implies that the Métis people were not allowed to see the budgets in these communities, that somehow money was being spent secretly, that the Métis people were not allowed to actually attend council meetings. I can tell you as someone who did attend council meetings that very often community members came into the council meetings to hear about the discussions that were on and to ask me questions as minister. It's one of the most open forms of government that we have in this province, and here she's insulting them by suggesting that things are being done in secret and that the Métis membership doesn't have access to the budgets and how the money is spent in the communities right now, which I think is an insulting thing to say.

She also goes on to talk about them making greater financial decisions by having the minister removed from veto power. I might have even supported that one, except what happened in this particular bill is that the government said: we're removing the minister from this, but we're putting in a new rule that you must have unanimous support of all eight settlements before any money

decisions can be made. Unanimous support. What kind of government in the world can only actually put in a budget and can actually only run themselves with unanimous support? Do you think that the budget in this House would have gotten passed if you required unanimous support from this side of the House? There's no way the budget of the government would have been passed in this House if they required unanimous support – we would have defeated that – yet they've imposed that on this Métis settlement. Unbelievable.

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

The hon. Member for Edmonton-Ellerslie is next.

Member Loyola: Thank you very much, Mr. Speaker. I can only hope that with what I'm about to share that I'm basically facilitating the expression of a voice of people who don't have access to this Legislature and whom decisions are being made for. I say this because I've been contacted by members of the Métis settlements and Métis communities to specifically demonstrate their disapproval for this here bill.

Now, before I actually talk about their disapproval, I think that it's so important to address the history behind what's happening here, because I think that that's being lost. As we've heard from both speakers on the other side of the House that got up and actually spoke to this, the framing of how these decisions are being made is not actually – I can tell that, at least, they haven't contemplated the role that colonialism has actually played and the relationship that has existed between the state and indigenous people. And, yes, as has been pointed out by previous speakers on this side of the House, Métis people are indigenous people, and their section 35 rights should be respected. With all due respect to the Member for Calgary-Glenmore it's more than just appreciating a people's culture; it's about respecting their rights and making sure that those rights are provided for in legislation because of the relationship that exists between this body, this order of government, and the Métis settlements.

Now, just for the sake of understanding the issues that exist when it comes to this, it's important for me, first of all, to name the actual United Nations declaration on the rights of indigenous peoples, where governments and also private interests have the responsibility of actually consulting with indigenous people when their lives are going to be impacted.

Now, I understand – and it is the tendency of Conservative governments, both at this level and at the federal level, to basically denounce these international agreements, whether they be regarding indigenous people or labour law. They just don't seem to really care when it comes to these international agreements, that are trying to put in place agreements where the rights of the people who are impacted are actually being respected. This is why, for me, it's just – I find it unfathomable that governments, Conservative governments, would just thumb their noses at these international agreements and say: well, they're international agreements; they don't apply to our order of government, so therefore we are just going to disregard them. Think about the number of people that actually put time and effort and research, investigation, consultation, and put their life's work, many of them, into these agreements that have been established at this international level, the level of insight that us as members of this order of government could actually appreciate and learn from.

That's the secret there: learn from these international agreements. I'm not suggesting that we need to implement everything that is within them because we may have our different approach at this particular order of government about how we want to deal with a

said piece of legislation or agreement. Perhaps the indigenous communities within the jurisdiction in which we interact will have a different approach to addressing a particular issue. But at least those international agreements are there to provide guidance so that we can make sure, as I stated before, that it's not just about appreciating a people's culture; it's about respecting their rights and making sure that those rights are provided for in legislation.

I cannot stress that enough because what's happening here, Mr. Speaker, is that, of course, we have the current government prescribing a particular approach about how Métis settlements should govern themselves, and this is but an extension of colonialism. I need to stress again – because I've said it a number of times in this House before, identified how colonialism has actually impacted real people in this province and not just indigenous people. It's absolutely important that we make sure that we take a second look.

10:40

I'm glad that the piece of legislation is being amended, but what I'm not glad about and what I'm hearing from Métis people around the province is that the consultation process was done inadequately. It was done in a way that it was being imposed unilaterally. Again, this reeks of colonialism. This is exactly what colonialism was. It was, like: "We're going to tell you how you need to govern yourselves. This is the way. We're only going to recognize you as a people, as a nation if you govern yourselves in this particular way." That's what happened.

