



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Wednesday evening, April 21, 2021

Day 101

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Second Session

Cooper, Hon. Nathan M., Olds-Didsbury-Three Hills (UC), Speaker
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Bilous, Deron, Edmonton-Beverly-Clareview (NDP)
Carson, Jonathon, Edmonton-West Henday (NDP)
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New Democrat: 24

Independent: 1

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Legislative Assembly of Alberta

7:30 p.m.

Wednesday, April 21, 2021

[The Speaker in the chair]

The Speaker: Hon. members, please be seated.

The hon. Minister of Labour and Immigration.

Mr. Copping: Thank you very much, Mr. Speaker. I rise to seek unanimous consent to waive Standing Order 39(1)(d) to seek leave to introduce Bill 71.

[Unanimous consent granted]

The Speaker: The hon. Minister of Labour and Immigration.

Mr. Copping: Thank you, Mr. Speaker. I rise to seek unanimous consent to waive Standing Order 8(2) to revert to Introduction of Bills.

[Unanimous consent granted]

Introduction of Bills

The Speaker: The hon. Minister of Labour and Immigration.

Bill 71

Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021

Mr. Copping: Thank you, Mr. Speaker, and thank you, colleagues. I rise to request leave to introduce Bill 71, the Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021.

Albertans across the province who want to get the vaccine will not have to choose between putting food on their tables or their health. We're protecting lives and livelihoods so that all Albertans can contribute to the success of our economic recovery. If passed, this act will take effect on the day the bill receives first reading.

Mr. Speaker, I'm pleased to move first reading of Bill 71, the Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021, because this is the right thing to do.

[Motion carried; Bill 71 read a first time]

The Speaker: Hon. members, I believe the hon. the Minister of Labour and Immigration has another request for unanimous consent.

Mr. Copping: Thank you very much, Mr. Speaker. I seek unanimous consent to waive Standing Order 77(1) in order to proceed to second reading of Bill 71.

[Unanimous consent granted]

Government Bills and Orders

Second Reading

Bill 71

Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021

The Speaker: The hon. the Minister of Labour and Immigration.

Mr. Copping: Thank you very much, Mr. Speaker. It is my pleasure to rise and to move second reading of Bill 71, COVID vaccination leave.

Mr. Speaker, since the beginning of this pandemic Alberta's government has taken bold actions to support our province through this very challenging time, and we continue to take bold action to protect Albertans' lives and livelihoods because it is key to the success of our province's recovery.

On April 20 we saw Albertans 40 years and up booking appointments, going to walk-in clinics, and getting their first dose of the COVID-19 vaccine. They did this on their own because they realize we all have a part to play in this fight. Albertans are hard working, and they deserve a government that continues to take bold actions to protect their lives and livelihoods. By introducing this legislation, we're making sure that every working Albertan keeps their job, gets paid, and can get vaccinated if they wish to. They will not have to fear reprisal or penalty or worry about how they're going to put food on their tables in order to do their part in the fight against COVID-19.

Our neighbours to our left and right have introduced similar leaves to support the rollout of the vaccine, and with the rising COVID cases and expansion of the vaccine program it makes sense to create the opportunity for more Albertans to get vaccinated. That is why, if passed, this act will take effect on the day the bill receives first reading to ensure all Albertans can work with their employers to schedule time away to get a shot that could save their life and protect others.

Mr. Speaker, since March 2020 we have been doing everything we can to create opportunities for Albertans to protect their health, and this leave is one other measure to support Albertans' health and our economy.

Thank you, Mr. Speaker, for the opportunity to move the second reading of Bill 71.

The Speaker: Hon. members, before the Assembly is second reading of Bill 71, Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021. Is there anyone else wishing to join in the debate this evening? The hon. Official Opposition House Leader.

Ms Gray: Thank you very much, Mr. Speaker. It is just a great pleasure to be able to join in the debate on Bill 71, the COVID-19 vaccination leave amendment act, because with first reading having just passed, this leave has now come into existence in our province, and it is now in effect and something that workers will be able to rely on and something that will help our province in our fight against COVID-19 and in our efforts to make sure that we get everybody vaccinated.

Truly, Mr. Speaker, it's fantastic. Just yesterday I was standing with our leader and making the offer to the Premier and to the government to work with them to provide three hours of paid leave to all Albertans and to make sure that any necessary legislation would get passed quickly. I'm pleased to join in that work this evening. Right away the conversation started, and I want to say thank you to the minister and to all the public servants who, I imagine, have been working furiously to get this leave put together and this bill that we are now able to debate on the floor of the Assembly.

We know that this bill is similar to the bills in B.C. and Saskatchewan, and it will provide all working Albertans three hours of paid leave to get their vaccinations. It's going to benefit our province as well as employers and employees. We know nobody wants to right now find out that they can qualify – for example, people 40 and over can qualify for AstraZeneca – and then log on to book an appointment and realize that they're going to have to wait a very long time before they're able to get to that appointment or maybe see that only available spots are available when they need

to be at work. No Albertan should have to choose between working and putting food on the table versus their own health versus getting that vaccine. This bill means they don't have to choose, and I'm very proud to be standing here with the caucus to help make it a reality.

In February we did call on the government to speed up the province's economic recovery and ensure workers could get vaccinated without fear of losing parts of their income. We said at that point that every day of hesitation hurts our provincial economy and that the government should be aggressively tearing down any barrier that might delay an Albertan from getting their shots. I'm very happy that today we are here supporting Albertans.

There are so many good things in this legislation, Mr. Speaker, and as it was just introduced, I'll just very quickly give a quick summary for those watching at home. The legislation uses plain language. It will be easy for employers and employees to understand. Like in B.C., there's no requirement for medical notes or to disclose to employers why the leave is being requested. It protects private information about underlying conditions people may have. The legislation is set to provide the same benefits to all Albertans no matter what type of job they might have. Like both Saskatchewan and B.C., workers cannot be terminated for going to get a vaccination. Like B.C., this legislation is going to cover both first and second doses, and it has flexibility, allowing up to three hours' paid leave or more if circumstances warrant. Finally, the bill has no requirement on minimum time employed, meaning it's available to all employees.

This is all really, really great, and it's a good thing for business as well because the sooner that all of our employees, all of the workers in Alberta, are vaccinated, the sooner we can move back towards normal, the sooner we can start to see improvement in our economy. Kids won't need to be worrying about online school, sports fields can open up, we can go and enjoy a beer in a pub. Until then we will continue to encourage all public health orders be followed and ask all Albertans to go and get vaccinated as soon as they can. Today's COVID-19 leave is going to help that.

I do hope that the government, as the bill passes, will continue to monitor and be responsive if any issues come up around family-related leaves, but certainly this bill is reflective of the kind of responsiveness that all workers in Alberta hope for from their government and this House, whether they work at a grocery store, a hospital, Cargill, or spend the day driving for Uber or a taxi service.

7:40

I'm very happy to support this legislation. I'm very glad that the government heard our offer, considered it, took us up on it, and passed this so quickly to help workers in this province.

Thank you, Mr. Speaker.

The Speaker: Hon. members, are there others wishing to join the debate on Bill 71 at second reading?

Seeing none, I am prepared to ask the minister to close debate. The hon. minister to close debate should he choose to do so.

Mr. Copping: Well, thank you, Mr. Speaker, and thank you to the hon. member across the aisle for her comments. Again, this bill is about supporting Alberta workers. Alberta workers have worked very hard throughout the pandemic the past 13 months, those who continue to show up providing front-line services and also those who worked from home, who made different choices but still kept reducing the spread while continuing to do work and drive the economy forward. We believe that the COVID leave, a paid COVID leave, will help reduce barriers for a certain group of

employees who can have a very difficult time in terms of finding the time to get the shot and missing work and can't afford to do so.

We urge, again, all employees and employers to work together, continue to work together as they have done throughout the pandemic, to minimize the impacts on employees, which this new legislation will do, but also minimize the impact on employers because employers also are facing challenging times, to keep the cost, to be reasonable, to work together.

That is why this legislation talks about up to three hours, so that the conversations could be had between employees and employers about getting that shot, making sure they get it. At the end of the day what is of critical importance is that we get Albertans vaccinated, Mr. Speaker. That is the path forward out of the pandemic, and the sooner that we can get that done, we can open up our economy, and then our economy can start driving, people will get back to work, and that's what our government is focused on, lives and livelihoods.

So I ask the entire Chamber to support this in second reading. Thank you, Mr. Speaker.

[Motion carried; Bill 71 read a second time]

Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

The Deputy Chair: Okay. I would like to call the committee to order.

Bill 71 Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021

The Deputy Chair: Are there any comments, questions, or amendments to be offered at this time? I see the hon. Member for Spruce Grove-Stony Plain has risen.

Mr. Turton: Yes. Thank you, Mr. Chair. It's an absolute pleasure to rise tonight for Bill 71. To start off, what a year this past year has been. As 2020 began, we never could have never imagined all that lay before us with COVID-19. We adapted countless words and phrases into our everyday vocabulary: unprecedented times, stop the spread, social distancing, global pandemic. We adapted new ways to communicate with virtual meetings such as Google Meet, Zoom, and Microsoft Teams. For some of us we found out about the challenges of teaching our children online, dealing with quarantines of family members and friends, and experiencing shortages of patience. And, of course, who could forget the lack of toilet paper last year?

Mr. Chair, 2020 was a year that we will not forget. However, on a somber note, livelihoods were impacted. Lives of loved ones were lost. Some businesses closed, some temporarily and, unfortunately, some for good.

Albertans adapted to different ways of doing things. Our students learned from home. There were restrictions on how many people could be in a business at a time. Even restrictions on how many guests we could all have in our homes were only a few of the sacrifices that were made by Albertans, and we thank each and every one of you for everything that Albertans have done. Albertans are hard working and resilient, and together we are getting through this.

Mr. Speaker, after a long road, vaccinations are now our light at the end of the tunnel, and they are the key to our province's recovery. We want to encourage every Albertan who can to get the

vaccine. Our government has observed our neighbour provinces to the left and to the right, and we are putting this leave in place through legislation as a clear-cut way that we are able to support Albertans as we come through this pandemic.

I am proud to see our government take action today with Bill 71 to reduce the barriers that may stand in the way for any one of us that may struggle, either financially or with time, to receive the vaccine. With this bill, whether full-time or part-time, all eligible Albertans will be able to take up to three hours of job-protected, paid leave per dose of the COVID-19 vaccine retroactive to the day of this bill's first reading, which I can now confirm is today, April 21. Albertans who choose to take advantage of this leave will not have to fear reprisal, penalty, or worry about how they're going to put food on their tables in order to do their part in the fight against COVID-19.

I have heard from constituent after constituent throughout Spruce Grove and Stony Plain on the challenging year that this has been for them and their families. By getting as much of our population vaccinated as possible, we can move closer to reopening our economy.

Mr. Speaker, in closing, I plan to get the vaccine myself, and I encourage my constituents in Spruce Grove and Stony Plain and all eligible Albertans to do the same when their time comes. Today is another example of our government's ability to take swift, bold action to make a difference in the lives of Albertans, and I want to thank my colleague the Minister of Labour and Immigration for the incredible work that he has put into this bill and for the real difference it will make in the lives of everyday Albertans.

Thank you.

The Deputy Chair: Thank you, hon. member.

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

Mr. Nielsen: Well, thank you, Mr. Chair. It is quite a pleasure to be able to rise this evening to speak to Bill 71, something I'm very firmly in favour of today. You know, the struggles that I think workers face each and every day – putting food on the table, trying to pay their bills, making sure their kids get to school, that kids get to daycare, and things like that – can be a lot of stress for a parent these days. Of course, now that we find ourselves still in the midst of a pandemic, in the third wave, those challenges are increased even more, so when there are opportunities to reduce barrier for them, that's always a good thing.

The reality is that there are workers here, right in our own province of Alberta, that each and every day sometimes are faced with the decision of: do I go to work, or do I take time off to do whatever the case may be? A lot of times that decision is, "Well, I have to go to work," and other things suffer. Bill 71 will remove that barrier to being able to get vaccinated.

I'm very, very pleased to see that the bill has flexibility for up to three hours of paid leave. That completely takes out that decision that some of those employees will face around getting vaccinated. They won't have to worry about not receiving a full paycheque for that week, so they can then turn around and go and spend that money in all the local businesses, as they normally would do.

I'm also very pleased to see that there is no minimum time required to be employed at the employer, so anybody who's been there for 25 years to anyone that's been there for 25 minutes will be able to go and get their vaccination. That three-hour time period also includes things like travel. For those that maybe don't have a vehicle, they rely on public transit. That means a bus ride to get to their appointment, then a bus ride back in order to get back to their employer.

I also notice that there is a provision there that should there be some kind of challenges, maybe because of distance – the reality is that we have some folks that, say, for instance, live out in Spruce Grove, work in Edmonton. This will allow them, potentially, even the travel time there if they get stuck in traffic. Things like that happen.

7:50

As I've always said, I always give kudos where it's due, and the Minister of Labour and Immigration has done some very, very good work here with Bill 71. I'm very pleased to see this here, and I'm very happy to support it wholeheartedly so that we not only can get Albertans vaccinated so that they can start getting about their daily lives, but then they can start participating in the economy in a fulsome way, like they used to before, which also uplifts all of our hard-working small-business owners, medium-business owners, and even the large ones so that Alberta can once again, you know, try to lead the way and show the economic powerhouse that it can be.

My support is behind you on this, Minister. I urge every other member of this House to support Bill 71 here in Committee of the Whole.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to join debate in Committee of the Whole on Bill 71?

Seeing none, I am prepared to ask the question. If nobody is willing to stand up, I will call the question.

[The clauses of Bill 71 agreed to]

[Title and preamble agreed to]

The Deputy Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Any opposed? Carried.

I see the hon. Minister of Justice and Solicitor General.

Mr. Madu: Thank you, Mr. Chair. I move that the committee rise and report Bill 71.

[Motion carried]

[The Speaker in the chair]

Ms Glasgo: Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 71.

The Speaker: Hon. members, does the Assembly agree in the report? If so, please say aye.

Hon. Members: Aye.

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

The hon. Minister of Labour and Immigration.

Mr. Copping: Thank you, Mr. Speaker. I rise to seek unanimous consent to waive section 77(1) to proceed to third reading of Bill 71.

The Speaker: Hon. members, the Minister of Labour and Immigration has requested unanimous consent to proceed immediately to third reading of Bill 71. I will ask only one question:

is there anyone opposed to providing unanimous consent? If so, please indicate so now.

[Unanimous consent granted]

Government Bills and Orders Third Reading

Bill 71

Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021

The Speaker: The hon. Minister of Labour and Immigration to move third reading. If the Assembly is fast enough, you might be able to do this in under half an hour.

Mr. Copping: Thank you, Mr. Speaker. I am pleased to rise to move third reading of Bill 71, Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021.

Since March 2020 this government has been responding to the COVID pandemic with swift action. Today is another example of how we move quickly to protect Albertans' lives and livelihoods. I would also like to thank the members opposite in terms of assisting us in doing this in a very quick manner and perhaps under 30 minutes, as you indicated, Mr. Speaker.

Mr. Speaker, if the legislation passes today, Albertans will be able to get their COVID-19 vaccine as soon as possible without fear of losing their job or losing pay. We know that COVID-19 moves quickly, so we must also move quickly to provide Albertans with the support they need so that they can protect themselves, their communities, and fellow Albertans.

Mr. Speaker, Albertans are eager to get their vaccines, but some may feel that they can't afford to take the time off work to get immunized. Offering Albertans up to three hours of paid leave for each vaccine dose will help them make the choice so that they can protect themselves and their families and still pay their bills. The sooner Albertans get vaccinated, the sooner we can bend down the curve of COVID-19 cases and begin reopening our economy.

If passed, this act will take effect on the day the bill receives first reading, and, Mr. Speaker, that day is today. Having the leave take effect on this date makes sense because it aligns with the time that the vaccine became available to people aged 40 to 55, who are likely to be working. All employees, regardless of how long they have worked for their employer, are eligible for this leave to make sure it is as easy as possible for Albertans to get vaccinated. This includes full-time and part-time employees.

As our vaccination program ramps up, Mr. Speaker, the end of the pandemic gets nearer and nearer. We are all looking forward to a time when enough Albertans are immunized so that we can reopen more businesses, go to events, see our friends and family, and get Albertans back to work. Today we are taking an important step in that direction by offering paid vaccination leave to Albertans.

Mr. Speaker, thank you very much for the opportunity to move third reading of Bill 71, Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021.

The Speaker: Hon. members, are there others wishing to speak to third reading? The hon. Official Opposition House Leader.

Ms Gray: Thank you very much, Mr. Speaker. I rise at third reading simply to say that it's just such a pleasure to be part of something so positive right now given what the province has been going through with COVID-19. Being able to tell workers that they now have up to three hours of paid leave to be able to get their

vaccination is going to remove a barrier, is going to remove a source of stress.

As I stand here, I think about who this is going to help: our front-line essential workers, who have been most impacted by the pandemic, who are often lower wage employees, sometimes working multiple part-time jobs, where the potential financial impact could have harmful consequences to them. Removing that barrier and ensuring that they can take a paid leave is a really, really positive thing.

I am so pleased to be part of third reading here in the Legislature this evening. We will continue in the Official Opposition to put forward great ideas. The government has seen this as a great idea, and we've enacted it. I want to assure the government: we have lots of other great ideas, and we will continue to put those forward. It's excellent to be able to see this type of co-operation in order to bring in something that truly will make a big impact in the lives of Albertans.

To conclude my remarks at third reading, I'd just like to say that vaccines are safe and effective, and vaccines save lives. I encourage all Albertans, when you qualify and are able, to please go and get vaccinated. It's going to make a huge impact to our recovery from COVID-19, to protect our friends and neighbours, and to get back to the Alberta where we can hug each other again, which I am looking forward to, Mr. Speaker.

Thank you very much for allowing me to rise and speak to third reading of this important bill.

The Speaker: Hon. members, it would seem that team work does make the dream work.

Are there others looking to join in the debate?

Seeing none, I am prepared to call upon the minister to close debate if he chooses. The hon. Minister of Labour and Immigration to close debate.

Mr. Copping: Mr. Speaker, I would like to close debate. Once again, thanks to the Official Opposition for working on this and getting this important bill through to support Alberta workers and Albertan business and our whole economy in doing this.

Once again, I would echo the comments: for those who can get vaccinated, please do so when you have the opportunity – I am looking forward to my vaccination, which I booked for next week – because we need to not only protect ourselves but protect others, get through the pandemic, and get Albertans back to work.

With that, I move to close debate.

[Motion carried; Bill 71 read a third time]

8:00

Government Bills and Orders Second Reading (continued)

Bill 65

Health Statutes Amendment Act, 2021

Ms Hoffman moved that the motion for second reading of Bill 65, Health Statutes Amendment Act, 2021, be amended by deleting all of the words after "that" and substituting the following:

Bill 65, Health Statutes Amendment Act, 2021, be not now read a second time but that the subject matter be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

[Adjourned debate on the amendment April 21: Ms Hoffman]

The Speaker: Well, hon. members, such great progress already this evening. Perhaps we can keep a good thing rolling for the rest of the evening.

Hon. members, Bill 65. We are on amendment REF1. I see the hon. Member for Edmonton-Gold Bar has risen.

Mr. Schmidt: Thank you, Mr. Speaker, and to answer your question: no. That's the end of the good times rolling as we get back to the regularly scheduled government agenda. I mean, I am encouraged to see that it only took a half an hour for the Legislature of Alberta to make a meaningful, positive change in the lives of hundreds of thousands of working Albertans. It's incredibly disappointing and frustrating to me and most of my constituents to consider that it's taken 71 bills to get to this point of seeing meaningful, positive change for the people of Alberta during the pandemic.

Certainly, Bill 65, which is now before us for consideration, does nothing to take care of the pandemic and, in fact, raises a bunch of questions that I think are worthy of additional consideration by members of this Chamber. That's why I'm rising to speak in favour of the amendment that was made by my friend from Edmonton-Glenora to refer this bill to committee for further consideration. In fact, there are a number of points that I think need to be considered by the committee if this bill is referred to committee.

Of course, this bill continues the government's tradition of omnibus legislation, that makes changes to a number of pieces of legislation at one time. That's been part of the government's strategy to keep the pace of change so overwhelming that Albertans can't possibly keep up. You only have to look at the poll numbers and the public's response to a lot of the things that have gone on in this House to see that that political strategy has not been very successful. I think the government would be wise to consider slowing down the speed of change that it has taken to a number of important pieces of legislation and public policy. That includes Bill 65 here. You know, I think this would be an excellent opportunity for government members to recognize that the speed with which they've legislated a number of sweeping changes that have been incredibly unpopular has really angered the people of Alberta. By voting to refer this bill to committee, the government could send a signal to the people of Alberta that they've listened to them and that they've realized the error of their ways in changing things so quickly and send them a signal that they've decided to maybe take a different approach and give pieces of legislation like Bill 65 the due consideration that it warrants.

A couple of examples of issues that are raised in this piece of legislation include some of the information related to the changes made with respect to the response to a fatality inquiry by Judge Dixon. In her comments on this referral when she first made it, my friend from Edmonton-Glenora mentioned that there was a fatality inquiry conducted by Judge Dixon into the tragic story of Ms Lewis, who suffered from homelessness and a number of mental health issues. She was admitted to the hospital under the Mental Health Act, through a series of tragic events because of policy and legislation that enabled them, Ms Lewis ultimately died in the emergency room.

In her fatality inquiry Judge Dixon made a number of recommendations for changes to various pieces of legislation. And in her comments with respect to those changes my friend from Edmonton-Glenora noted that only one of the recommendations that Judge Dixon made appears in this piece of legislation. I think it would serve the people of Alberta well if we were to refer this bill to committee and give members of this Legislature the opportunity to dig into the changes that have been made in response to Judge Dixon's fatality inquiry and understand why the minister has only

decided to adopt one of those recommendations and not the rest of them.

You know, it is an unfortunate aspect of this Legislature that we don't have the opportunity to question department officials during debate on pieces of legislation, but we can give our members the opportunity to do just that by sending this bill to committee. I know that I certainly would be interested in hearing from officials in the Ministry of Health to understand their perspective on Judge Dixon's fatality inquiry and the recommendations that she made and understand what the Department of Health's position is on those recommendations and why they don't show up here. I think all of the people of Alberta would be served by having that discussion in public. I hope that by voting in favour of this referral amendment, members do affirm their support for having these kinds of discussions in public, because these are some very serious issues that are confronting the province of Alberta, and we need to take the appropriate amount of time and consideration to look at them.

Now, I mentioned that it would be worth while for us to call Department of Health officials to committee to discuss changes, the lack of changes, that sprung from the Dixon fatality inquiry. But there are a number of changes in here with respect to auto insurance and a number of penalties that could be assessed by the minister with respect to auto insurance companies that don't file their reports on time. Certainly, when this bill was introduced, it appeared to my friend from Edmonton-City Centre that this seemed to be a covert way for the Minister of Finance and his colleagues on Executive Council to give yet another financial gift to the auto insurance industry.

We understand that the filing of these annual reports by insurance companies has implications for the Ministry of Health and how the industry sets its insurance rates and those kinds of things. I think it would be interesting for members of this Assembly to be able to bring Ministry of Finance and Treasury Board officials to committee to question them on why they found that these changes were necessary. Certainly, we've heard nothing that would approach a satisfactory explanation from the Minister of Finance or any of his colleagues on Executive Council as to why these changes are necessary.

8:10

It's incredibly distressing to me, Mr. Speaker, the lengths to which the government has given away the store to automobile insurance companies. Just last fall we dealt with legislation that made significant changes to the automobile insurance regulatory framework in this province that were a significant financial benefit to the automobile industry, an industry that – I don't need to remind people – made over a billion dollars in profits last year. It's far from an industry that needs government handouts and government financial support. But that's what this government seems to be doing.

I think that by voting in favour of this referral amendment, we can invite ministry officials from Treasury Board and Finance to come to committee and explain to us their rationale for making these changes and take questions from members of the Legislature about the impact of these changes as well as the cumulative impact of all of the changes that have been made to the automobile insurance regulatory framework in this province so that we can clearly understand what is going on with the automobile insurance industry and understand why the government seems to be so keen to give away these gifts at every possible opportunity.

Now, I understand that members of this House are not keen to embrace the openness and transparency that committees provide, which is an interesting change in tone and position from that which was held by the UCP and its forerunners in the 2015 to 2019

Legislature. Certainly it seemed that they were keen to send every bill that we introduced to committee, and they were keen to invite departmental officials to come and talk to members of the Legislature about the impact of the changes and the thinking behind them. Yet when they found themselves in government, Mr. Speaker, members want nothing to do with committees, and they certainly don't want ministry officials to appear before committee.

I have countless examples of government MLAs working to make sure that ministry officials don't appear before committee. We recall in February that we convened a meeting of Public Accounts to send an invitation to the Ministry of Energy to talk about the impacts of rescinding the 1976 coal policy. Well, before we could even get the meeting started, Mr. Speaker, the Member for Livingstone-Macleod introduced a motion to adjourn. So 10 minutes after the meeting was convened, the meeting ended. The government members allowed the Ministry of Energy to get off the hook.

This is a disturbing pattern that's been demonstrated by government members on the Public Accounts committee. Earlier in the year we brought forward several motions to bring a number of ministries to Public Accounts so that we could question them on their annual reports. Again, the government members voted to make sure that those ministries that spend the most money, have a significant number of policy initiatives and spending programs under way, that have significant impacts on the people of Alberta don't have to come and answer questions. Instead we look at, you know, ministries that get a relatively clean bill of health from the office of the Auditor General and have not a lot that's controversial going on.

All of this has been incredibly unpopular with the people of Alberta. They understand that the government members are working overtime to try to cover up what's going on in so many departments of the government. My message to the members in the government caucus is that this is clearly an approach that is not working. I'm sure that they hear it from their constituents all the time. I hear it from their constituents all the time. I get e-mails from their constituents because they don't get an answer from their UCP MLAs when they write or phone them. So they call me.

In an effort to change their approach and win back public support, I urge all members of this House to vote in favour of this referral.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment for the Member for Edmonton-Gold Bar. It looks like the hon. Member for Edmonton-Highlands-Norwood has a brief question or comment.

Member Irwin: Thank you, Mr. Speaker, and thank you to my colleague from Edmonton-Gold Bar for his comments on Bill 65, the Health Statutes Amendment Act, 2021. You know, he did a pretty thorough analysis of some of his specific concerns about this bill. But we are, of course, in second reading, and that gives us some latitude in connecting this bill to some of the bigger issues. He sort of alluded to it in his closing remarks, about how he's hearing from not just his own constituents but from constituents of government MLAs as well, and I wondered. I know he hears from a lot of folks in his riding about just health care in general: the incessant fighting with doctors, the tax on rural health care, the firing of health care workers, the looming privatization of health care. The list goes on. I just wondered if the member might share a bit more broadly what he's hearing about health care and whether or not he's also hearing from constituents from other ridings as well.

The Speaker: I'm sure the hon. Member for Edmonton-Highlands-Norwood means: broadly what you're hearing about health care as it relates to the bill. I'm sure that was the question.

The hon. Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you. Thank you for that clarification, Mr. Speaker, and I want to thank my friend from Edmonton-Highlands-Norwood for her thoughtful questions. You know, if I may, I will say that the Member for Edmonton-Highlands-Norwood always has thoughtful questions in this House. Whether it's in question period or during debate on matters of important public policy, the Member for Edmonton-Highlands-Norwood stands well above many of her colleagues here in this House in terms of making thoughtful contributions to the debate, and I would urge – I would urge – all members to emulate the model that she sets for us because she does such an outstanding job as a representative for her constituents.

With respect to health care, Mr. Speaker, and how it relates to this bill and what I'm hearing from my constituents as well as from other Albertans around the province, I do hear a lot of grave concern about the state of our health care system. You know, the Member for Edmonton-Highlands-Norwood mentioned concerns around adequate numbers of physicians and adequate numbers of other health care workers, who face potential layoffs after the government has deemed the pandemic to be over and sees fit to fire up to 11,000 people who are working in the public health care system.

What I'm hearing from my constituents is grave concern that their health care needs will go unmet. I've heard from a number of constituents who are either suffering from cancer – cancer, in particular, Mr. Speaker – or have loved ones who are suffering from cancer who have had surgeries repeatedly deferred because the pandemic has overwhelmed our health care system and there is no additional capacity right now to treat these other potentially fatal illnesses that my constituents are suffering. Certainly, these concerns are warranted. We certainly see that Statistics Canada has verified that more people are dying unnecessarily because our health care system is overwhelmed, and in 2020 they calculated a high number of excess deaths. When I hear from constituents who are concerned that they or their loved ones will not be able to get the life-saving surgeries and other health care treatments that they need, that's incredibly concerning to me.

It's doubly concerning to me when I walk into this Legislature and I hear from the Minister of Health and the Minister of Finance and the Premier about how much additional money they seem to be spending on health care in the budget, because that statement does not match up with the reality on the ground. Those additional dollars . . .

8:20

The Speaker: Hon. members, are there others wishing to join in the debate this evening? The hon. Member for Edmonton-Whitemud on amendment REF 1.

Ms Pancholi: Thank you, Mr. Speaker. It's a pleasure to rise and speak in second reading to Bill 65, the Health Statutes Amendment Act, 2021, and, of course, specifically to speak to the referral amendment brought forward by my colleague. I want to thank the Member for Edmonton-Gold Bar for providing some thoughtful comments not only on the esteemed qualifications of our colleague the Member for Edmonton-Highlands-Norwood but actually also on the content of the bill because – you know what? – this is, I think, the third time that we've seen a health statutes amendment act since this Legislature was formed and began just two years ago, since I've been an elected member of this Assembly.

It sort of seems sometimes, Mr. Speaker, that there seems to be some kind of, I guess, race going on by this government to try to just create pieces of legislation over and over again and amend the same act several times and bring forward multiple omnibus pieces of legislation that often amend the same pieces of legislation over

and over again, and I think – I know I've seen, at the end of some of our legislative sessions, that there seems to be such great pride in the amount of paper that this government produces in terms of legislation, as if that's some sort of measure of the quality of the governance that's taking place right now.

I do wish, as we are in the middle of an epic pandemic in this province and we are in the middle of an economic crisis right now, that the amount of paper the government is producing was less of a measure of their quality and productivity and, rather, that there was more of a focus on ensuring that Albertans are safe and healthy and that our economy gets back on track by making thoughtful consideration on those issues, of which there are multiple, yet we still seem to spend a great deal of time in this Assembly looking at more and more pieces of omnibus legislation. Once again, that appears to be what Bill 65 is, Mr. Speaker.

Now, with respect to the question of the referral to a committee, I mean, there are a number of pieces, that my colleague has already indicated, that have raised some questions and on which to date I believe this Assembly has not yet gotten fulsome responses, which suggests that perhaps the opportunity to hear from some stakeholders and organizations that may be affected by some of the changes that are set out in Bill 65 would benefit from, in, in fact, this Assembly, so we can be thoughtful – if the government believes these changes are significant enough to be brought forward in the middle of both a health and an economic crisis in this province, obviously they must have significant impact on a number of organizations and therefore merit some thoughtful consideration, which is why I support this amendment, that this bill be referred to committee for further consideration.

I want to go through my sense, Mr. Speaker, if I may, of some of the provisions that are changed within this bill and where there are some things which seem to be minor and which I don't think seem to warrant much consideration because they do just seem to be housekeeping matters. I want to highlight that Bill 65 does amend a number of pieces of legislation. I think, by my count, six pieces of legislation are amended by this bill, two of which, I have to say, seem to be quite minor.

There are amendments to the Mental Health Amendment Act, 2020, which are minor housekeeping amendments, simply to correct some section references – again, I believe that was an act that was already before this House at some point – as well as to delete some unproclaimed sections. Again, not sure why this was not considered the previous time this bill was put forward by this government for consideration. There are also minor changes to the health facilities amendment act, again, minor housekeeping changes. Again, this is not the first time that we have seen that piece of legislation being amended.

I just question. Those two pieces of legislation likely could have been dealt with, considering that by the government's own account those changes are housekeeping, by a miscellaneous statutes amendment act, which I'm certain we will also be seeing shortly in this House. If it has not yet been introduced this session, I'm sure we will be seeing that.

That takes me to the other four pieces of legislation that Bill 65 seeks to amend, and there are some questions that arise from that. Now, I thank the Member for Edmonton-Gold Bar and my colleague the Member for Edmonton-Glenora for providing a little bit of context with respect to some of the changes that are proposed to the Alberta evidence amendment act. From what I understand, Bill 65 would amend that act to allow for fatality inquiries, which are, you know, quasi-judicial – well, they are investigations into a fatality that has taken place, into the circumstances, for the purpose of providing recommendations to government and other public bodies with respect to how to change policies, procedures, conduct

so that the circumstances that led to the death that was the subject of the fatality inquiry simply do not happen again.

I've spent a bit of time immersed in certain fatality inquiries, which are usually quite tragic because the circumstances that lead to them are, of course, because somebody has died, but there's a sense that what happened should not have happened and could have been prevented. It's not because there's criminal conduct that is involved – that is a separate determination, of course – but simply that there are lessons to be learned from those fatality inquiries. Certainly, when this Assembly was considering, for example, Bill 39 last session, which dealt with the death of a child in an unlicensed care setting – it is quite tragic whenever one is looking through a fatality inquiry, but it is important to take those recommendations seriously.

I understand that the changes that are being proposed here in Bill 65 to the Alberta evidence amendment act are a result of a fatality inquiry. I believe the recommendations were made back in 2016, and they relate to the death of a woman named Sharon Lewis. From what I can understand – and I appreciate that there appear to be a number of recommendations within this fatality inquiry, and there are some questions, I believe, that were raised by the Member for Edmonton-Glenora as to whether all the recommendations that were put forward in that inquiry report have been considered and implemented. By my brief sort of review of that inquiry's recommendations, it appears that many of those recommendations were directly to the hospital involved where Ms Lewis passed away.

Certainly, one of those recommendations was specifically on the Alberta Evidence Act to make sure that when fatality inquiries are doing their work and considering the documents and records before them, they have access to a full set of documents. In this case in particular, the hospital in question had done some quality assurance processes, and for reasons that I'm not entirely clear about, the records from those quality assurance processes were not actually available to the fatality inquiry. The purpose of this amendment is simply to make sure that when a fatality inquiry is being conducted, health system quality assurance committees can have access – or the facts from those assurance committees can be part of the fatality inquiry, and therefore the review would be more comprehensive. That I don't seem to have a concern with, Mr. Speaker.

However, there are questions – I am concerned – just as my colleague the Member for Edmonton-Gold Bar raised, about changes to the Crown's right of recovery amendment act that are part of Bill 65. In particular, while I believe the government news release tried to sort of characterize this as an intention to simply reduce red tape, what it does do is that it actually seems to allow the minister to waive penalties that may be imposed upon auto insurance companies who fail to provide the appropriate information about the premiums that have been paid, because a portion of premiums that are paid to insurance companies actually goes to the government. That reporting mechanism is important so government ensures that they get the right amount. Penalties can be imposed on auto insurance companies if they fail to provide the proper records.

Now, that would make sense. I mean, obviously, it's about accountability for dollars and public dollars, something we should all be interested in. So it's quite surprising that this government believes that that accountability is not necessary, that those penalties which can be imposed on auto insurance companies, who, I believe, if I'm correct, have had some very profitable years in the last few years, especially since the current government has lifted the cap on auto insurance which our government put in place, which was keeping insurance manageable and affordable for Albertans – one would think that we would want to continue to keep that as affordable for Albertans. One would think that a government would

want to ensure that, but that cap was lifted, and of course we know that many Albertans are paying skyrocketing auto insurance rates as a result.