Mr. Speaker, the relationship of colonialism that has existed within this province and within this country has led to a number of ills within indigenous communities: poor health is one of them, lower levels of education, inadequate housing and crowded living conditions, lower income levels of indigenous people, higher rates of unemployment, higher levels of incarceration, higher death rates among children and youth, and – perhaps the worst of them all – higher rates of suicide in indigenous communities. That has been the result of colonialism.

Now, colonialism is the system in which all of this has taken place, and it has led to direct trauma on a number of people. This is what we learned. We learned to understand this by listening to the reconciliation process here in the country of Canada, truth and reconciliation commissions that were implemented all over the country, one of them right here in our own city. When we're addressing the issues that indigenous people are going through and they're clearly pointing the finger at colonialism, how then can we continue? Again, I repeat: how then can we continue to implement pieces of legislation that essentially are an extension of colonialism? We need to re-evaluate this, members.

As was clearly pointed out by the Member for Edmonton-Rutherford, this is about true self-governance for indigenous people. Just earlier tonight I was talking about the concept of subsidiarity. The people that are going through the problem should be the ones that come up with the answer for it. You know, it's not a difficult concept to understand. Why do we continually have to have this order of government prescribe and impose a system of governance upon people? This is the true question that I have before this House today and that we need to re-evaluate. In fact, I would go so far, Mr. Speaker, as to say that we need to stop that, stop it outright.

We need to understand how the past and the implementation of colonialism has actually brought us to the time and place where we are right now, and that's what I'm not hearing in the statements that are being made by the members on the other side of this House. They're getting up and they're justifying this piece of legislation as if it was the bee's knees, the best thing that's come about for

indigenous people. We know this not to be true because we're hearing it directly from Métis people themselves, by members of the Métis settlements. They're contacting me, so I know that they're contacting members on the other side of this House. I know that they're contacting other members of this House, so I can't understand why the members on the other side of the House aren't getting up to speak particularly to that issue. [interjections]

Mr. Speaker, this is not a joking matter. This is about centuries of injustice, of oppression, of colonialism, and just like we're seeing and you just heard, members on the other side of the House would just rather laugh at that, make light of it, when I'm actually getting up in this House to plead with them to actually address this issue within their piece of legislation. It's not fair. It's not fair to this House. It's not fair to our democracy. It's not fair to indigenous people.

It's not fair to the Métis settlements because at the end of the day it's their rights that are being trampled upon. It's their rights that are being side-swiped by this piece of legislation. As long as this piece of legislation tries to make it through this House – and I know for a fact that members from the Métis nations and from the settlements are going to speak against this – I will continue to speak against this bill. I am not going to support this bill in any form or fashion. We're going to try our best to amend it based on the insights that are being provided by Métis settlement leaders, by Métis people themselves as they continue to contact us and reach out to us, because that's what good representatives do; they get beyond their own ideology.

I can only imagine where this piece of legislation is going because, as has been pointed out by the Member for Edmonton-Rutherford, what this piece of legislation will in fact do is basically pull this indigenous nation, these settlements, these communities down to a level, an order of government similar to that of a municipality and not recognize them as a nation and their rights as indigenous people. That is a shame, Mr. Speaker, because that's the true battle here. That's the true battle because it should be up to them to decide how to govern themselves, and that is what's not being afforded them in this piece of legislation. It continues to be a prescribed approach by this order of government upon the Métis settlements.

I ask myself – it's the year 2021. We went through the whole Truth and Reconciliation Commission process. There were a number of calls to action through the Truth and Reconciliation Commission process. This government has the gall to get up and say that they're actually addressing those calls to action when we've seen, with every piece of legislation, that they are simply ignoring them. Do better.

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

Mr. Dach: Thank you, Mr. Speaker. It's a pleasure to rise under 29(2)(a) to ask the Member for Edmonton-Ellerslie to dig a little deeper into a couple of topics, but the general topic that I would like to hear a bit more on has to do with the whole process, that the Metis Settlements General Council president describes in correspondence and others who were not consulted by the government regarding this piece of legislation, the absolute abject despondence that many of the Métis leaders are expressing about how they were not consulted with respect to this proposed piece of legislation, how some of them are so dejected that they think it may only be better if the bill actually becomes law so that it allows them to file stronger legal action. They're so unhappy with the legislation and the total lack of consultation.