8:30

This is not the first time we've seen, in this session alone, legislation being brought forward that would, primarily, solely financially benefit auto insurance companies, and that appears to be what this is about, too. It's giving the minister the ability to waive these penalties for auto insurance companies who fail to properly account for dollars that should be going to support the services and goods that the government of Alberta provides.

I don't know why this government does not seem to think accountability for public funds is an important thing. This is just a small example – that's probably why it snuck into this omnibus bill the way it is – but this is just one more example of how the government does not believe that certainly profitable corporations should be held accountable for public dollars.

I believe the minister has even been asked, you know: what are the parameters around which the minister would have the discretion to waive these penalties to auto insurance companies? Of course, when asked, I believe the minister said: oh, they'd be waived only in extraordinary circumstances. However, that's not what the bill says. We constantly see in this Assembly, Mr. Speaker, this dissonance between what is actually in the legislation that's brought forward by this government and what they say they're going to do with it, as if they can rely simply on saying, "Trust us" to the Alberta public. As I've said many times and I'm sure I will say many times again, trust is not something that many Albertans have in this government anymore.

When they say that the minister will only waive these penalties for profitable car insurance companies, auto insurance companies, you know, in extraordinary circumstances, well, they'd better put that in the legislation if they want Albertans to believe what they're saying. But that's not what's in Bill 65. I think a referral to the committee is important so that that matter can be considered. We can find out exactly what parameters should be in place to ensure: what are the circumstances under which waiving those penalties would be necessary, and does this bill reflect that intent? Right now it doesn't seem to.

On one more note, Mr. Speaker, I'd like to say that there is a change with respect to the ability of pharmacists, and these are changes to the Health Professions Act. It enables pharmacists and pharmacy technicians to continue offering professional pharmacy services supporting animal health. It allows pharmacists, essentially, to provide services to pets and herd animals, so to do that kind of work, which I don't believe until now pharmacists were able to do. I understand that this is meant to align with changes that were made to the Food and Drugs Act by the federal government.

We have seen some statements, I believe in the media, from – I'm going to get the name of the appropriate organization here – the Alberta College of Pharmacy about their support for this. But just a question, which I think, again, lends itself, as to why this should be referred to committee. I haven't heard any discussion about whether or not, for example, the Alberta Veterinary Medical Association supports this, that pharmacists will now be able to provide treatment to animals, to herd animals and pets, and whether or not they have been consulted. I think that would be an appropriate thing for the committee to consider if this matter is referred, as I suggest that it should be.

The last thing I have to say, Mr. Speaker, is that I'm going to go back to a comment that I made at the beginning, which is that it's really hard to understand, and I'm sure there are probably some Albertans out there who, if they're watching these proceedings right

now – hopefully, they were able to see this epic co-operation that just took place between the government and the opposition to pass Bill 71 in epic time. I'm very glad to see that co-operation and to see that kind of progress on something that is going to be so important for Albertans.

Maybe some of them are still watching, and they're wondering: you know, we are in critical economic and health circumstances in this province right now. The third wave is in full force right now. Hundreds of thousands of Alberta students are online right now. I know that many students in my riding who are students of Edmonton public and Edmonton Catholic will be going online tomorrow. We know that so many businesses are struggling right now, and we are certainly concerned about our economic recovery, so why are we talking about pharmacists being able to provide services to herd animals and pets? I'm not saying that these are not significant issues for those pharmacists – for sure it is – but right now I'm sure many pharmacists are pretty concerned about delivering vaccines as fast as they can and managing the wait-lists. I know I got my vaccine today, Mr. Speaker, and I was very pleased to do that and thrilled to do that. My kids were very excited. They think it gives me superpowers, and I feel kind of like it does. But pharmacists right now – the pharmacy I went to had a thousand people on a wait-list to get a vaccine.

It just seems to me, Mr. Speaker, that sometimes we talk in this House as if what's happening outside these walls isn't happening, and it is. We need to be meeting the moment that Albertans expect us to. Bringing forward this kind of omnibus legislation does not seem to meet the needs of most Albertans right now. The most pressing concerns on their minds are about the health care system and their economy and their jobs and paying for things like their child care. I mean, these are the issues that are facing Albertans, and it does not seem to be, if we look at the grand scope of this legislative agenda from this government right now, that this government is meeting that moment.

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

Mr. Nielsen: Well, thank you, Mr. Speaker. I'm always appreciative of the Member for Edmonton-Whitemud and the comments and thoughts that she always brings forward to this House, making very, very clear the types of things that as Members of the Legislative Assembly we have to consider when we're making decisions about legislation. I know there probably were some closing comments that she was looking to add to those. I would be very, very grateful if she'd be willing to continue to share those, because I need to be able to make an informed decision about this bill.

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

Ms Pancholi: Thank you, Mr. Speaker, and thank you to my colleague the Member for Edmonton-Decore. As I was saying, you know, I look at this Bill 65, and I simply don't know why a number of these provisions could not have been either addressed, first of all, in other previous omnibus legislation, which, once again, we were also often dealing with during the pandemic.

You know, this is multiple times we have been addressing the same pieces of legislation over and over again. The example I gave, the detail around the changes to the Alberta Evidence Act, came from recommendations that are already five years old. There's no reason these changes couldn't have been made when the Evidence Act was opened before. It just simply feels, Mr. Speaker, that the priorities of this government are off track.

To bring forward something, you know, the Health Statutes Amendment Act – and I think there would probably be many Albertans who would say: “Okay. Let me look at the title of that act, the Health Statutes Amendment Act. Well, we are in the middle of a pandemic. Maybe this is a reversal by this government of its fight with doctors. Maybe it’s an acknowledgement that we don’t need to be laying off 11,000 health care workers after the incredible work that they’ve been doing and that we rely on them every day to do. Maybe this is going to be a bill that’s going to address the rural health care crisis, the family doctors who are leaving in epic numbers around this province. Maybe this is going to reverse this government’s previous decisions around making privatized health care easier. Maybe that’s what this bill is about.”

But, instead, when they open up this bill, they’d say: “Oh, no. Of course, none of those things are a priority for this government to address.” Instead, they’re going to make the changes, they’re going to give some cushy deals to the insurance companies yet again, Mr. Speaker, benefits to them. They’re going to address and amend legislation that’s been opened multiple times before this House. It just doesn’t seem to be that this government understands the crisis that we’re in and the situation that we’re in. Instead, we see these middling kind of changes that either could be put off to another time and let this government focus on its priorities, which should be the health care system, which should be the recovery of our economy, or we could deal with them in miscellaneous statutes amendments and get them done with.

But, of course, again, we highlight, Mr. Speaker, that it feels like there’s some kind of race to pass as much paper – for a government that claims to hate red tape, they sure love to produce pages and pages and pages of legislation that don’t make a bit of difference to improving the quality of life for Albertans right now but do certainly seem to benefit a lot of big corporations.

Thank you, Mr. Speaker.

The Speaker: Hon. members, are there others wishing to provide a quick question or comment under Standing Order 29(2)(a)? The hon. Member for Edmonton-South has approximately a minute and 30 seconds remaining.

Mr. Dang: Thank you, Mr. Speaker. It’s always a pleasure to rise and speak and provide some comments to my hon. colleague from Edmonton-Whitemud. I think that it’s one of those things that we often talk about, in our caucus, at least – we have our lawyer caucus as a subgroup – and our lawyer caucus, while it sometimes may provide insight that is difficult for us as nonlawyers to comprehend, certainly is insightful upon deeper inspection.

8:40

I think that certainly, as we look at this referral and we look at the very complicated issues that are coming around on Bill 65, the changes that are being brought on really do have these very technical implications, right? I think they really do have these really difficult conversations that we need to have, which is why my colleague just before me here and, of course, so many others tonight have spoken about the fatality inquiry that was done, have spoken about the implications and recommendations of the fatality inquiry. I think that when we look at these changes, we see that this legislation simply is insufficient. We see that this legislation simply does not meet the standard we would normally expect from a government moving on these types of changes, that we would normally expect from our government when they are trying to navigate these complex issues.

During a pandemic, right now, it is very difficult for us to debate these types of issues, right? It is very difficult . . .

The Speaker: Hon. members, are there others wishing to join in the debate on REF1? The hon. Member for Edmonton-Riverview has the call.

Ms Sigurdson: Thank you very much, Mr. Speaker. It’s my pleasure to join debate on Bill 65, the Health Statutes Amendment Act, 2021. As my colleagues have already indicated, it is an omnibus bill. It has six pieces of legislation that it aims to amend: the Pharmacy and Drug Act, the Health Professions Act, the Alberta Evidence Act, the Crown’s Right of Recovery Act, the Mental Health Act, and the Health Facilities Act. Certainly, you know, I made the very difficult decision for me to actually become a politician because of a lot of concerns in the health system. As a social worker for 30 years I certainly had a front-row seat to see where there were gaps in services, where people were falling through those cracks, and where there is substantial work that is needed.

So when I see that, okay, they’re opening up the Mental Health Act and they’re going to be doing some, you know, positive amendments to that, which we know are sadly needed – and this is very timely because, of course, just this week I had quite a long conversation with a constituent who told me some of his challenges. Like, he’s the guardian of his brother, who has schizophrenia and who has lived at Alberta Hospital for seven years. He has a chronic condition that is not going to go away, and he is housed, as best he can be, in that facility. But every six months he and I think several other professionals – nurses, psychiatrists, social workers – must sort of recertify him again. He must always, you know, be able to qualify to be in that facility. But it doesn’t make sense to have to do it every six months, I mean, with the enormous cost with all the professionals involved. The Mental Health Act: if that’s being opened up, these are the kinds of things that need to be dealt with, not some minor amendments.

Certainly, you know, this fellow shared with me his upset, his angst, and also his fears about Alberta Hospital indeed being closed down and his brother being pushed out into the community. He knows that his condition is so severe that he just cannot manage. He’s afraid he’ll become homeless and that he’ll lose his life on the streets of Edmonton because he won’t have the supports he needs.

So if we are opening up the Mental Health Act, there are significant things that can be done to improve the services for our province instead of this minor amendment that has been put forward here. Even though this is the Health Statutes Amendment Act, you know, with all of these several different kinds of legislation that are being brought forward, it really seems to have missed the mark, Mr. Speaker. Things that Albertans are deeply concerned about and deeply need support for are not there.

I just want to bring up also other, you know, significant limitations within the services that are available in terms of mental health. Certainly, we know that over 1,100 people died from overdoses last year during the pandemic. That’s about three people dying every day, and in the first two months of this year four people have died a day. It’s actually increasing.

Services and supports are needed for people instead of reductions, which we’re getting from this government, like the lack of interest in a harm-reduction strategy, which is one of the key factors in making sure that people are kept safe. We know that this government is reticent to work at that model. They want to focus only on recovery, but we know that harm reduction saves lives.

We know that there’s the IOAT, the injectable opioid agonist treatment, program. They actually closed that program down. It was set to close at the end of the month. Then a court case was brought forward, and that is only when the government did move to say: okay, we’ll reinstate that program, but we’re not taking any new

clients. So the program has got strict parameters around it. There are other people who need that service and other people need harm reduction supports, and there's just not that care or interest from this government.

The Health Statutes Amendment Act, 2021, this referral motion: I mean, I think sending it to committee would help them more fully understand what really needs to happen with legislation here in our province, not some minor changes but actually some fundamental changes so Albertans can have the mental health supports they need.

We also know – and this is something that certainly has been in the media quite a bit. Oftentimes in rural Alberta and people who sort of live in the suburbs of maybe larger centres, they don't have access to safe consumption sites. We know that the drug supply is unreliable, and even though they are using, they don't want to die. They want to have supports. Last June the associate minister of health reached in and stopped a program that was ready to roll out to support people so that they could be safe. They could talk with somebody. They know when they used, and if they didn't respond at a certain time, then emergency services would be sent out to them, effectively saving lives. That program was stopped. A new one was just announced that's not actually in effect until June, and it's only being piloted in Calgary.

I mean, these are some significant limitations in our sort of mental health programs, in the services that we offer to Albertans, and certainly opening up the Mental Health Act is an opportunity for us to make sure that Albertans are getting the supports, having the proper policies so that they're well taken care of.

I also want to say that other aspects of the Health Statutes Amendment Act that this referral motion going to committee can support the committee members to look at is that we know, you know, oftentimes people who live on lower incomes – the usage of our health system is inversely correlated, right? So the lower your income, the higher usage of the health system, and we know that people in the highest income quintile use the health system the least. We know that if people live in good housing, people eat healthy food, fruits and vegetables, people are able to exercise regularly, do all these things that will create health, those are sort of some of the things that we need to have a healthy society. And guess what happens then? The health costs go down.

8:50

What I'm really talking about, Mr. Speaker, is the social determinants of health. This is what this committee in this referral motion should be looking at. They should be looking at how they can create policies, supports in Alberta for people to be able to have that kind of, you know, stable lifestyle, where they aren't experiencing these very adverse effects. Sometimes perhaps chief medical officers of health, for example, experts in health will give tips on what we can do actually to decrease the cost of health. What can we do to improve it? These are some examples, but it's not from an individual look; it's from sort of a larger systems look. We as politicians: that's where we play. We play in the macroenvironment, and it's up to us to make those overarching policies that actually help Albertans.

For example – these are to do with the social determinants of health – it says, first of all, don't be poor. If you're living in poverty, change your circumstances. Number two, don't have poor parents. That's not going to be good for your health. Three, live in a more equal society and supportive community. Okay, so this is where government comes in. They can create a healthier society, a society that's more equal, a society that's more fair, and with that, then we have better health outcomes. We know we're right in the middle of a pandemic, and that certainly has devastated our regular lives here

in Alberta. If the minister had looked at some of the concerns with mental health and could see what was really important to support Albertans, then this legislation would be much different than what we have before us today.

That's why it really needs to be referred to committee, so that they can look at: okay, how can we support Albertans to have better mental health? Certainly, as the critic for Seniors and Housing, you know, I have really deep concerns about how seniors aren't being supported during this pandemic. We know that the Minister of Seniors and Housing cut about \$2 million from grants to support seniors to age in their communities so that they would have those supports and be cared for well. Seniors need transportation support. Home maintenance: sometimes they need that kind of support. They may need housekeeping support. Home care, of course: that's another important health thing so that people can stay in their communities. That's where seniors want to be. They want to be aging in their communities. They don't want to move into a large facility. They'd like to stay where they've lived for many years, where they know their neighbours. This kind of support and legislation is really what the government should be bringing forward.

Sadly, that's not what we see before us today. We really see, you know, just very minor adjustments to the Mental Health Act when we're in a significant crisis in mental health with the opiate crisis in Alberta. I think I've said this many times before. On average three Albertans have died a day from COVID, but now four are dying from opiate overdoses. That is a significant concern. Certainly, we want to make sure that Albertans have the supports they need.

I guess just another big piece that I think is so important – and I sort of said it in these top tips for health from a social determinants of health perspective – is about income. Certainly, this legislation isn't even looking at that. That's another reason why it should be referred to committee. We know that in societies where there's greater income inequality, then you have greater health needs, there are greater social problems, all of those things. Governments have the tools to actually create fairness and justice. It's no magical solution; it's called progressive taxation. Fair corporate taxes, robust public programs that are universal in nature that support all Albertans: these are the things that are fundamental to creating equality in society. Unfortunately, this legislation speaks nothing of that, but this is what is needed in terms of people's health.

This is a Health Statutes Amendment Act, and the government should be moving on that. Instead, they're tinkering at the edges, just doing minor changes to the Mental Health Act when fundamental ones are needed. Certainly we know that in Alberta, we have the greatest income inequality of any province in Canada, and believe you, Mr. Speaker, this is nothing to be proud of. This is something to be very distressed about because that means that the gap between the rich and the poor is getting greater and, with that, more costly outcomes in terms of our health system and certainly more social distress. We know that when people can't afford housing, when people can't get good jobs, then they often have negative health outcomes that go along with that. Certainly during a pandemic is when we need affordable housing so that people can properly socially distance. Unfortunately, this government doesn't see fit to provide that.

We know that the rent supplement program was suspended over a year ago, and there's millions of dollars on the table with the federal government right now that is being ignored. Many people could use that money in their pockets to be able to pay for affordable housing.

The Speaker: Standing Order 29(2)(a) is available if anyone as a brief question or comment for the member. The hon. Member for Edmonton-Decore has the call.

Mr. Nielsen: Well, thank you, Mr. Speaker. You know, I'm always in awe with some of my colleagues, the different backgrounds that they have and the perspectives that they can bring to the table and, quite frankly, to this House for each and every member to be able to consider when looking at the legislation that's before us.

I did find it very, very interesting when she was talking about the different aspects of how, I guess, our situations in life can influence the directions that we take and the consequences, quite frankly, that Albertans can incur when essentially not being able to make decisions that they would really like to make in order to be able to have a healthy lifestyle, have a good lifestyle, be able to provide a good environment for their kids.

So I was hoping maybe with some of her experiences in her profession before coming to the Legislature, some of the things that she's seen where – when people are afforded these types of chances to make these decisions, what were some of the outcomes with that and maybe even some situations where not being able to make these decisions then negatively influenced them and thus even created more hardship for them. I was hoping that maybe she might be able to bring some perspective to that.

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

Ms Sigurdson: Thank you, Mr. Speaker, and thank you to my colleague from Edmonton-Decore for the question. You know, Bill 65, Health Statutes Amendment Act, certainly sort of gives the – the title, at least, talks about the health of Albertans. I would think any government, this government included, would want to make sure that the changes that they are making are helping Albertans, but I really feel like this legislation is really, I guess, perhaps poorly timed is a nice way of saying it.

You know, we are in the middle of a pandemic, and there are so many significant issues happening in our society that are just ignored by this legislation even though they're opening six important pieces of legislation. Certainly the committee that this is referred to could look at that and take a second go-around to see how this could be improved.