10:50

It's unbelievable to imagine in this day and age a government who proudly hails their Indigenous Relations minister as a true consulter could actually foment a process like this, which totally belies an attitude that's opposite to one of consultation or understanding the respect that the Metis Settlements General Council is required to have and that section 35 requires all governments in this country to have with respect to negotiations with First Nations. If one didn't actually realize that this had happened, one would think it had been made up. It's a scathing rebuke of the government's attack on relationships with the Métis people in this province. It certainly doesn't bode well for the future of relations with all indigenous people, between the government and those populations in the province who seek to negotiate potential legislation with the government of Alberta. I'm absolutely shocked and very disappointed.

I wonder if the member could inform me as to some of things he may have been hearing from indigenous populations, particularly Métis.

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

Member Loyola: Thank you very much, Mr. Speaker, and thank you to the hon. member for the question. Indeed, we've been hearing it from a number of Métis settlements from across Alberta, that they have a number of issues with how the consultation process actually occurred. I already made reference to the fact that it felt – and this is what was communicated to me – very much as an imposed process. It wasn't like: hey, let's get together and discuss these issues, and let's come up with ideas on how we can best address them. In fact, it was like: this is what the government has already decided, my friends, and this is what's going to happen. This is completely what I was focusing on in my entire time speaking to this particular bill. It is that relationship, that approach, that needs to stop completely. This needs to be a nation-to-nation collaboration.

This order of government has that responsibility of sitting down with leaders from the Métis settlements and addressing these issues, coming up with ideas, brainstorming, figuring out how these things can actually – and then not only that; we were also talking about the coming end of a long-term agreement. This was something that I didn't have time to actually get into, and I'll take the opportunity now, Mr. Speaker. What happens when the LTA ends? What happens at that point? What is the relationship that is going to exist between the Métis Nation, the Métis settlements, and then the government of Alberta? "What's going to happen at that point?" is the question that we need to ask ourselves. What we've seen with Conservative governments time and time again, what they're really against when it comes to ... [The time limit for questions and comments expired]

Next time.

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

Ms Ganley: Thank you very much, Mr. Speaker. I'm pleased to rise and speak to Bill 57, Metis Settlements Amendment Act, 2021. I think probably the first and most important thing to note about this is that it seems to have been fairly widely rejected by the people on the Métis settlements themselves. The Metis Settlements General Council is against it. Generally the position is that they don't like the bill and that there was insufficient consultation. I think both of those issues are in themselves significant concerns because there is a duty to consult, and it doesn't seem that that was done here, or at

least, certainly, the people affected don't feel that it was done, and I feel that that is a good argument that it wasn't.

The government members keep using words in relation to this, "modernize" and "sustainable." Well, I mean, they also say that the consultation was good and that people support it. I think that one of my main objections to it is that it's difficult to have a rational conversation about this bill or to ask reasonable questions about why the government is doing what it's doing, because they refuse to tell us. I mean, they clearly can't be suffering under the delusion that, in fact, the Metis Settlements General Council and the people on the Métis settlement councils are in favour of this. I mean, they have e-mail the same as we have e-mail, they have telephones the same as we have telephones, and they read the news the same as we read the news. Surely they have noticed that this bill has been rejected by the people it affects.

In the absence of the government being willing to come forward and explain to us why they want to do what they are doing, despite the fact that the people who are affected by it have rejected it, I can't imagine what those reasons could possibly be. Again, it's very difficult to have a rational conversation about this, because I find it just completely incredible that the government members genuinely believe that this is a good thing, that they genuinely believe that people are happy about this.

When they talk about how it modernizes or how it's sustainable, no one has given any reason to support those things. You can't just use the words: this is a modernization. I mean, certainly, we've had acts when we were in government, when this government was in, that have been modernizations of acts. Generally we have supported those acts because they are, in fact, a modernization, right? Normally you can go through and list the provisions of the bill and the way in which procedures have changed in, say, the last, you know, 40 years since the bill was last examined and say: well, this has changed, and that has changed, and we have computers, and we do things differently; we don't use fax machines anymore. So it's credible to say that this is a modernization because it brings the legislation up to date so that it is in step with what the current, modern practice of whatever the thing governed is.