Certainly, as the member asked me, you know, there are certain things that governments can do that can really be game changers for people's lives. I have referred to some of them, but I'll just maybe start with housing. That's so fundamental. Certainly, when I was a social worker in child welfare, when I could support a family, often a single mom, to be able to have safe, appropriate housing for her children, her situation could be stabilized much more. She wasn't couch surfing perhaps, in a dangerous situation that may have caused her injury or caused difficulties for her children, that would cost the health system more. She could be in a safe place and care for her children and have the – I don't know – comfort, I suppose, and just the stability to be able to focus on caring for her children.

9:00

Oftentimes when people have stable housing, then they're able to get a job. When that job is stable, the children are stable in school. All of this has spiralling effects that create much more health for a family system. We know that there are so many – I mean, there's a human rights argument, of course, but there's also an economic argument to all of this. We know that when people don't have appropriate housing, then it can cost more in our justice systems, in our health systems, in our policing systems, again, besides the emotional cost.

Then, of course, you know, I've already talked extensively in my comments about very vulnerable Albertans who are losing their lives due to the opioid crisis in our province. Having a harm reduction model, having harm reduction services available to

people can save their lives. They don't want to die. I mean, people are in difficult circumstances, and they very much want to stay on this planet. But they need the support of government, and government should be providing that support to stabilize the situation.

The Speaker: Hon. members, are there others wishing to speak to the amendment? The hon. Member for St. Albert.

Ms Renaud: Thank you, Mr. Speaker. It's my pleasure to speak to the referral amendment for Bill 65, Health Statutes Amendment Act, 2021. I just want to echo a couple of things that my colleagues have highlighted this evening. You know, it is somewhat disappointing to see – I think that we can all agree that we have limited opportunities to debate legislation or for the government to bring forward legislation for us to debate. It's unfortunate that in the situation that we are in right now – we're in a pandemic, obviously, and we're in an economic crisis, the likes of which we've not seen for a very long time – this is what they're choosing to do again, to use this time to pass an omnibus bill. That certainly cleans up a number of problems, but I think it's important to note that these problems are of their own making.

I wanted to quote. There's a person on – I think we've all looked at social media at some time. There's a woman on Twitter. Her name is Lorian Hardcastle. She made a statement – I think it was about a week ago – that I actually remembered. I meant to write it down, so I had to go back and look for it. It really sort of sums up what I'm thinking tonight. She said, "The gov could have put forth a bill that . . . better prepared [us] for the next public . . . emergency and incorporates the lessons from covid." This bill, Bill 65, is not that. She is quite right – she is quite right – on a number of fronts.

Obviously, this bill, being, you know, an omnibus bill, does a number of things. It amends and fixes quite a few mistakes. It amends, makes some changes to the Pharmacy and Drug Act, the Health Professions Act, the Alberta Evidence Act, the Crown's Right of Recovery Act, the Mental Health Act, and the Health Facilities Act.

[Ms Glasgo in the chair]

I do want to touch on, first of all, the piece around the Alberta Evidence Act. As a few people have noted, one of the things that this piece of legislation does is that it addresses one of the recommendations. You've heard us talking about the fatality inquiry that was done. The person, actually, who died: her name was Sharon Grace Lewis. In the fatality inquiry that was done, there were actually eight recommendations, and the only recommendation that this piece of legislation addresses is recommendation 8. What I really want to point out, for those of you that haven't had a look at the fatality inquiry – I would suggest there's lots of time this evening – is that you have a look at it because there are seven other recommendations that I think are vitally important. I just wanted to touch on a few of those. I find it incredibly disappointing that the eighth one is really the only one that is addressed in this piece of legislation.

The first one was around developing – I can give you a brief overview. The woman died, actually, at the Royal Alexandra hospital. Certainly, she had a lot of struggles and issues. She was intoxicated. She died, actually, in the emergency bay, I believe. I believe she was even tied to a wheelchair.

Anyway, this first recommendation encourages the development of policy around assessment for people in custody while they're waiting for programs and being assessed for those programs. That is incredibly important given that if any of you have worked on the front lines or have worked in that sector at all, you understand how

patchworked our system is, that often it's difficult to refer someone to a program. It's very difficult sometimes to get someone in when you need them in quickly. At best, it's an oversubscribed program. Obviously, it makes sense to me why the government would not focus on recommendation 1, because that would entail them having to look a little deeper at what the problem is and where the investment needs to happen.

The second one, obviously, was around a reliable database on the Microsan misuse. That is the disinfectant, the sort of hand cleaner or sanitizer.

The third one, that I thought was really important, was around addiction education for all patient care units. Now, that would include – the report mentions not just emergency services, as you would imagine, or the security services, as they played a role in this, but it also included ICU, and it included all of the other units in an active treatment hospital.

Now, again, addiction education is a lot more than recognizing when there is an addiction or recognizing what an addiction looks like or how it presents. It is far more than that because it's understanding the problem, it's understanding where that problem comes from, and then it's understanding: where do you go next? What are the programs, what are the tools that we have at our disposal? Once again, I think what this says to me: with the government's refusal or failure to address these other recommendations but only look at this one as it results in accessing quality assurance records and proceedings and recommendations, they really failed to address, I think, what is the body of the fatality inquiry.

Again, it goes on to talk about another recommendation around accelerated discharge plans, more around education and the Mental Health Act, and again about discharge coding. I don't know if anyone in this Chamber has ever been involved in any discharge planning of any kind for someone with a mental health concern or a similar issue. It is actually a complex process. It is more than just, let's say, that after surgery you're released home and that, you know, you might be attached to home care so that they're doing perhaps wound care or you're getting a prescription sent somewhere. Discharge planning for people with pretty complex mental health issues or addiction problems is actually a form of treatment plan, and a successful discharge plan can really mean life or death for somebody.

While I appreciate the government's move to ensure that fatality inquiries have access to information from the health system's quality assurance committees that would support more comprehensive reviews and better recommendations, our question is on their failure to look a little deeper, instead of just on the surface of the fatality inquiry – of course, the fatality inquiry is important – to look at the substance. The substance of this particular fatality inquiry and the basis of these eight recommendations are based on a woman's life and her death and our failure as a society, a collective failure, if you will, to have the supports that people like this woman needed at that time.

I just wanted to say that about the Alberta Evidence Act. I think it was my colleague from Edmonton-Whitemud who said that there are so many things that we could be doing and changing and amending and making stronger, especially right now. We know there are so many problems, particularly as it relates to mental health, and that this is where we're focused is a missed opportunity, to me, and is actually quite sad.

9:10

You know, it's incredibly disappointing, actually, that during the time that we have seen – I think we have learned so many things in this last year. Well, it's more than a year now. In these last 14

months we've learned about where the weaknesses are in the different systems that we all have come to know far too intimately. We have learned what needs to be strengthened, and still at this late date we are seeing legislation that is not addressing the very real, very large, significant problems in front of us, and that, to me, is incredibly sad.

Some of the other things, as my colleagues have said, that this piece of legislation changes around the Health Professions Act would allow pharmacists and pharmacy technicians to treat herd animals. Now, far be it from me to diminish the role of pharmacy technicians and pharmacists to treat herd animals. I'm sure that it's essential for their health and well-being. I'm sure it is essential and will actually be positive for that particular profession, and that's great. I'm just saying that when you have a limited amount of time to make changes to legislation that impacts the lives of Albertans, you would think that the government would look at it and say: what would make the biggest difference for the largest number of people at this particular time in our history, at this particular time, when we are struggling with things that we have not in our lifetime experienced? But, no, this is where we're going.

[Mr. Milliken in the chair]

The other thing that this piece of legislation does around the Pharmacy and Drug Act: it modernizes the way that the Alberta College of Pharmacy oversees pharmacy operations and practices. Now, I understand that the amendments are supported, actually, by the college, which is great. I am glad that, you know, it looks like the government did do some homework and reached out to stakeholders, which is not their typical MO. It's surprising, but that's a good thing.

Another piece that this piece of legislation looks at is the Crown's Right of Recovery Act. There are two consequential amendments in this act. The first is that it adds a provision so that when the government joins an injured claimant's lawsuit that ultimately ends up being unsuccessful, the government is only responsible for paying the additional reasonable costs related directly to recovering the cost of health services provided to the injured claimant. Great.

Second, it removes an automatic fine for automobile insurers who fail to submit their annual premiums report to Treasury Board and Finance. Now, I thought it was a bit strange at first why this particular change would be in a Health Statutes Amendment Act, but it is because premiums collected and reported to Treasury Board and Finance are then used by the Ministry of Health to determine health premiums that are charged on auto insurance packages.

Now, what I would like to say is that it's all well and good that the government is choosing to make this change and alteration, but the first time that we're talking about changes related to insurance, as my colleague said earlier – what is incredible to me is that this is the first opportunity to address things in the insurance industry, and this is where they're going, Mr. Speaker, when we know that the vast majority of Albertans are not very happy because, on average, their premiums have gone up 25 per cent.

Now, over the last year, the last 14 months Alberta drivers have seen their rates skyrocket. They've seen them skyrocket at a time when they're not using their vehicles as much as they used to. Often they're parked. I think I heard someone say that it was, you know, a couple of thousand pounds paperweight. It was just sitting there. People are at home a lot more, and although there have been some alterations for some people, the vast majority of people are being forced to pay far higher rates. Now, that is because – we all know this – the government removed the cap that had been put on by the previous government, the NDP government, and now insurers are allowed to raise rates. That was removed last year.

Now, once again, this tells me – I mean, you don't have to be a rocket scientist to figure out whose side this government is on. Honestly, any time there is a change, the first thing that I always think of is: how is this going to benefit Albertans? When I ask myself that question and I look at the legislation and I dig a little deeper, typically it is not the vast majority of Albertans that will benefit. This piece of legislation, I think, is really some evidence about that.

You know, it's incredible to me that in a time that we're in – and I'm sure that we will look back on this one day and sort of shake our heads and try to remember what that was like. It was such a strange and difficult and challenging time, when so many people have died and so many people have gotten sick and so many people have lost their jobs. So many people have just lost so much in terms of their families, in terms of their regular lives at a time when we should be laser focused on doing everything that we can as legislators to make life better for every single Albertan. That is not what this legislation does.

This legislation, as I said earlier, is a mop-up job of some mistakes or some things that needed to be cleaned up, and then the one little attempt to meet some recommendations, I think, that are actually vitally important, as outlined in the fatality inquiry that I talked about: the government chose one – one – out of eight. One. It looks like the easiest one. I mean, I am not a lawyer. You know, I was not a part of this inquiry, but . . .

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-Highlands-Norwood has risen.

Member Irwin: Thank you, Mr. Speaker. I was very much enraptured by the comments of my colleague from St. Albert. You know, I was thinking about, actually, the comments as well from my colleague from Edmonton-Riverview. My colleague from Edmonton-Riverview spoke a lot about the opportunity, perhaps, that this government had with this legislation, particularly in the area of mental health. That's something – when I have a moment to talk to this bill, I'm going to dig in deeply. That member talked about the need for investments in harm reduction and in housing and how these superficial housekeeping changes aren't what's needed. What's needed are investments. Because I know that my colleagues from St. Albert and Edmonton-Riverview have a lot of overlap in their files when we're talking about supports for folks who are marginalized and investments in housing and mental health and harm reduction and all the things, I just wondered if she maybe wanted to speak to that piece a little bit or anything, really.

The Acting Speaker: The hon. Member for St. Albert.

Ms Renaud: Thank you, Mr. Speaker. Yeah. As it relates to this piece of legislation, Bill 65, this omnibus bill, I mean, one of the things that I think was so alarming about – the fact that this government chose to only pick one recommendation out of this fatality inquiry almost feels like they didn't pay attention to the rest of it, and the rest of it paints a picture of some of the problems that we have. We know that substance abuse is a killer. It is a huge problem. We do not invest enough money in all types of programs, not just residential programs but harm reduction.

But even more than that, we don't support people to actually live with dignity. We don't support people financially so that they can actually live above the poverty line and afford a place to live that allows them just a modicum of dignity, to buy food properly. I mean, you have the vast majority of people on income support – now, let's be straight up here. People that are living on income support are poor. They are the poorest of the poor. They live on core

benefits that are under \$900 a month. These are often people that have struggled with employment, many of which are related to substance abuse problems. These are people that are living in poverty. They can't find homes to rent that are affordable, that aren't infested, that are accessible. That is just the state – that is just the state – of poverty in the big cities and in small communities. It's not just the big cities.

9:20

So when I see a fatality inquiry like this, that is such a clear example of what happens when somebody falls through a crack as big as the Grand Canyon – and that's what happened to this woman. It's a tragedy. There are eight significant recommendations to make the system a little stronger and a little more responsive, and this government chose one, one simple one, to check off a box, to say: "Yeah. Look at us. We did it. Omnibus bill. We're going to meet a recommendation of a fatality inquiry." It's an easy one because the more complex ones deal with the complex problems of substance abuse, of poverty. And of all the issues that are described in the inquiry report, it's very clear – because the Royal Alexandra hospital is an inner-city hospital, they do see examples of this every day, I'm sure.

I would encourage the members who are, you know, doing whatever tonight to take a few minutes and read the inquiry yourself – it's only about 26 pages – and then ask yourself: why is it that you are on the side of a government that chose to focus their attention in an omnibus bill on this particular recommendation and fails to address the other ones? The other ones are more complex, and the other ones force you to look deeper, and the other ones force you to address problems that this government has demonstrated time and again they will not address properly. I would just say: "Government members, you don't have to vote the way you're told. You don't have to do the things you're told to do. You have a voice." I would suggest that the government members maybe use that voice and try to influence your government, your leaders to do the right thing.

The Acting Speaker: Thank you, hon. member.

I see the hon. Member for Edmonton-Decore has risen to join debate.

Mr. Nielsen: Well, thank you, Mr. Speaker. Appreciate the opportunity this evening to rise, add some, I guess, additional comments to Bill 65, the Health Statutes Amendment Act, 2021, and, of course, speak more specifically to the referral amendment, which says that we need to send this to the Committee on Families and Communities. You know, I have to always say that the perspective that my colleagues here in the Official Opposition always bring to the House each and every day, I think, really helps us as legislators to potentially bring forward legislation that will help Albertans. All we have to do is listen.

Some of the opening comments that I heard in the debate this evening, of course, were around the number of changes that we're seeing in Bill 65, which is, you know, six pieces of legislation that are being changed, which is, as we know, omnibus legislation. Now, I have to admit, Mr. Speaker, that I'm consistently getting very frustrated on this topic because I distinctly remember that members of the government bench, members of the government caucus who served in the 29th Legislature got up and furiously opposed what they thought was omnibus legislation. I'm specifically talking about the changes to labour legislation that were proposed back then.

So if we're looking at Bill 65 and the number of changes this will make and you have that level of opposition to omnibus legislation, why are you presenting this as omnibus legislation? You know, this

is not the first piece that we're seeing like this, Mr. Speaker, so I can only conclude that that was never actually a belief that they held to begin with. They were simply opposing for the sake of opposing. I think that just on those grounds alone we should send it to committee, to find out if indeed omnibus legislation is supported as a means of bringing forward legislation. Certainly, like I said, in the 29th that was just unacceptable, and that was only one ministry, not necessarily multiple ministries.

But there is very good reason, I think, besides that to look at exercising the referral amendment to Families and Communities because there are questions in Bill 65 that need to have answers, and the only way we're going to be able to explore that properly is, through the committee, to be able to hear from stakeholders, to be able to hear from the public, to be able to hear from experts either why this is good or, in essence, if it is bad, how we can change it to maybe, well, potentially make it less bad, as members opposite used to love to say.

I mean, even the title itself, health statutes amendment – as my friend from Edmonton-Gold Bar had initially pointed out at the beginning, we have changes to automobile insurers. How is that related to health? We're in the middle of a pandemic. We're trying to get vaccines to everybody. We're trying to figure out ways to support front-line workers. We're trying to keep kids in schools. But, hey, you know what? Let's give insurance companies a break filing papers late. I don't know. Maybe we should all ask the Ethics Commissioner: hey, if I file my disclosure late, can you give me a break on my penalty? I'm betting the answer will be no.

Nonetheless – fine – let's explore this. Why is it, then, that we would need to waive these penalties? What are the reasons? When I look here in Bill 65 on page 3, under the Crown's Right of Recovery Act, I don't see anything with regard to that. It reminds me of my times, you know, back in my old profession. I would constantly have not only battles with other employers but even my own employer around that whole aspect of: well, it's an emergency. Mr. Speaker, an emergency would be a fire, an emergency would be a flood, an emergency would be an earthquake. Yet nobody was ever willing to actually put that on paper. I'm kind of seeing the same things here with Bill 65, so let's go to committee. Let's explore either why you're excluding it – and if there's a very good reason, I'm willing to accept that. I suspect not, because this simply tends to be a way to just come up with excuses to not be able to have to do things.

In a time, like some of my colleagues have mentioned, where Albertans are seeing significant increases in their insurance premiums, sometimes even decreases in the amount of coverage that they're getting because the premium is so high – they're trying to find ways to save money because other legislation that we've seen come forward in this House has made their lives considerably more difficult, has made their lives considerably more expensive. Throw a pandemic on top of even that – yet we're going to cut some slack here. I'm curious to know. Again, if we send this to committee, it'd be a fantastic place to be able to answer these questions, something that, as some of my colleagues had mentioned, members of the government benches, members of the government caucus in the 29th Legislature were adamant about doing, sending legislation to a committee to be looked at, to be studied, to consult stakeholders, time and time and time again. Now all of a sudden it's not a good idea, potentially. Which is it?

But let's find out, by waiving these late filing penalties for auto insurers, how that's going to benefit Albertans. I would love to have the auto insurance companies say: "You know what? With this change the Member for Edmonton-Decore and his constituents will see lower premiums." So far all I've seen is our premiums going up time and time again. You know, why remove, I guess, those

incentives to not file late? I'm curious: what's going to be the time frame that's going to be acceptable? I don't see that prescribed as: "Well, you're late by a week. We're going to waive the fees. Oh, no; you're late by a month. We're going to waive the fees. You're late by 10 months. Yeah, we'll waive the fees." What's the limit? What's the line that's being set, that once it's crossed it's: yeah, sorry; no waivers for you. Because I'm not seeing those types of things prescribed in Bill 65. Maybe through the committee we explore how maybe industry itself says: well, yeah, there is a time cut-off here. That's reasonable. That's expected.

9:30

It kind of reminds me of the recent changes I saw around the employment standards, allowing employers to not record hours daily – that's in Bill 62 – which on the surface looks okay, but the problem is that there's nothing beyond that, so if an employer does it just once a year, does it every year like that on the same date, technically that's regular. It's all about the language or, in this case, the lack of language. So what is going to be acceptable around that?

I know there were significant concerns around the fatality inquiries, and some of the recommendations were there. You know, if there's information that the government can table at the committee by referring to it, we'll be able to examine that and see if that is indeed reflected within Bill 65. That's not necessary – did the legislation reflect what you've heard? I have to say, Mr. Speaker, I've heard the government say over and over again on various pieces of legislation that have come forward in this House: oh, we consulted; we consulted thoroughly. Okay. Where's the information? "Oh, we consulted thoroughly." I guess that same challenge stands. If you consulted thoroughly, you have the information to present, so present it and shut me up and sit me down.

With these exchanges here, I have to admit, you know, there are a couple, I guess, minor changes. My friends from Edmonton-Riverview and St. Albert talked very thoroughly, I guess, about the lost opportunities. Changing things like the Mental Health Act, for instance, and what could have been done. Maybe if we send this to committee like the referral motion is saying, we would get an opportunity to look at that and say: here's a great chance to add these in here. Maybe it's not necessarily something that's big in terms of legislation but could be big for people across the province.

I think about that story that my friend from Edmonton-Riverview was talking about, every six months having to go through everything again just to be able to stay in the facility that's helping. Almost sounds a little bit like red tape. Maybe we should send the red tape minister after that. Quite honestly then, with what I'm kind of hearing about two of the changes that are made around the Mental Health Act and Health Facilities Act just kind of through minor housekeeping, I'm surprised it didn't get handed down to the minister of red tape, because that always seems to be what's been happening, 10 and a half million dollars being spent on hand-me-downs from other ministries. I'm a little surprised that maybe he didn't get a chance to present these things. It sounds like there's an opportunity for the minister to maybe reduce some red tape in that area.

Let's send it to committee. Let's get some stakeholders in to talk about the opportunities that lie there. The Associate Minister of Red Tape Reduction can come in, listen to those, go back and get some real tangible action done. Maybe we won't have to have six-month intervals with which to constantly have to re-apply.

That almost sounds like, you know, the story I heard from a constituent once who served in our military. Unfortunately, he lost a leg during that service. Every single year he has to fill out paperwork to say: yeah; the leg hasn't grown back. I mean, when

you have Albertans that require our help and our support and we know full well that's not the case, that it's going to change, then let's make it easier for them.

There are opportunities there, if we can send this to committee, to be able to explore those things. Then all of a sudden you'll have a piece of legislation that's going to be very, very powerful and very meaningful to Albertans because it will actually help them and change their lives for the better. That's supposedly what we've been sent here to do, not make their auto insurance more expensive and let the auto insurance company off the hook because they can't file their paperwork on time. It's funny because I have a feeling that if there's paperwork that I have to file to my auto insurance upon request, they're not going to accept if I file it late. They'll probably just cancel my policy. I think we have a chance here.

I want to look a little bit here at the Alberta Evidence Act. Why is it that we're willing to make these kinds of changes? I'm not necessarily saying that that's a bad thing, you know, providing more information so that a proper judicial decision can be made.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. I see the hon. Associate Minister of Mental Health and Addictions has risen.

Mr. Luan: Thank you, Mr. Speaker. You know, by listening to some of the members opposite talking about their comments on this amendment act and also raising a number of issues related to Alberta's current mental health status and some of the current legislation that we have, I can't help but want to stand up and educate those members. Seems to me that they were talking about something so abstract; there was very little specific information.

I'd like to address the House on two points to have everybody see the facts here. The first is about what this amendment is all about. It's really about balancing the power of the Minister of Health so that he doesn't have the previous power that, through a government order, can replace the legislation process. The second one is giving people a choice for taking vaccination as their decision versus a mandatory one. But the opposition keep bringing up other issues like the Mental Health Act and the mental health sort of need.

I'd like to have this chance to give the House an update on where we're at. In Alberta, with this new government, we have committed unprecedented dollars, 140 million new dollars, to improve the mental health and addiction system in Alberta. It is this new government that created an office, which I am very privileged to be the first one taking on the responsibility for, to advance the cause and address the rising needs of mental health and addictions in Alberta.

With that \$140 million we have committed to increase 4,000 treatment spaces. This is a significant change from where, before we took office, people were waiting weeks and months to get into treatment, and they were congregated on streets and other places. They were unable to get out of the addiction cycle. With our government we have set a very strong focus that we're going to focus on recovery-oriented continuing care. We're laser focused. When we get involved helping Albertans, our purpose is to help them get well, get out of addiction, and get into treatment.

9:40

This is a sharp contrast to the system that we inherited from the previous government. They had so many different broken pieces, and each program service existed on its own without a vision, without a focus. People in the field are saying – I happen to be a social worker that has worked in this part of the field for many years – that the system is so complicated and so difficult to understand, it takes a degree to figure out how to navigate that system. That is a

clear indication of how the previous system failed Albertans miserably.

But we have, since we took office, put that focus towards developing this recovery-oriented continuing care. We cover all the way from prevention, intervention treatment, and posttreatment recovery support. We're gaining notice across the country, that the so-called Alberta model is one that is cutting edge, is making remarkable, remarkable changes in the system. In fact, in the coming Council of the Federation symposium this year in the coming weeks, the Council of the Federation dedicated this year's symposium focus to mental health and addiction, and the Alberta model will be very well, you know, demonstrated and described there. I believe I'm already getting phone calls from my counterparts from Ontario, Manitoba, Saskatchewan. They are really interested to see the development. The Alberta model is shaping and leading the country.

Folks, let me correct the record. When we have a system working, when we have robust regulation, the Mental Health Act in place, there's no need to really . . .

The Acting Speaker: Thank you, hon. associate minister.

Members to join debate? I see the hon. Member for Edmonton-Highlands-Norwood has risen.

Member Irwin: Thank you, Mr. Speaker. I thank the associate minister for his thoughts as well. I'm very much looking forward to commenting on some of that shortly. It is, of course, an honour to rise and speak to Bill 65, the Health Statutes Amendment Act, 2021. You know, I want to start my comments by just, as I said earlier, kind of framing this in the broader discussion about health care. Again, this government has had – and I feel like a broken record at times although now that's reminding me that I said "broken record" not too long ago, and somebody said that young people nowadays might not get that reference. As someone who doesn't yet qualify for a vaccine, I feel like if I get it then I'm sure that most people in this Chamber get it. Anyway, I digress.

I was saying that I may feel like a broken record in the sense that I've multiple times stood in this House and, you know, reminded this government that they've had the opportunity on so many occasions to make real, positive change in the midst of a pandemic. I've stood here multiple times and said that this is a real opportunity to examine the systems around us, to examine the gaps not just in health care but in social services, in the safety net that we offer folks, particularly marginalized folks, and they failed to do so.

I mean, we saw earlier tonight one of the first examples of this government taking one of our recommendations seriously, and that was with the passing of Bill 71. Don't get me wrong. I'm absolutely elated that this government was willing to accept that suggestion, led by our leader and by the Member for Edmonton-Mill Woods. As that same Member for Edmonton-Mill Woods commented earlier, this is really critical, especially for essential workers and folks who shouldn't have to choose between getting a vaccination and potentially being reprimanded or facing issues at their workplace.

I can't help but think – I mean, this move is being applauded by folks all across this province. You know, I'm not here to lecture this government although, I guess, maybe I am, but think about the number of times in opposition here that we have proposed amendments to bills, not just amendments like the amendment we're on right now, a referral, but well-considered amendments that would have improved pieces of legislation. In this session I don't even know how many amendments have been accepted. Maybe one? I could even be being generous with that.

I still remember that it was eye-opening for me in our first term, you know, just after being elected in April 2019, presenting multiple amendments, introducing multiple amendments on Bill 8 – that was one of the big, first pieces of legislation that I was fairly intimately involved with – and seeing just amendment after amendment that had been based on consultation, that had been based on evidence, and were well thought out, for those to all be denied by this government.

I guess I start my comments by noting that Bill 71 could be a turning point for this government if they were willing to listen more. You know, I think about the number of times in this House where the Premier and others have said that we're being divisive and said various things, and in so many cases we're not being divisive; we're being propositional. We're opposing pieces of legislation, we're opposing actions by this government because we know that they can do better, because we know that there are alternatives, but they're not willing to listen.

I guess, you know, maybe I'm feeling hopeful. I'm seeing all my – I almost said “elderly” – elderly friends getting vaccinated. I don't mean that. [interjections] There you go. I'm seeing – how do I say it? – my older . . .

Ms Pancholi: Yes. Just older.

Member Irwin: My older. Okay. Thank you.

. . . friends being vaccinated, and maybe there's some hope and a spring in my step that perhaps this again is a turning point and we will see more of this collaboration from this government. I still have my youthful optimism, you can see.

Let me get back to Bill 65 and get to some of my specific concerns. Again, I was talking about how just on health care generally, you know, we've seen a pattern from this government where they've not been willing to – instead of taking the necessary steps to really improve public health care in this province, they've chosen to attack it, and we saw that with attacks on doctors. We saw that on cuts to rural health care and health care workers. The list goes on. Again I just want to echo the comment earlier that this government had an opportunity with every piece of legislation to really make tangible, significant changes, especially when it comes to health care, especially because we are in the midst of a pandemic. Like I said earlier, that should compel us to make perhaps broader, more substantive changes, but they're not doing that. Instead, they've got pieces of legislation like this one.

Now, I want to build on, I guess, a few pieces that are really relevant to me as the MLA for Edmonton-Highlands-Norwood. My colleague from Edmonton-Riverview gave a really good overview of the fact that, you know, the Mental Health Act – and I want to build a little bit as well on what the associate minister talked about. He talks about, oh, gosh, how his government is taking these issues seriously and previous governments have failed and whatnot and that their approach to folks struggling with mental health and addictions is one of recovery.

9:50

I asked that minister and this government to talk, maybe not to talk, to analyze the data that we're seeing. You know, we've urged this government many, many times to take an evidence-based approach to mental health and to addictions. Of course, we talk about harm reduction, which has become a bit of a dirty word with this government. Let's look at the latest numbers just from a story released yesterday. “Overdose deaths continued to spike in Alberta during the first two months of 2021, with 228 opioid-related fatalities – a 153 per cent increase compared to January and February [of] last year.” And this also shows that “the majority of

opioid overdose deaths took place in Calgary and Edmonton,” in the largest cities, “with 70 and 72 fatalities respectively” in those two cities. So you can see the vast majority taking place in those cities. These numbers – these numbers – “follow Alberta's deadliest year on record,” which was last year, “with 1,316 drug-related deaths,” over 1,100 of which were opioid linked.

You know, I'm not sharing these numbers to be sensational. These are the facts. These are the numbers we're seeing. We're seeing, of course, due to the pandemic, so many issues being exacerbated. We know that the illicit drug market has been fractured. We know that folks have been using in isolation. We know that there is limited access to services, yet we're not seeing tangible action from this government. And I can tell you that these are not just numbers. These are human beings. These are the lives of people who had stories and who had so much to contribute.

You know, I'm certain he has, but I'd love to encourage him again if he hasn't, to take some time – I'm speaking through you, of course, Mr. Speaker, to the associate minister – to perhaps take a walk through some of the neighbourhoods that I represent: Boyle Street, McCauley. I shared this the other day, that I had just been out with two organizations that are doing really cool, on-the-ground work, necessary work because of gaps in services not provided by this government: Bear Clan Patrol and Water Warriors. I went out with Water Warriors last Thursday, in fact, and basically what they do, if you don't know about the work that they do, is they take a harm reduction approach. They're all equipped with naloxone kits, and everybody is trained. I've been trained on that. If you haven't been trained, I encourage you to do so.

They hand out supplies to folks in need, and the need is through the roof, the need for food, for water, for clothes. They have multiple carts full of food and water. They also have a truck that's full of clothing and shoes and whatnot. Oh, my goodness, the number of people we saw last Thursday – it was a nice evening, admittedly – who didn't even have shoes. One lady had one shoe, and I said, “Oh, you don't have two shoes, do you?” and she said, “No, no.” So we went through and we tried to – she had really wide feet, though, and it was really hard to find her shoes that would fit her. And the number of folks we encountered who were struggling with mental health and addictions.

I see this every day. You know, I see it every day in our neighbourhoods. We know that it's not getting any better. The numbers are clear. Again, it's not just in the inner city that I represent, of course. I'm just using my own personal experience. We know that it's in small communities as well. Absolutely. But we need evidence-based solutions.

And what are the experts, people on the front lines, asking for? They're asking for things like safe supply. They're asking for things like investment in harm reduction, right? Yet this government is so ideological. I'm concerned, you know. I don't want this to be a we-told-you-so sort of thing. I don't want to have this conversation with this minister a year from now, same time next year, and show that: oh, look, numbers are through the roof again. I want to be wrong, absolutely. But I'm fearful that without investments in harm reduction, without concrete investments in mental health – this means hiring more workers, this means giving more supports to those front-line organizations.

When I was out with the crew the other night, last Thursday, we started at the parking lot of Rogers Place. Of course, if anyone has been there, the juxtaposition between Rogers Place – I have to admit that that's just outside my riding, across the street, essentially. It's my colleague from Edmonton-City Centre's riding. The juxtaposition of Rogers Place, that beautiful facility, with Boyle Street Community Services right behind it and the number of folks outside Boyle Street Community Services looking for services.

Anyways, we went to those two places. Then we went over to beautiful Edmonton-Highlands-Norwood and stopped at the Bissell Centre, stopped at Hope Mission and George Spady Centre. Again, that was a nice night, but throughout the winter any night you could go, in minus 30, outside Hope Mission and see a large crowd of folks outside George Spady, outside of Bissell Centre, along the LRT line, anywhere in those areas.

You know, I share all this because we need more than just housekeeping changes to the Mental Health Act. We need concrete action from this government, and I want to believe that we're going to see that minister and this government removing . . .

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. I see that the hon. Minister of Justice and Solicitor General has risen.

Mr. Madu: Thank you, Mr. Speaker. I rise to just provide a brief response to, you know, what we have heard tonight with respect to Bill 65, the Health Statutes Amendment Act, 2021. I just quickly wanted to remind the members of this Assembly what Bill 65 is really all about because oftentimes when we are in debate, listening to the members opposite commenting and speaking on the bill before us, you would think that in theory all of their comments are centred or focused on the actual content of the bill before us. I'd like to think that the members opposite mean well when they rise to speak on this bill, but, again, I don't want our fellow citizens listening from home or wherever they may be at this point in time to be misled about Bill 65.

First and foremost, this bill amends six pieces of legislation, beginning with the Pharmacy and Drug Act, that would clarify the accountability requirements of all pharmacy ownership models to increase compliance with legislation, regulations, and licensing, helping to ensure that the pharmacist system continues to operate safely. Amongst other things it would also remove the requirement for physical facilities, pharmacy areas, and dispensing areas from regulations to standards of practice, to be more responsive to changing patient needs and evolving practices of pharmacies.

The second piece of legislation, Mr. Speaker, is the Health Professions Act. This particular piece of amendment will enable pharmacists and pharmacy technicians to continue to provide professional pharmacy services supporting animal health, providing Albertans who raise or own animals with additional options to access pharmacist services for their animals. Amongst other things, the need to give pharmacists explicit authority to provide services to animals has been prompted by changes made to the Food and Drugs Act by the federal government. That's what, essentially, that particular amendment to the Health Professions Act seeks to do with respect to pharmacy.

10:00

The third piece of legislation, which is a piece of legislation that I am responsible for as the Minister of Justice, but for which the particular subsection, matching 9(2), is the responsibility of the Minister of Health although the entire piece of the Evidence Act is Justice's responsibility. That amendment would provide judges at fatality inquires with access to facts from health system quality assurance committees to support more comprehensive reviews, discussions, and effective recommendations. This is pursuant to a recommendation by a justice of the Court of Queen's Bench sitting in a fatality inquiry. Again, we are implementing the recommendations made by the justice of the Court of Queen's Bench, that this is how we can improve our systems.

The fourth piece of legislation is the Crown's Right of Recovery Act. It limits government cost exposure to a reasonable amount

directly related to its right to recover health care costs when it participates in an injured claimant's ultimately unsuccessful lawsuit.

Amongst other things, for the fifth legislation, the Mental Health Act, it makes very minor housekeeping amendments to correct section references, revises overly broad wording regarding retention forms to be more specific to what Alberta Health Services can report, deletes unproclaimed sections of the Mental Health Amendment Act, 2020.

Finally, Mr. Speaker, for the Health Facilities Act it makes minor housekeeping amendments, including removing outdated references to local welfare officers since such positions no longer exist. Amongst other things, finally, it retains reference to part 5 in the act, that the government maintains authority for historical cases that arise such as class-action lawsuits.

Mr. Speaker, this is what this law is all about.

With that, I move that we adjourn debate.

The Acting Speaker: We are under 29(2)(a), therefore we can't adjourn debate in that manner.

However, I see the hon. Member for Calgary-West and government whip.

Mr. Ellis: Well, thank you very much, Mr. Speaker. I'd like to echo the last words of the hon. minister there, and I move to adjourn debate.

[Motion to adjourn debate carried]

Bill 66 Public Health Amendment Act, 2021

Mr. Dach moved that the motion for second reading of Bill 66, Public Health Amendment Act, 2021, be amended by deleting all of the words after "that" and substituting the following:

Bill 66, Public Health Amendment Act, 2021, be not now read a second time but that it be read a second time this day six months hence.

[Adjourned debate on the amendment April 20: Mr. Schow]

The Acting Speaker: Are there any hon. members looking to join debate?