But no such argument has been put forward in this case, no explanation of how this is a modernization or what has changed that requires modernizing. I think that just saying the word "modernization" doesn't make something good. When they talk about sustainabilities, I mean, it's certainly the position of the people living on the Métis settlements, of the Metis Settlements General Council that this doesn't render it more sustainable; quite the opposite. It renders their situation unsustainable. Again, it's difficult to see what the government members mean by sustainability. They certainly haven't outlined it. They haven't explained what that means. I mean, normally when they say "sustainable," what they mean is cuts, so I'm guessing that that's what this does, but it's not at all clear. Simply saying that something is modern and sustainable is wildly insufficient as a justification for a bill, particularly when that bill is being rejected by the people affected by it. I think that those are all sort of major concerns.

In fact, we haven't actually heard anyone on the government side sort of get up and genuinely defend this from a place of actual facts, explain to us any reason why we might support this bill. It's not just that we've been given reasons to be against it by the people that are affected by the bill; it's that the government hasn't given us any reason to be for it because, again, we haven't had anything resembling a rational conversation about it. In order to have a rational conversation, one must first acknowledge the facts, and the facts in this case seem to be something that the government is completely unwilling to acknowledge.

11:00

I mean, I think we're sort of left with this position where we have a government saying, "Well, this is modern and sustainable, and we consulted, and everyone is for it." Meanwhile the people that they claim to have consulted are saying: "This is unsustainable. We were not consulted. We do not consent. And we are not happy." Obviously, I have an opinion on which of those things is more likely to be true, mainly because I've been dealing with this government for the last two years. So I'm familiar with how likely things the government says that are contradicted by other people are to be true, which is to say not at all.

You know, we have here a quote from the Metis Settlements General Council president: we're opposed to this for the simple reason that we have a due diligence to our constituents. I think that's legitimate. I think if you are in charge of governing for a group of people, as the Metis Settlements General Council is, and you feel that your constituents are opposed to something or have not been consulted; i.e., have not had time to consider the thing and develop an opinion one way or the other, that is a very legitimate position to take, to say: we are not in favour of this.

You know, no one has spoken to the specifics of the bill, to what the bill actually does and to why the government members think that that's important. They have again just stood up and asserted the fact that people are in favour despite the fact that people are standing up and saying that they are quite clearly not in favour. So that makes it difficult to proceed. I certainly am not in a position to support this bill. I would genuinely question anyone who did support this bill in light of what's going on. I think what's more concerning is that members on the government side represent these Métis settlements. I mean, surely – surely – they've heard from them. Surely, they've heard the same concerns that we have heard, but I don't see them standing up and speaking for their constituents, and that is a concern for me.

You know, we see very much the opposite from the Metis Settlements General Council, who are saying: "People object. They don't understand what's happening. They haven't been properly consulted on the bill and, therefore, haven't had time to form an opinion, so we have a duty to stand up and object." At the same time we see that the provincial representatives, representing those same settlements, don't appear to be doing the same thing. I actually don't think we have heard yet from a government member who represents a Métis settlement, and I think I would be very interested in hearing that. You know, if their constituents are going to be directly affected by a bill, they ought, at minimum, to stand up and tell us how they feel about it.

There are a lot of concerns with this bill, many of which are the same concerns we've heard about this government generally, sort of the tendency to rush ahead with things. You know, these eight settlements exist in Alberta. They don't exist anywhere else. So in some ways there is a culture and a heritage and something specific here to potentially be preserved, something which may culturally be in some ways unique in the world, and I think that deserves consideration. It deserves time to think about and discuss how we're going to go forward. What the Métis settlements are saying is that this could render them unsustainable, and what that means is that we would lose this thing which exists only in Alberta. And if we lose these eight settlements, I don't know that there is a way to get them back.

This act is proposing to treat them essentially like municipalities, but I don't think that that's a particularly good analogy because they aren't simply municipalities. I think the Supreme Court has ruled that Métis people are indigenous people. They have special status in our country, so to suggest that they simply ought to be treated

like municipalities and that we ought to, quote, unquote, modernize this act to make it easier to administer, I think is extremely problematic, particularly when the settlements themselves are saying: we can't move forward; this is not sustainable for us.