For clarity, I believe we are on hoist amendment 1, so HA1.

I see the hon. Member for Edmonton-Gold Bar has risen.

Mr. Schmidt: Thank you, Mr. Speaker. I'm pleased to rise and offer a few comments on the amendment that is before the House with respect to Bill 66 this evening. I think that it's important for me to clarify that even though I'm speaking in favour of this hoist amendment, there are a number of things in Bill 66 that I think are positive steps forward with respect to public health legislation in the province of Alberta.

Now, first of all, the bill – a lot of the comments that I will offer tonight are based on work by Shaun Fluker and Lorian Hardcastle, who are some hard-working lawyers at the University of Calgary. They run a fabulous law blog called ablawg.ca, and they provide a lot insightful analysis on legislation. I'm disappointed in the name. I personally would've preferred it if they'd called it Bob Loblaw law blog, but, you know, there are so many missed opportunities in this world, and the lawyers at the University of Calgary certainly had missed one there. But I digress.

Shaun Fluker and Lorian Hardcastle have written extensively and very insightfully about the status of public health legislation in the province of Alberta since the pandemic has struck this province and a public health emergency was declared last year. I think it's worth

all MLA's time to read their writings, and, certainly, if they can't, then I'm happy to provide some of the highlights on their opinion on Bill 66.

Certainly, Bill 66 proposes to improve health legislation by explicitly confirming the authority for general law-making. It broadens the wording of section 29(2) to explicitly authorize the chief medical officer of health to prohibit a class of persons from attending school or work or having contact with others. So that's important, Mr. Speaker, because the current wording of the legislation makes it unclear as to whether or not the chief medical officer of health had that authority, and I think it's important that the public health legislation clarify that.

Now, it's interesting, the authors of the blog note that these changes to allow a chief medical officer of health to prohibit a class of persons from attending school or work were changed in other jurisdictions, notably Ontario, way back in 2003, when that province was hit hard by the SARS outbreak that year. And I think it should concern all Albertans that it's been 13 months since the initial public health emergency was declared in this province, and we are only now getting around to addressing an issue of the chief medical officer of health's authority that was addressed by other jurisdictions in this country 18 years ago.

I think there are many Albertans who are wondering why this government has done such a poor job of responding to the COVID pandemic, and we see in this legislation some hint as to why. They refuse to learn the lessons that other jurisdictions have learned from previous infectious disease outbreaks. In fact, if the government had been paying attention 18 years ago, we probably wouldn't be standing here today debating this measure in the legislation.

Related to that, of course, the bill provides clarification that the chief medical officer of health can "in writing exempt a person or class of persons from the application of" public health orders, and I think that that is also a common-sense change to the legislation that is well overdue. One of the things that I would like to see, though, in this legislation is some kind of publication to the general public of the exemptions and applications of public health measures that the chief medical officer of health makes. We found out some time last week on social media that AHS had provided exemptions to a rodeo to continue to carry out their event. They were exempted from whatever public health orders were in place that would have prevented that from happening.

Now, I have nothing against rodeo, Mr. Speaker, and even though it's not yet the official sport of Alberta, I recognize that it is important to a great number of people in this province. But it's interesting to me that Alberta Health Services would issue an exemption for a rodeo and that the public of Alberta would find out through back channels of social media. I think it's only fair that if the chief medical officer of health has these powers to prohibit classes of persons from attending school or work or these other kinds of events and also the power of exempting classes of persons from these kinds of public health measures, that all Albertans have the opportunity to see what prohibitions and exemptions to those prohibitions are being made and have some rationale attached to those, publicly.

10:10

Maybe it was in the public interest to allow this rodeo event to occur. Maybe it wasn't. We don't know. All we found out was that Alberta Health Services issued them an exemption with no explanation and with very little public scrutiny. I think this is one of the reasons, Mr. Speaker, that we should vote in favour of this hoist, because I don't think these measures with respect to the powers of the chief medical officer of health's ability to issue prohibitions and exemptions go far enough in terms of public transparency.

Now, one of the things that this bill clarifies, which is incredibly interesting to me, is the fact that the chief medical officer of health has the power to enact laws of general application under this act. It's astounding to me, Mr. Speaker, that we are actually considering this legislation, that strengthens the chief medical officer of health's ability to enact laws of general application, when for the past 13 months the Premier and the Minister of Health and the chief medical officer of health herself have asserted that the chief medical officer of health does not have these powers to enact laws of general application.

Every time they've been questioned on what role the chief medical officer of health plays in creating and enforcing public health measures, they've all claimed that she's only an adviser. In fact, due to the significant failure of this Premier and this Minister of Health and everybody else in Executive Council to effectively address the COVID-19 pandemic, there has been a public outcry demanding that the chief medical officer of health assert her authority given to her by the Public Health Act to enact laws of general application, and she has also refused to do so.

I don't envy the Premier or the Minister of Health or the chief medical officer of health their positions during this pandemic. The weight of responsibility that they bear in this situation, I think, would be a tremendous burden. But I think that burden must be made even greater with the knowledge that you could have enacted a law of general application that could have saved lives and prevented significant numbers of illnesses and refused to do so and maintained this charade that you were only an adviser to the Premier and to the Minister of Health.

It boggles my mind that the public message that we've heard time and again is that the chief medical officer of health is only an adviser and that it is properly the role of the Premier and the Minister of Health and cabinet to enact the public health measures. Then we see these changes that strengthen and reinforce the chief medical officer of health's power to enact laws of general application. I would think that given all of that messaging that we've heard over the last 13 months, we would have seen some amendments to the Public Health Act that would have actually reinforced the message that the chief medical officer of health is an adviser and taken away her powers to make laws of general application, but that's not, in fact, what we've seen.

I think for that reason alone we should vote in favour of this hoist because there's incredible dissonance between what the government says that it does when it comes to managing the COVID pandemic or mismanaging the COVID pandemic, more accurately, and what the law says that it can do and who can do what in these situations. I think it's only proper that we vote in favour of this hoist and allow the government to go back to the drawing board and come up with legislation that at least matches with the public messaging that they've been giving the people of Alberta over the last year and a bit.

Or, in the alternative, Mr. Speaker, I would encourage the Premier and the Minister of Health to talk openly about the powers that they've given the chief medical officer of health and the next time that they provide COVID-19 pandemic updates to the people of Alberta, once this law is passed, if it's passed, tell people the straight truth, that the chief medical officer of health does have the power to make laws of general application and that she is much more than just an adviser to cabinet on this matter because the confusion about who is actually in charge right now has been one of the contributing factors to the disaster that COVID-19 has been to the people of Alberta. I think it's right at this time to vote in favour of this hoist amendment and give the government the opportunity to rethink its position on the power that the chief

medical officer of health has in these kinds of public health emergencies.

Now, one of the things that this bill also does is that it repeals controversial provisions in the act that provide ministers with extraordinary law-making powers to amend or create legislation at will. We saw early on in the pandemic the disaster that was created when we gave the minister of the environment the power to make legislation as he saw fit without even coming to the floor of the Legislature for those changes. In the early days of the pandemic the minister of the environment issued a ministerial order under the powers given to him by the Public Health Act to close a whole bunch of parks and public land-use zones.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available, and I see the hon. Minister of Justice and Solicitor General has risen.

Mr. Madu: Thank you, Mr. Speaker. I just wanted to quickly rise to offer some response to comments made by the Member for Edmonton-Gold Bar with respect to this hoist amendment on Bill 66. Again, the whole essence of debate on specific bills before the floor of the House is to really debate the substance of the bill before us. I understand we come from different walks of life, different experiences, different lenses with which we look at things, but in this Assembly we are called upon to actually transact the people's business, and the people's business would require that we focus specifically on the bill before us. That's how, you know, our citizens get to know that indeed we are representing their interests.

Bill 66 is a product of the work of the Select Special Public Health Act Review Committee. That committee heard from experts – that committee heard from Albertans; more than 600 Albertans wrote to that committee – from the chief medical officer of health's office, experts from Alberta Health Services, the Department of Health, and other civil liberties organizations. They all had opportunity to weigh in on this bill, and that committee was set up as a consequence of the concerns that we heard from the people of Alberta, our people, around, essentially, Bill 10.

10:20

That committee then, at the conclusion of their hearings, produced a report, a report that included the majority report and the minority report, authored by the members opposite. It is important to note that at the heart of the recommendations of the members opposite who sat on that particular committee and authored that minority report was essentially, you know, four key recommendations, amongst the rest being background information. Number one, a recommendation to repeal Bill 10. This Bill 66 has taken care of the specific concerns raised by the people of Alberta with respect to Bill 10. That matter is reflected in Bill 66. Listening to the members opposite, you would think that that's not true.

Then the rest of the recommendations in the minority report have nothing to do with the concerns of Albertans with respect to Bill 10 that led to that committee. Number one: recognize the importance of universal public health care. That's their number one recommendation. Number two recommendation: a motion to legislate duties of government to deal with the opioid crisis. Number four: to set up the office of the chief medical officer of health to be independent in a way that it reports to the Legislature. The members opposite would want us, in the midst of a pandemic, to begin to play politics with the office of the chief medical officer of health. In the midst of a pandemic.

This hoist amendment would say: push it forward to six months; don't do anything. These are the members that were almost lighting their hair on fire because of Bill 10: we must do something. Now

that we have brought forward a bill to actually solve that problem, all of a sudden they've changed their tone: "Oh, no, no, no, no, no; don't do it. Wait until the next six months. Don't solve the people's problems. We are no longer interested in what Albertans think. That's no longer our concern. Let's focus on these three things that we want that have nothing to do with the concerns of the people." Oftentimes that is the distraction that we see from the members opposite. I hope that Albertans who are tuning in tonight and paying close attention to Bill 66 and the arguments and the comments from the members opposite will know that this is all theatre.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. minister.

I see the hon. Member for Edmonton-Riverview has risen to debate HA1.

Ms Sigurdson: Thank you very much, Mr. Speaker. It's my pleasure to join the debate on the hoist amendment for Bill 66 so that it not now be read a second time and, rather, be postponed for six months. Although this bill does sort of fix some mistakes – and let's face it; there were some pretty significant overreaches by the government early in the pandemic. They have certainly publicly said that they did have an overreach and they did make a mistake. That's regarding Bill 10. This is meant to mitigate some of the, I guess, troubles that that bill that was passed in extremely quick order – like, it was just in 48 hours the bill was passed. It was introduced on March 31, 2020, and it was pushed through the Assembly in 48 hours. This government at that time certainly felt that they needed to have these extraordinary powers, these powers that actually contradict what our Constitution in Canada says, but the government was adamant at that time. Despite, certainly, the very loud concerns of the Official Opposition and continually voting against Bill 10 at every level, at every reading, this bill was passed, and it was pushed through.

You know, all of us know that there was considerable outcry, really, in Alberta. A lot of the, I would say, folks who are part of the UCP themselves were very angry with this bill and the decisions that the government made at that time. Certainly, it was described in the media as one of the most significant examples of executive power overreach in Canadian history. Although we were in a pandemic and we want to make sure that governments do have the power to bring forward health measures, the things that they need, this bill kind of went a bridge too far. There was a lot of backlash, and the government certainly heard loud and clear, I think, that this legislation should not go ahead.

Just for further evidence of that, in section 92 of the Constitution it lays out the exclusive powers of provincial Legislatures, and there's no constitutional basis to assign new lawmaking authority to individual ministers. Of course, this is what Bill 10 did. Bill 10 did say that an individual minister, behind closed doors, without the oversight of the Legislature, certainly no one in the Official Opposition, could write a complete bill, and it would not have to pass this Chamber. Therefore, it could be done in silence. I'm quite proud of Albertans, that they stood up and said: no, this is not okay. This is an example, I think, where the government did listen. I think that that is a good thing, and I commend them for that, but certainly, it was a mistake they made. Bill 66 is meant to fix that, but I think that there's some significant missings in, you know, the bill that's supposed to fix it, and that's why we put forward this hoist amendment, so that it not now be read a second time.

[Ms Glasgo in the chair]

Certainly, it was just a little bit over a month after Bill 10 was introduced and, like I said, 48 hours after it was passed that the

Premier at that time admitted: okay; perhaps we have gone too far on this one, and this is a mistake. So then the government put forward Motion 23 to create the committee to review the government's response to the COVID pandemic as well as reviewing changes brought in through Bill 10. This committee that was created through this motion had four months to do a review.

Their first meeting was back on June 24, 2020. At that time the Official Opposition put forward several motions to invite experts to come to present to the committee, but the majority on that committee voted each of those down. They put forward suggestions on focuses of the committee like: how can we look at the legislation before us that is of concern? Certainly, the government did set up this committee so that they would be reviewing what had gone wrong previously. You know, the committee was keen to get at it. It was important work. It was good the government had acknowledged the mistake they made in this legislation. But that's kind of where it all fell off the rails, unfortunately, Madam Speaker. You know, the committee had a majority of UCP MLAs on it, and in that first meeting they created a subcommittee that met off the record to determine the committee's work.

10:30

This was a concern because, certainly, we as the Official Opposition had gotten involved with this committee in good faith. The government had admitted their mistake. There was concern about the response to COVID and certainly the review of the Public Health Act. Like, how could we as Albertans work together collectively, as we have earlier tonight, as we did earlier tonight, when we passed legislation that the minister of labour brought forward so that Albertans can have, you know, three hours off without being afraid of being fired, losing pay, so that they can get their vaccination? I think that that's a really positive collective decision that we made here tonight, and I'm proud to have been able to vote on that and be part of that.

In the creation of this committee we were hoping, of course, that the same thing would be true, but unfortunately in the very first meeting there was this subcommittee created that, really, met off the record and determined the committee's work, so the Official Opposition really had no influence on that. As I said previously, with all the motions to invite experts that we thought were, you know, key to being part of it – they were not allowed to come; they were not invited.

[Mr. Milliken in the chair]

Certainly, the parameters that we saw, because it was supposed to be – certainly, the Minister of Health even talked about how important this committee is and that it is about looking at the Public Health Act plus Bill 10 and how we can best serve Albertans, so it was disheartening for us to see that that was going to be tightly controlled by the government. It really wasn't, you know, sincerely being engaged in, and it was really just sort of perhaps a political decision to say: "We struck a committee. We're dealing with it. Don't worry, Alberta. We heard you. There's a problem. We admitted to the problem, but now we're going to control it, and we're not going to be really fair, open, transparent about the whole process."

You know, this kind of flies in the face of some of the things that the Minister of Health said at the time, indicating that he was looking forward to a comprehensive review of the Public Health Act and the government overreach of Bill 10, reviewing the government response to COVID. Like, he said publicly – I have a quote here – that, yes, absolutely, this is what the committee is going to be looking at. Yet that was all tightly controlled, and that

did not actually happen despite some of the comments made by the Minister of Health in public.

Many Albertans will remember this. Dr. Hinshaw, of course, the chief medical officer of health, did attend that committee once, and a motion was put forward to have her attend again. It was passed, but then later, in a subsequent meeting, the UCP caucus voted that down.

Again, it was very tightly controlled as to who could come and speak to the committee and how that was controlled. There were only four experts that were heard from. There was no review of the pandemic. That is certainly, you know, a much smaller mandate than what was understood originally, and certainly from the comments of the Minister of Health it was kind of surprising that there wasn't a more robust use of that committee process.

There were also, you know, significant delays. I mean, there was only a four-month period of this work, but oftentimes there'd be, like, three weeks between a committee meeting and then another delay again. Again, each time the UCP used their majority to control what went on in that meeting. Again, I spoke about that subcommittee that really controlled the parameters of what went on. Even though there had been a second invitation given to the chief medical officer of health, that was rescinded subsequently at another meeting. So the control got tighter and tighter and tighter regarding this committee.

Certainly, you know, there were hundreds of Albertans who wrote in to the committee to express their concerns about this overreach of government that, of course, Bill 10 had shown, about this sort of really flagrant flaunting of constitutional rule, and also just concerned about the COVID-19 pandemic, the Public Health Act, how Albertans are being served during this very difficult time. That's why I am, you know, submitting to this House that we pass this hoist amendment so that this bill is not now read a second time and is postponed, because there is still a significant amount that needs to be reviewed in this bill.

Certainly, there is a report that has been given by this committee that was struck from the motion the Premier put forward, but many of the recommendations of the Official Opposition were ignored. One of the recommendations was on just the importance of public care and improving health outcomes, equal access to health care services. You know, it was supposed to be a review of the Public Health Act. This is kind of fundamental to health care. We want to make sure that all Albertans regardless of position, regardless of income, regardless of where they live all have equal access to health care and that they have supports so that they have fundamental rights to health care in our province. Of course, this was voted down by the members of the committee, so that was not part of the report that came forward and certainly is not part of this bill at all.

Another part of the Official Opposition recommendations was regarding the opioid crisis, which, of course, as the critic for Mental Health and Addictions I've spoken about many times in this Chamber. We wanted to make sure as the Official Opposition that, through the Public Health Act, the government had the powers and duties to ensure that people were supported that were experiencing addiction issues.

I'll say it again, Mr. Speaker. We definitely have a pandemic, a COVID-19 pandemic, but we also have, you know, an epidemic in terms of our opioid crisis here in our province, and it is heart breaking. Recent research that's come out is saying that four people a day – four people a day – are dying from opioid overdoses. This is definitely a huge crisis, so one of the things that the Official Opposition caucus put forward . . .

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available, and the hon. member who caught my eye was the hon. Minister of Justice and Solicitor General.

Mr. Madu: Thank you, Mr. Speaker. You know, we are dealing with important matters of public interest, so it is critically important that at every opportunity that we have, we set the record straight and that folks, again, who are watching from home focus their attention on the actual business before this particular Assembly.

I just wanted to quickly respond to, you know, the Member for Edmonton-Riverview. In her commentary in support of the hoist amendment, again, the thrust of her submission was that we should not approve this Bill 66 to move forward but instead to postpone it for the next six months.