In my opinion, those Charter rights, the fact that this is something unique: those are all factors to be considered, and they are all factors that weigh in favour of us ensuring that we protect the Métis settlements. I remember at some point seeing in *Hansard* or in statements that were made in the media when the Métis settlements were initially set up in Alberta – they were set up by an act of this provincial Legislature, and there was very much a recognition of the importance of what was being done by the Legislature at that time because, you know, the Métis people are sometimes referred to as the forgotten people, that they have been in some ways forgotten by history. The situations that were described around the lives of Métis people at the time were quite dire, and this was one way to move forward with a solution.

I think that at that time, it seems to me, members of this place were proud. They were proud to set up something special and something unique for the Métis people. They were proud of these settlements and of what they were creating. I don't know that those same members would be equally proud of what's happening here because I think that it is in a lot of ways a dismantling. It's not that I think that that's relevant. What's relevant is that, again, the people affected by the legislation think that. The people affected by the legislation are of the opinion that this is a dismantling of the Métis settlements.

The Métis people are a part of our history. They are a part of the diverse cultural web that is Canada, and it is important to acknowledge that and to acknowledge it as different than simply being a municipality. I mean, I certainly intend to vote against this particular legislation. I think I would urge all members to consider voting against this legislation, and I would urge members on the government side, particularly those who represent these constituents, to consider that thoroughly.

The Speaker: Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Ellerslie has the call.

Member Loyola: Yes. Thank you very much, Mr. Speaker. I was truly engaged by what the member was speaking of, specifically in terms of the history behind this particular piece of legislation, and I was hoping that she could continue with her insights on how we continue to work with the Métis settlements here in the province to actually make things better, not just modern.

Thank you.

11:10

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

Ms Ganley: Thank you very much, Mr. Speaker, and thank you to the Member for Edmonton-Ellerslie for the question. Yeah. That's a very good question, actually. I think it's an excellent point. Let us not simply criticize that which is before us, but let us suggest alternatives. I think the alternative, the clear alternative, to what has happened here is consultation. It's taking the time to talk to folks, people who are affected directly by this legislation.

You know, we're talking about eight settlements and, I think, around 5,000 individuals, so I feel that this is a situation in which fulsome consultation is possible. They are represented by a government. That government can be consulted with. So I think that that is the best way to proceed forward. I think that it is not for me to propose how to make these communities genuinely sustainable, but it is for the individuals who live there day in and day out whose lives are directly affected by this to propose how we might do better

legislation. Yeah. I mean, they are the experts. The people who live in these communities are the experts in the communities in how they are governed, in their history, in how they would like to go forward, so they are the best people to suggest how this should go forward.

You know, the government has a tendency to, like, blame all ills that exist on the four years during which the NDP was in power. I mean, that's fine if that's how they choose to proceed, I guess, but I think they have been in power for two years now. They had two years to be able to consult on this legislation, and they didn't. I think that's a pretty big concern. If they have consulted on the legislation, if they did hear from people, then surely they ought to know how unhappy those people were and how displeased they were with this change. If they have consulted, then they know that the people affected by the legislation are unhappy, then they ought to be able to stand up and provide us some reason, whether it's a reason we accept or not, whether it's a reason that we find persuasive or not, surely they have some reason for doing it anyway. That reason has to go beyond claiming that this is a modernization because there's nothing in this act technically or otherwise that suggests that it is just a modernization; quite the opposite. And if there is something, then why has no member of the government stood up and explained what it is or why it's modernizing or how things have changed such as to require such a modernization?

Those are the things I would like to hear. I would like to hear some genuine answers from this government. I suspect it is the case that I still will not support this bill, because, again, the people affected are against, but at least to have the courtesy of the government standing up and explaining why they want to proceed without consultation, why they want to proceed in such a manner, why it is they want to proceed against the wishes of the people directly affected by this legislation. I think, you know, at minimum they owe that to the people that they are affecting, to provide some sort of reason. Simply to stand up and assert over and over again that people are in favour when clearly they are not, I would say is extremely problematic.

With that, Mr. Speaker, I think I will simply say that I oppose this legislation. I think all members should oppose, particularly those with this in their constituency.