10:40

You know, on a bill that seeks to address the concerns of Albertans, on an issue that led more than 600 Albertans to write in to the Select Special Public Health Act Review Committee, and in a committee in which the members from the NDP included their former Minister of Health, the Member for Edmonton-Glenora, and included the critic on the Health file, the Member for Edmonton-City Centre, amongst other members, they had the opportunity in their report to lay out what it is that they are recommending in a manner that addresses the concerns that led to the set-up of the committee in the first place.

That committee was set up pursuant to Motion 23, that was voted on before the floor of this Assembly, in which members on the opposite side had the opportunity to weigh in. We all spoke to why that committee was being set up. The record will show that, in totality, it sought to address the concerns arising from Bill 10 and the concerns that had been flagged for us by the citizens of Alberta. The Member for Edmonton-Riverview would want us to believe that those concerns are no longer necessary. Just to be clear, this bill, Bill 66, if passed by this Assembly, would amongst other things repeal sections of Bill 10, the Public Health (Emergency Powers) Amendment Act, 2020, that authorizes a minister to modify legislation by order. Once again, the members opposite accused members on this side of the aisle and the Minister of Health of being dictatorial, of seeking maximum power to alter legislation by ministerial order. This bill seeks to address that, and all of a sudden the members opposite no longer want that.

Number two, this bill will affirm the right of individuals who are maintaining their ability to respond to public health challenges. It will remove unnecessary powers to order immunization or conscription, something we heard clearly from Albertans that they did not want – by the way, a provision that was part of the Public Health Act dating back to 1910, the 1900s – something that this government was not responsible for but which the people of Alberta in 2020 raised concerns about. This bill will address that concern raised by the people of Alberta. This bill will improve transparency with clear checks and balances on authorities. It would require publishing orders that apply to the public health of the public or groups. It would protect the right of patients with infectious diseases who are containing the spread of disease. It would require periodic review to keep the act current, Mr. Speaker.

Thank you.

The Acting Speaker: Thank you, hon. minister.

I see the hon. Member for St. Albert has risen on hoist amendment HA1.

Ms Renaud: Thank you. It's my pleasure to rise and speak to the hoist amendment, and interestingly, following the Minister of Justice, maybe I can set the record straight for him. Through you,

Mr. Speaker, we've not said yes or no. We're talking about a hoist amendment, which means giving us a bit more time to do some other things. What we're doing here tonight is called debate, so we're talking about the pieces that we think are good – there aren't that many – we're talking about the pieces that we have concerns about, and we're talking about the pieces that we think could be strengthened. I think it's a bit much for the minister to stand up and attempt to lecture us for something he's attributing to us when he has no idea about how we're going to vote. I suggest he pay attention to the debate.

Anyway, what we're talking about is some of the things that this bill does. It undoes some of the damage that was done earlier during the pandemic. We know that Bill 10, which was the Public Health (Emergency Powers) Amendment Act, 2020, really was essentially thought to be unconstitutional. I think we all tried to understand at the time where that came from, that there was genuine fear – I'm going to attribute genuine fear to the government, that they genuinely believed that the Legislature could not meet safely. Clearly, that was a mistake. I'm going to give them a little bit of latitude. None of us knew what was happening or what was going to unfold, what was going to happen at the time, but I think that Albertans as well as members of the opposition knew very clearly, very quickly that this was a gross overreach.

Then, you know, we also heard the minister – I think he announced in October that the government would repeal, and we know that that was done because of the pressure of potential lawsuits or the lawsuit that was filed. We know that the Alberta Court of Queen's Bench judge dismissed that court action. Anyway, we know that this bill isn't about promoting public health. It's mostly, once again, about cleaning up political messes of the UCP government. Now, we're pleased that it reverses the gross, Bill 10 power grab, which prompted the lawsuit, as I mentioned, and somewhat of a party rebellion last year.

We're also pleased that it implements some of the amendments, that the minister mentioned, that we put forward during the last iteration of the public health amendment act, Bill 10, and that government and all members of the government caucus voted against, I would like to point out. Our amendment stated that in a democracy it's incumbent on a government to make public health orders public. Now, in the digital world – I think that one of my colleagues already spoke about this – I think that we've all become accustomed very quickly to quickly going to our computers or our smart phones to find out what's going on, what the information is. Unfortunately, we have seen a real lapse or a gap between what the government is saying, whether it's at a podium, whether it's the Premier or a minister saying, "You know, as of today this is the new rule; this is how we're going to go forward; this is what we're going to do" – yet we were not seeing those orders in real time digitally for all Albertans to clearly access to understand what was going on. That was not a good idea, and that is something that really needs to be changed.

One of the things that I want to talk about that perhaps we haven't spent too much time on yet is the proposal to recover enforcement costs which is in Bill 66. Now an individual or an organization who is found in violation of a public health order and is fined as a consequence will be subject to significant additional costs. Now, that's all well and good. I certainly wasn't at the technical briefing, Mr. Speaker, but I understand that questions were raised at a technical briefing using a real-time example, and I believe that was GraceLife church. I think all of us have seen over the course of the pandemic that one example, that is a real glaring example, of an organization that chose to defy public health orders. We all saw it on video of it, we saw it on social media, we saw it on the news, and then we saw all of the things that were happening as a result.

Now, I'm not going to comment on that organization's choice to do what they did, and I'm not going to comment on law enforcement's reaction to that, but what I am going to comment on is that I believe that this government has set a very poor example for organizations to follow. I would like to give you a few examples, Mr. Speaker. We know that very early on, when we had the World Health Organization, we had leaders in Canada, in the United States, you know, all of the things they were telling us, yet in this very Chamber we had the Premier of Alberta referring to it as influenza. Now, those words, those messages mean a lot, and by downplaying the severity of something that would go on to take the lives of hundreds and hundreds of thousands of people all over the world – to have a Premier refer to it as influenza sends a very negative message.

10:50

The other things that have happened. We're all well aware of, you know, the COVID 18 from the government side, that have elected to sign on to a letter to really downplay what is going on in this province, really, what is going in this country and around the world. Again, we see recently a member, the member for Airdrie, talking about vaccines, really downplaying the importance of vaccines . . .

Member Irwin: Do your own research.

Ms Renaud: Do your own research.

. . . instead of relying on science, actual science, actual facts. Do your own research. That's not a good look.

The reason that I'm bringing these things up is that, you know, it is one thing to enact legislation to add more teeth or the ability to do the things that this piece of legislation will do, but it's quite another to set up a scenario where you even need something like this. We have a government that has – the leader of this province, I mean, the Premier of this province, I believe, has taken steps to downplay the severity of this virus. I think that in the future it's really important to think about the messages.

Mr. Rutherford: Point of order.

The Acting Speaker: A point of order has been raised.

Point of Order

Allegations against a Member

Mr. Rutherford: Sorry, Mr. Speaker. On 23(h), (i), and (j), I don't think at any time the Premier has downplayed the severity of this pandemic. That's a false . . . [interjections] Perfect. He has not downplayed it, and I think she should retract that comment.

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

Mr. Dang: Thank you, Mr. Speaker. I think that certainly we've seen the Premier even in this place recently call the pandemic an influenza pandemic or refer to COVID-19 as influenza, which we know it is not. Certainly, however, as you can see through this very thoughtful discussion between myself and the Member for Leduc-Beaumont here, this is obviously a matter of debate and not a point of order.

Thank you.

The Acting Speaker: Thank you, hon. members.

I'm prepared to order that I would find that this is not, at this stage, a point of order; it is a matter of debate.

I would ask that the hon. Member for St. Albert please continue, with seven and a half minutes remaining.

Debate Continued

Ms Renaud: Thank you, Mr. Speaker. As I was saying, I was talking about the government giving itself the authority to bill for the costs associated with the enforcement. Now, I am certainly not, you know, making a straight line between the words that have been spoken in this place by the Premier or the actions of the COVID 18. I am not drawing a direct line between what organizations like GraceLife church are choosing to do. However, I am saying that setting that tone, sending that message is dangerous.

In any event, this piece of legislation, again, as I said, is giving the government the authority to bill for costs associated with that enforcement: costs of police, public health officers, their time, use of equipment, et cetera. I know that my colleagues in previous debates have asked for answers, more information about what that will look like. What will the range be? We know that the current fine range can be anywhere from, say, \$1,000 to \$500,000, so what does that look like? What would this potentially look like for organizations? The government is proposing to give themselves the power to recover the costs from individuals and organizations for enforcing public health orders. That is a good thing in their opinion, that they're having to recoup these costs. For example, in addition to paying a fine for breaking the public health orders, individuals can get billed for the cost to even generate that fine.

I talked a little bit about, you know, the example of GraceLife, which is very unfortunate. Here is my question. I know that I have had conversations with people about the situation with GraceLife, and I would be very interested to know what the cost of that enforcement is. I'm very curious about even the rallies that we've seen. We've seen them in Edmonton. We've seen them in Calgary. We could probably spend some time talking about the other really sort of harmful elements that have gotten wrapped up with these rallies, whatever they're called – freedom, antimask, antilockdown – whatever rallies they are.

Again I bring up these examples because I think that it is incumbent on the government to set a good example about the severity and seriousness of the virus. Now, I think that they have done a far better job lately to recognize the dangers, but in the early times of this virus, when we were all still learning what it meant for us, what it meant for our lives, we saw a continuation of this government downplaying it by the use of their words, which is very strange when you think about Bill 10. On the one hand, you had leaders from the government side standing up and using words like influenza and then introducing a bill that is essentially unconstitutional to give themselves all kinds of powers to pass legislation without consultation, without a sunset clause, because they were so concerned about the inability of the Legislature to meet safely. You know, the two things don't make a lot of sense. They don't really – anyway, I won't go there.

While I agree that – you know, I am actually pleased to see that this government finally listened to the hundreds, I would suggest thousands, of Albertans that have written in and talked about the very real concerns they had about Bill 10, not to mention the government friends who were prepared to take them to court, who were prepared to publicly distance themselves from this government. I am happy that they realized that. It is unfortunate, however, that it took that much pressure for them to do that.

The other thing that this legislation does: it removes all sections in the act that authorize a minister to modify legislation or create new legislation by ministerial order and at the sole discretion of the minister. Basically, essentially, they have entirely repealed Bill 10.

It makes sense. That's a good thing. The legislation then went a step further and took away all ministerial discretion that existed before Bill 10. Officials argue that the pandemic has shown that the Legislature can meet if needed, so the sections weren't needed. It removes powers to order – okay. I'm going to stop there.

[The Speaker in the chair]

The other piece in Bill 66 talks about mandatory immunization and/or conscription. You know, I'm not going to get into that too much. All I'm going to say about immunization tonight – I probably don't have much time at all left – is just to encourage every single person to go ahead and get immunized.

Obviously, there are some pieces that make sense, that are a cleanup job. I don't know. It codifies in law that the chief medical officer of health must be a doctor. Absolutely makes sense. It allows for the possibility that physical absence from employment could be mitigated by working remotely. Absolutely makes sense. This legislation adds obvious language that is generally accepted practice already or reflects the current world circumstances. It makes sense. I understand that there are some things that we couldn't have possibly known at the onset of this pandemic.

Finally, I do want to say a little bit more about Bill 10. The minister talked a lot about the fact that there was a committee established and there was a majority report and a minority report and talked about some of the things that were recommended, but I think it's important to note that not all of the recommendations that were made by that committee are included in this piece of legislation. In fact, there are some things that are included in this legislation that I don't think anyone even talked about. Nobody thought it was important.

You know, this is sort of a theme with this government. I think back to just – not that long ago we were talking about Bill 65. Now we're talking about Bill 66, and although there are some pieces, I think, that are timely and important, it seems like we're constantly having to come back here and just clean up and fix things that were done poorly. At the time we were telling the government: "This is done poorly. You need to stop. You need to fix this."

11:00

The Speaker: Standing Order 29(2)(a) is available if anyone has a brief question or comment. Apologies, I'm not entirely sure how the breakdown of 29(2)(a) has happened over the past couple of hours, but the hon. Minister of Service Alberta did catch my eye first.

Mr. Glubish: Well, thank you, Mr. Speaker. I wanted to just maybe address a couple of things that the Member for St. Albert addressed in her comments, for starters, particularly comments accusing the Premier of downplaying the severity of the pandemic. One of her allegations is that he called it simply influenza. What I'd like to point out to the member is what's on the Alberta government website. That identifies what an influenza pandemic is or a worldwide flu, which is what "occurs when a new strain of influenza virus emerges and spreads quickly around the world. People have little or no natural immunity, so large numbers of people may become ill. [These] pandemics may occur three to four times each century."

You know, we can look at the information that is on this website, which highlights that an influenza pandemic is a technical term. It is the correct term, and it goes to highlight that there were a number of these in the last century. There was the Spanish influenza. There were a couple of others, one in the '50s, one in the '60s, and then more recently there was the H1N1 pandemic in 2009. What I'm trying to point out here is that the Premier never just called this

simply a flu. He was pointing out the technical term, that this is a pandemic, that this is an influenza-based pandemic similar to the others that the world has seen in the last hundred years.

What other evidence can I offer, Mr. Speaker, that the Premier was not downplaying this pandemic? Well, when all of the talking heads and all in the medical community were dithering over whether PPE and masks would make a difference or be useful in this pandemic, the Premier was pointing to the fact that in a number of Asia Pacific countries that have historically had stronger responses in dealing with these kinds of diseases – he pointed out that those countries have a much higher interest in using masks and PPE with the broader population, so he suggested: "Hey, you know what? We should probably consider using this."

That is partly why Alberta led the country in terms of acquiring PPE far in advance of any other jurisdiction, so much so, Mr. Speaker, that when other provinces were failing to supply sufficient amounts of PPE to their health care systems, Alberta was there to help them and supply them with the excess we had procured. This is because of the leadership of our Premier, it's because of the leadership of our Health minister, and it's because of the diligent effort of our health officials, who acknowledged and understood how important the risk of this pandemic was and took action early on. That is why Alberta was a leader in the country and was able to support other jurisdictions.

I'll maybe also just point out a couple of other things that could also support the fact that we have taken action to do better than other jurisdictions in the country. Let's look at Ontario, for example. There's a great column by Lorne Gunter that came out yesterday, that highlights a sharp contrast of the fact that in Ontario – when you look at the hospitalization rates, Alberta is doing way better. When you look at the rate of ICU utilization, Alberta is doing way better. When you look at the rate of deaths, Alberta is performing stronger. If you look at the seven-day average of deaths comparing Ontario to Alberta, even after adjusting for population differences between the provinces, in Alberta we are roughly two times lower. That is because we did a better job of how we rolled out vaccines to long-term care homes and to the elderly, most at-risk populations. Quite frankly, Mr. Speaker, thanks to the leadership of our Premier, thanks to the leadership of our Health minister, and thanks to the diligent work and expertise of our health officials, we did better than other provinces, and the numbers don't lie. The numbers support that. The evidence is in the numbers.

For the member opposite to be insinuating that the Premier is downplaying or has downplayed the risk and severity of this pandemic is laughable. I'm proud of the work that we have done. I am confident that once the vaccines have been rolled out, once all Albertans are protected, and once we see where we land relative to other jurisdictions across Canada and around the world, Alberta will be seen as having performed better than those other jurisdictions because of leadership and because of the competent work of our diligent, hard-working health officials. I'm proud of that track record, and I'll stand behind it.

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

I see the hon. Member for Edmonton-Decore has risen to add to the debate.

Mr. Nielsen: Thank you, Mr. Speaker. I appreciate the opportunity this evening to add some comments. Maybe one of the first comments that I will add is that there's at least over 2,000 Alberta families that would disagree with the assessment from the Minister of Service Alberta on the Premier's response and handling.

When I look at Bill 66 and, of course, more specifically, amendment HA1 that's before us, to hit the pause button on this bill, there are two things that I want to focus in on around Bill 66. One, of course, is Bill 10, and the other is some changes that are very, very clear are new amendments that are being proposed. It's been interesting as I've seen over the course of the 30th Legislature that this government tends to put almost diametrically opposing legislation together in the same bill, so you end up having to face the decision of, "Well, do I vote against this thing and vote for this thing?" or vice versa, and, "Which one is going to be the least worse thing that I can do?"

Based on some of the comments that I heard from the Minister of Justice about the opposition wanting to stall the removal of Bill 10, I would say: why has the government taken so long to repeal Bill 10? You've taken too long. You could've brought in a stand-alone piece of legislation. We probably could've passed it in – I don't know – half hour like we just did with Bill 71, because it was very, very clear from the start.

I remember in the debate, Mr. Speaker – and I can't remember exactly what the wording was, but it was somewhere along the line of, in the legislation: if in the opinion of the minister it's in the best interest of Albertans, they can amend legislation, they can create new legislation, and they can delete current legislation. I warned right from the hop that that language was a problem because that's what I do. I get hung up on these things. I look for what could go sideways in the language being presented sometimes, and that was so obvious that it wasn't even funny. Now, I'm very happy that the government has finally come around and said, maybe not specifically "the Member for Edmonton-Decore", but: yeah, you were right; that wasn't a great idea, and we need to get rid of that. I'm pleased about that because that was such an overreach. Unbelievable. Yeah, it certainly has to go.

Now, here we come with the problem because also contained in Bill 66, which are now the reason why we have to hit the pause button, are all these changes. Now, I'm not necessarily saying that they could be a bad thing. I don't understand what the implications could be just yet – okay? – but they're clearly ideas that did not come out of the committee that was formed to look at this. Where did these ideas come from? The public certainly didn't bring them forward. There weren't necessarily organizations that brought them forward. The committee didn't even add anything in their report about that, and they've just showed up here in Bill 66.

11:10

Here we have, you know – and I guess maybe I should go through a little bit of it here – the ability for government and AHS to recover the costs of enforcing public health orders. Now, there are some in this province that would likely suggest the government has done nothing to enforce public health orders up until maybe just recently. That's probably a debate for another time. There's a proposal now to recover enforcement costs on an individual or an organization who is found in violation of a public health order and is fined as a consequence. They will be the subject to a significant additional cost. What are those costs? Have you determined what they are? Why didn't you put it in Bill 66? Here I am wondering: what are the implications of the lack of language being included?