The Speaker: Hon. members, are there others wishing to join in the debate? The Member for Calgary-*Buffalo*.

Member Ceci: Thank you very much, Mr. Speaker. I gives me, well, the opportunity to speak to the Metis Settlements Amendment Act, 2021, that is here before me. I, like my colleagues who have spoken before me, see some incredible problems with regard to this bill.

[Mr. Amery in the chair]

I'll just share that when my colleague from Edmonton-Rutherford held a newser on this to essentially say that the NDP opposition has significant problems and will oppose this bill, I was there. I was there because there was also the municipal statutes amendment act that had just been announced. You know, the government ministers don't anymore do the long-standing courtesy of talking to critics about bills coming forward, something that we always did. They just put out press releases and say: we're going to announce a bill. And there's no discussion with the critic. Unfortunately, that's the way this UCP government works.

At the same time that I was there to deal with my criticism to the municipal statutes amendment act, there were members of the Métis general council of Alberta present. They were dealing with this bill, and the critic to this bill, my colleague from Edmonton-Rutherford,

was there, as I said. There was no question that the president, Mr. Lehr, was opposed to this bill. He expressed how there was no consultation. There were meetings. He expressed that there were 19 meetings, but he felt that they were being cut out of any discussions. Any amendments were being brought forward without the expressed support of the MSGC of Alberta. I was very, very surprised. I don't think that I had met President Lehr before, but he did not hold back at all. He was apoplectic, I would call it. He was critical. He was not having anything that the minister was saying with regard to the changes that the minister said was necessary in Bill 57.

That's a huge warning, a red flag right there. If the major stakeholder is not in agreement with anything with regard to the act being brought forward, you should not bring an act forward. It's incredibly disrespectful. In my view, the only reason you would do that is if you don't care what the people who are going to be affected by the act believe and their feelings with regard to this. They're totally frustrated. But if your goal is to ram through whatever you want to ram through because you have the power to do it in this House, then you don't need to involve other people. You can just do what you want. Treating people like that, of course, is probably the worst thing you can do. You're taking away any power that those individuals have. You're denying them their agency. You are doing harm to them, Mr. Speaker, and this government doesn't seem to recognize that.

You know, one of the things that was going on and happened during the course of discussions and those 19 meetings, of course, was the pandemic – it's still going on – and it required things to be done differently. The government did not engage in face-to-face discussions with those people most affected by this act; they did things in virtual ways. I think that's altering the engagement opportunity and the ability to clearly understand and deal with the objections of people. The pandemic shouldn't be used as an excuse, Mr. Speaker, not to get together.

11:20

What should happen is – my colleagues have suggested the very same thing – that this bill should be paused, should be pushed back, should be not read at all anymore, and there should be meaningful engagement with the Métis general council of Alberta in a way that actually listens to the concerns and deals with those instead of falling short as this bill has done.

The other thing I wanted to kind of outline is that I, too, had great concerns with the Member for Calgary-Glenmore and the travelogue that I seemed to listen to, a history lesson with regard to Métis people. None of it seemed to be specific to the issues in this act. My colleague from Calgary-Mountain View said the very same thing, or perhaps I'm saying the very same thing as my colleague did. I didn't hear the act and the different changes that are proposed in the act outlined from both UCP members who have spoken to this act to this date, to this time. That's problematic.

I think, as my colleague from Calgary-Mountain View said, you know, that if government is going to drastically change things with regard to a relationship with Métis people on the settlements, they should be clear about what changes they want to make. Instead, we hear kind of tropes like: I appreciate all cultures; I'm very interested in different cultures. Well, that's not the point, Mr. Speaker. The point is that, as my colleagues have pointed out, there's a paternalistic theme running through this bill, and it shouldn't take place in this day and age, when we have, hopefully, understood and taken great counsel from things like UNDRIP and things like the reconciliation processes that have spent 10 years in this country going around the country and involving countless First Nations people, indigenous people as well as others to try and understand

how we can reconcile the huge problems that were caused to First Nations people by Canadians.

I think there is ample reason to oppose this bill in its current form. I think also that if, you know, there are long-term agreements that need to be addressed because they're going to be running out – this government has shown the ability to unilaterally change agreements with municipal governments across this province just by the stroke of a pen. They've said: no, we don't want to fund municipalities in the way we said that we would in the previous budget; we're going to change that. That wasn't with the agreement of municipalities. If they have a long-term agreement in place that needs to be addressed, they can extend that long-term agreement for a certain number of years until they get a relationship with the Métis settlements that is respectful of the 5,000 people who live on those settlements. More importantly, there are over half a million Albertans who call themselves Métis people.

My colleague from Edmonton-Glenora has also identified before me that, you know, we're dealing with the situation – yes, nominally, it means the Métis settlements, but more broadly it could affect relations with Métis people in Alberta, First Nations people in Alberta, people who see themselves as having a difference from the dominant culture in this province.

I want to, Mr. Speaker, move to adjourn debate, and that is what I will do.

[Motion to adjourn debate carried]

Bill 61

Vital Statistics Amendment Act, 2021

[Adjourned debate April 7: Mr. Glubish]

The Acting Speaker: I see the hon. Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Mr. Speaker. I just heard that a friend had a baby. I don't even know the baby's name yet, but I'm very excited. Yeah. It's your friend, too, so yeah. We'll tell you after the House rises. But between now and then I want to rise to speak about Bill 61, Vital Statistics Amendment Act, 2021, and say that the Member for Cardston-Siksika has said before: it would be really great if the opposition could show up and tell us things that we're doing that are good. I will say that this bill is not bad; therefore, I might even say that it's good. That's the new benchmark: not bad.

I have to say that the framing of this bill, I think, has been quite positive. I think a bill that is intended to align with people who are survivors, people who have been negatively impacted. Making sure that folks who have done significant harm and impacted survivors, or victims as some might refer to folks, ensuring that the folks who have long-term, high-risk, dangerous behaviour and have been offenders in that regard don't change their name: I think that's a fair and good thing.

[The Speaker in the chair]

I think that there have been people who've questioned whether or not the need of this bill exists given that, through other pieces of legislation, some people believe that this was already exercisable based on other pieces of legislation that already exist, but again, if my goal is to make sure that this bill doesn't do something bad, I think that that is probably where I land on this. Whether or not it was necessary some people have disputed. I'd love if the government could give examples, because there are pieces of legislation that are already in place that deny folks who have committed serious offences from changing their names.

I would love to know just in terms of, like, making me move from not bad to actually feeling good, is there a loophole that this bill will actually close? Is there some specific form of person who was able to change their name before that now won't be able to? It does appear that many folks have been prevented from changing their names in the past who have attempted to do so, so I'd just love to know that this is actually fixing a loophole that currently exists.

In consideration of this bill I also want to ask folks to reflect on the impacts of cuts to the Justice ministry and the impacts that those have had on public safety. I know that this isn't a budget bill. This isn't a money bill, but at the same time that we're considering these types of changes that some might argue are symbolic, I just want to know that we are actually carrying these values of wanting to support survivors through actually giving them justice, not just requiring the person who assaulted them to live with their own name. That is a fair thing, but that we're actually going to help them seek justice. I know that there are many Albertans who don't feel that the system is set up in a way that is just and that eroding funds for the Justice ministry will only make it more unjust.

11:30

Is the minister concerned that the cuts to income and social supports through the budget that was just passed also could have impacts on the crime rate? Most people who've studied this over the years know that when the social supports of a society are cut, crime goes up. So is the intent through this legislative session to drive crime up and make people live with their names, or is the

intent of us being here to actually create a more fair, more just, and more equitable society? I would hope that it's the latter.

Lastly, one of the other questions that I hope we can get some responses to is around the changing of names for folks who are transgender. We've definitely had some people reach out to us saying: what would be the implications? I hope that the government will respond to that in kind because I think that those have been fair questions that have been raised with us and I'm sure have also been raised with the government.

Those are my main questions. I look forward to hearing responses on those specific questions as we move forward, but generally I want to say that this bill isn't bad, so I will be supporting it.

Thank you very much.

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

Hon. members, are there others wishing to speak?

[Motion carried; Bill 61 read a second time]

The Speaker: The hon. Deputy Government House Leader.

Mrs. Savage: Well, thank you, Mr. Speaker. I move that the Assembly adjourn until 1:30 p.m. tomorrow, Wednesday, April 14.

[Motion carried; the Assembly adjourned at 11:33 p.m.]

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