It's also the government giving itself the authority to bill them for all the associated costs: costs for police, public health officers, their time, their use of equipment, or what? What are you proposing? Nothing. It's not a surprise that as the Official Opposition, we're proposing to push the pause button on Bill 66 and say: maybe we need to explore this just a little bit. I believe the favourite term that members of the government bench, members of the government caucus who served in the 29th Legislature used to

always point out was the unintended consequences. You always used to say: we're here to help; we're here to help the government avoid unintended consequences. Okay. I'm here to help avoid any unintended consequences. You can do that by pushing the pause button.

Maybe we could entertain, then, an amendment and separate out repealing Bill 10. We could always look at that and pause on everything else. Perhaps then, as some of my colleagues have suggested over the course of the evening, maybe if we hadn't have pushed Bill 10 through in 48 hours, we would have avoided all of this and, of course, all of the, you know, potential lawsuits that were lining up at the door shortly afterwards. Oh, my gosh. It almost seems like they were starting to take numbers before the bill even passed. That should have been the clue to hit the pause button at the time.

So it is a significant change in approach. Again, I'm not necessarily suggesting that it might be bad, but I also don't know if it might be good. If we push the pause button here, we get a chance to explore these things. Perhaps the government might want to suggest, if it is so concerned about Bill 10 that it seems it took so long to get to this point about repealing – certainly could have brought in a stand-alone piece of legislation. I'd be willing to bet the opposition would have helped out in passing that and removing that. Give us the opportunity to look deeper into what this is doing. I remember there were several times, Mr. Speaker, in the 29th Legislature that members opposite wanted to carve things up all the time. "Well, let's just pull this piece out, and we'll vote on that. We'll help you right now, here and now." Maybe there are some things to look at around that.

I am wondering about some of the cost implications around this. What kind of projections have the government come up with around that? It sounds like, if you're going to be adding all of these costs, maybe you should be up front with Albertans about what it might cost them if they're breaking public health orders. But, of course, then that also comes doubling back to saying: well, then, if the current deterrents you have are not doing it, maybe you should look at changing those before going here. I don't know if that has been thought about just yet, Mr. Speaker. Maybe we should be exploring that, yet just another reason to push the pause button.

I know my friend from Edmonton-Gold Bar brought up some very, very good points with the chief medical officer of health. Maybe it's time we just simply solved what can and can't be done. You know, I'm constantly seeing mixed messages coming. It's no wonder people don't know what's the right thing to do, what's the wrong thing to do, what's the safe thing to do, what's the unsafe thing to do. They're getting mixed messages. Legislation that says that the chief medical officer can do this, but then, at one point in time: well, I'm just an adviser. Which is it? We're constantly getting conflicting information about what's going on, so it's no wonder that people are having a hard time deciding what's best to do, what's safe to do, not only their family members but their neighbours.

I am curious, though, as a member of the private members' committee. We do have a private member's bill that has now come back before the House talking about being more transparent by government on what it's doing when it's spending Albertans' money and accounting for those things. You know, Mr. Speaker, you know me. I would never presuppose the decision of the House, but should that bill proceed, how, potentially, could that impact some of the changes that we're seeing proposed here in Bill 66 around cost recoveries? If that was subjected to the conditions being proposed in the private member's bill, how does that influence things? Then, if it does and we're accounting for the time there, does the government then have to turn around and bill the individual

or the organization that violated for those costs as well? Have you thought about those implications?

Here's a great idea. Vote for the amendment to push the pause button, and we can explore those things. We can find out how these things will interact with one another. Then we can take it to Albertans and say: what do you think? I've heard time and time again how the government has said: we consulted. Then I phoned a few people up, and: well, they didn't talk to us. Just be up front with Albertans.

I think, you know, one of my colleagues here mentioned the level of mistrust they have currently, right now, with the government, and it's growing. If you're going to make statements about working hard to regain the trust, it's obvious, you seem to understand, that there has been some loss. If you're going to work hard to regain the trust of Albertans, here's a great way to do it. We can push the pause button on Bill 66. We can get a chance to find out what the implications are.

If you're that concerned about Bill 10, we can, maybe, quickly carve that out. I'd bet you that we could come up with a way to make that happen and get that repealed right now. Well, maybe not right now, but you understand the idea, although we moved pretty quickly this evening on Bill 71. I'm very proud of that. I know the minister of labour worked very hard to get that legislation out, and I was very pleased to support it. I'd bet you that we could work very, very hard to get Bill 10 out. I'd be very pleased to support repealing it despite the fact that, as I said earlier, it seemed like it took the government a very long time to get here to begin with. So when you talk about the Official Opposition stalling, I have to look at why the government took so long, knowing full well right from the beginning, even before it was passed, that it was going to be a very large problem.

11:20

You know, there are other aspects, of course, of the bill that I would be appreciative of maybe getting some answers on. We could get that opportunity through pushing the pause button to explore that a little bit. It's likely not a problem.

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

Mr. Schmidt: Thank you, Mr. Speaker. It's a pleasure to rise and offer a response to some of the comments that my friend from Edmonton-Decore made in debate on this hoist amendment. One of the things that I want to respond to is the theme that my friend from Edmonton-Decore hit on repeatedly, the mixed messages that we see the government sending through the enactment of legislation that gives them broad and sweeping powers, yet their failure to enforce them meaningfully.

You know, it was interesting, Mr. Speaker. My friends and I had the opportunity to question officials from the Justice ministry just last week at Public Accounts, and we had the opportunity to ask the Minister of Justice's officials about the policy with respect to enforcing public health orders. There is significant confusion as to who is responsible for enforcing the public health orders, which you wouldn't think would be the case because the government acted so quickly to give itself such broad powers to enact legislation without even coming to the floor of the Legislature. The minister could amend or create any piece of legislation that he or she chose to do, yet it seems that they didn't really make up their mind before they gave them those powers how they were going to enforce them once they had them.

You know, we asked the Minister of Justice's officials about: who was the responsible organization for enforcing some of the

public health measures that had been enacted under the public health emergency? In some cases it's Alberta Health Services, and in other cases it's the police force, and in even other cases it's a shared responsibility of those. When we asked the minister's officials to provide us some clarity, the protocols are so extensive and complicated that they couldn't do it verbally. They had to commit to providing members of the committee in writing what those protocols were. Now, I appreciate that it's not a simple thing to enforce legislation, but when the enforcement powers are so divided and unclear, it makes it very challenging for enforcement authorities to enforce that legislation. So why did we need to enact this Bill 10 and then decide to clean up the mess when the government had no idea how they were going to enforce it? To this day they still don't know how it's going to be enforced.

And enforcement is only part of the equation, Mr. Speaker. It also takes the willingness to prosecute cases once a decision by the enforcement authorities has been made to charge somebody with violating the public health orders. When we asked the Crown prosecution service what the prosecution standard was going to be, she couldn't give us a clear answer either. So how is it that cabinet decided to give themselves these incredible powers to create any legislation that they so chose just by fiat, they could do it just by ministerial order? Yet once those were enacted, they had no plan for enforcing them. That's been the problem that my friend from Edmonton-Decore identified with this government's mismanagement of the COVID pandemic all along. They had no idea what they were doing. It's clear to us that they didn't understand the powers that they were giving themselves when they enacted Bill 10. That's why they're now repealing it here. It's quite clear that they didn't have any idea how they were going to enforce the powers that they were giving themselves. That's why Albertans don't trust this government anymore with respect to managing the pandemic.

The Speaker: Hon. members, are there others wishing to speak to the amendment? The hon. Member for Edmonton-South has the call.

Mr. Dang: Thank you, Mr. Speaker. It's a pleasure to rise today and speak to the amendment to Bill 66, the Public Health Amendment Act, 2021. Let me be very clear. We know that this bill is flawed in many fundamental ways. We know that this bill is not about promoting public health, and indeed it's about cleaning up the political mess that this government raised when they brought in the power grab that was Bill 10 at the beginning of the pandemic last year.

Mr. Speaker, I think that certainly as we look at this hoist amendment and we look at how we're moving forward with the public health rules in this pandemic and the responses from the consultation that was done by committee in this place, it doesn't make sense that we move forward with the legislation as written and that indeed we should accept this amendment. It's unfortunate, really, that the government, when they looked at these changes and they brought forward this piece of legislation, when they looked at the committee's work, they didn't take into consideration a single one of the suggestions of the Official Opposition's minority report.

Mr. Speaker, I think that's something that's quite unusual because when we're talking about good legislative process, when we're talking about debate in this place, when we're talking about the work of committees and the work of the Legislature, one of those core things that I guess they even teach to the grade 6 kids when they learn about our parliamentary system in school is that good debate and a variety of opinions lead to better legislation and lead to better laws for this place. It turns out that none of the things

that the opposition has talked about mattered to this government, and indeed even some of the things that we identified specifically when the government originally brought in Bill 10, their power grab, their unconstitutional power grab, at the beginning of the pandemic, some of those concerns that were raised, were completely basically ignored.

Mr. Speaker, we instead see more power grabs. We instead see more authority being given to the government that wasn't considered by committee, that wasn't considered in terms of fulsome consultation, things like the authority of the government to bill for the time associated with enforcement, which, as my hon. colleagues have spoken extensively to tonight – it's unclear the mechanism for this, it's unclear the extent to which this could be used, and indeed it would be a significant substantive change to how we issue fines in Alberta. Really, it doesn't really make sense because the government has been unable to satisfactorily explain how it aligns with existing fines anyways, right?

When we talk about these changes, when we talk about these substantive powers that the government is giving themselves to enforce public health orders, it doesn't make sense because we see that time and time again this government has failed to do their homework, they've failed to talk to Albertans, they've failed to debate in this place and listen to the consultations, and they've failed to do the work that's required.

Mr. Speaker, I'm very optimistic that many of my colleagues, certainly at least from the opposition, will have more thoughts on this in the future, and I anticipate that we'll have many more amendments as we don't believe that this legislation as written is a very strong piece of legislation.

Mr. Speaker, with that, though, I would like to move to adjourn debate.

[Motion to adjourn debate carried]

11:30 Government Bills and Orders
Third Reading
(continued)

Bill 55
College of Alberta School Superintendents Act

The Speaker: The hon. the Minister of Education.

Member LaGrange: Thank you very much, Mr. Speaker. It is my honour to rise and move third reading of Bill 55, the College of Alberta School Superintendents Act.

Bill 55 is about creating a professional organization for school system leaders to strengthen the kindergarten to grade 12 education system for all students. We did not embark on this journey alone, Mr. Speaker. In the fall of 2019 the College of Alberta School Superintendents, or CASS, as they're known, submitted a proposal to my department to be recognized as a professional organization. We subsequently spoke to our education partners about options to make this possible.

In summer of 2020 my department discussed this with key stakeholder groups, including CASS, the Alberta Teachers' Association, the Alberta School Boards Association, and the Association of Alberta Public Charter Schools. We also engaged the Association of Independent Schools and Colleges in Alberta, the Association of School Business Officials of Alberta, and First Nations superintendents and education directors. Mr. Speaker, this bill is the result of that broad consultation and engagement with our education partners.

If passed, this bill will result in CASS becoming a legislated organization. CASS would be responsible for setting professional learning requirements and offering professional development to its regulated members.

Mr. Speaker, the important role that superintendents play in our education system has a significant impact on our students and our teachers. In making sure that every single student in our province receives a high-quality education, superintendents need to be held to a high level of oversight and integrity. That is what this bill delivers.

Mr. Speaker, I was pleased to see the debate generated during Committee of the Whole. I'd like to take my time to recap some of the points raised during that debate and reiterate my responses to the House. First, members of the opposition expressed concerns with how the bill will define teacher leaders going forward. My department's certification of teachers and teacher leaders regulation lays out a strong definition of teacher leader. Keeping the definition consistent in both the act and in this regulation will better serve the education profession, which includes CASS and its members. Including the same definition from other regulations into this act is key for us as we see value in being consistent across all pieces of legislation governing the education system.

Second, the language in this bill that deals with funding mirrors that of the Teaching Profession Act. This provides consistency between Bill 55 and other pieces of legislation. This is also what the Alberta Teachers' Association adheres to. I also want to make it crystal clear in this House that Alberta's government does not provide membership fees for CASS. While there are grants provided for professional development and so on, they are similar to grants we have for the ATA and other education partners including the Alberta School Councils' Association and the Alberta School Boards Association. CASS, through its bylaws, will determine membership fees for regulated and nonregulated members and use these fees to fund its operations without additional support from my department.

Lastly, with respect to the makeup of CASS I again want to assure the House that the only mandatory regulated members under this bill will be superintendents and chief deputy superintendents of public, separate, francophone, and charter school boards or regional authorities. Other mandatory regulated members will be those eligible – and I emphasize the word “eligible” – central office teacher leaders who do not hold active membership in the ATA.

Leadership within our education system is paramount. Superintendents are part of a system that also includes parents, teachers, principals, and trustees all working together to achieve the best possible outcomes for students. Turning CASS into a legislated professional organization will strengthen the leadership and governance of school authorities at the highest level through Alberta. Doing so will ensure that students and school systems continue to be supported through improving governance, accountability, and leadership excellence.

Mr. Speaker, when it comes to governance, the act changes the structure of how CASS currently organizes its membership by creating two distinct categories, regulated and nonregulated. CASS is currently a voluntary organization of about 320 members, which include superintendents from public, separate, and francophone school authorities, charter schools, and First Nations education directors. Other CASS members include assistant or deputy superintendents, directors, and other senior central office staff. As I've previously said, under Bill 55 membership in CASS will be a requirement for superintendents, chief deputy superintendents, including charter schools, and teacher leaders employed in central office positions in public, separate, and francophone schools and

regional authorities who elect out of active membership in the Alberta Teachers' Association.

Under the act CASS will have bylaw-making powers to set additional levels of membership for nonregulated members. This may include system leaders in First Nations, school authorities, and independent schools, retired superintendents, or university professors, as an example.

Moving on to accountability and leadership excellence, CASS will be required to hold an annual general meeting and to submit an annual report to this House each year. This is a matter of oversight for professional organizations and aligns with general principles of good governance and transparency cherished by this House.

This bill also requires that the CASS board of directors include public members along with regulated and nonregulated members of the organization. Public members would be appointed by me as minister for a fixed term, but only after consultation with CASS. Public member qualifications and recruitment will be based on best practices similar to other agencies, boards, and commissions.

Mr. Speaker, under the act CASS would be responsible for ensuring its regulated members are skilled and competent in their professional practice. This will be done by making CASS responsible for offering professional development to its regulated members and set learning requirements. Under Bill 55 CASS will be responsible for ensuring its members meet government's superintendent leadership quality standards and leadership quality standards, ensuring excellence.

This legislation will have CASS oversee the professional discipline of its regulated members by addressing complaints of alleged unprofessional conduct and professional incompetence filed against its regulated members. Of course, CASS will still have to report information to me as the Minister of Education and the registrar as required. That is not changing, Mr. Speaker. This simply shifts the responsibility for oversight of professional discipline matters from the registrar at Alberta Education, who currently oversees professional discipline for these individuals, to CASS. Under this bill the governance structure for professional discipline matters will resemble that of other legislated structures in Alberta, specifically the practice review of teachers and teacher leaders regulation. These regulations establish how complaints will be addressed in situations where the teacher or teacher leader is not subject to the Teaching Profession Act.

As members can see, Bill 55 is a positive step forward for our education system, and it supports a highly professional set of leaders who are key to ensuring our students get the high-quality education they deserve.

With that, Mr. Speaker, I look forward to my colleagues supporting Bill 55, the College of Alberta School Superintendents Act. Thank you.

The Speaker: Hon. members, are there other wishing to join the debate? The hon. Member for Edmonton-Whitemud, followed by Lac Ste. Anne-Parkland.

11:40

Ms Pancholi: Thank you, Mr. Speaker. It's a pleasure to rise in third reading of Bill 55, the College of Alberta School Superintendents Act. I'd like to begin by thanking the thousands of school staff, the teachers, the EAs, the principals, the custodians, all of the people who are keeping our schools functioning, either in person or online, right now. It has been an extraordinary year for education in Alberta, across Canada, of course, extraordinarily challenging, and we've seen school staff, in particular, rise to the challenge in a remarkable way. I say this as a parent of two elementary-age children who is amazed every single day at the

work that their teachers and their principal and so many others are doing every day.

It is important, I think, that when we talk about education right now and at any time we're speaking about education, we give our thanks. We also know that what happens this year in education is going to have long-term implications on our school system, on our children, on our teachers, and this has to be noted. I'd like to express my personal thanks to all those staff and superintendents and administrators at the school district level, associate superintendents, even school board trustees. Everybody has been doing remarkable work, so my thanks to all of them.

On that note, Mr. Speaker, I have to say that with respect to Bill 55, I mean, I only began to touch on it there, about how much is going on in education right now in Alberta. Tomorrow morning across Edmonton tens of thousands of students will be moving online. We have seen students yo-yoing through online learning, in-person learning.

This government continues to focus primarily just on case numbers as if many of them – I don't know – don't have children in school or haven't experienced this themselves, but I know they have. I don't know how they can ignore the fact that even quarantining close contacts – I know so many families whose children have been in multiple quarantines for weeks at a time. Then they go back to school for a period of time and go back into quarantine because of close contacts. We cannot ignore the impact of that on students, on their learning, on teachers. That's been ongoing. We've seen absolutely no recognition of the impact of that on students, on teachers by this government.

When we talk about Bill 55 and we're not talking about these things, it concerns me, Mr. Speaker. It concerns me that we see the ongoing denigration of teachers. We talk about Bill 55 and how this is going to be transformational for the education system, yet we have a government and a Minister of Education and a Premier who continually denigrate the work of teachers. That has an impact on the education system.

We can't also ignore the long-term implications on our kids' learning because of what they've experienced this past year. When I look at Bill 55, I think: how is this addressing the long-term implications, the kids, whose, we know, literacy skills have been affected? We know that fewer kids engaged in early learning, registering in prekindergarten and kindergarten, which will have long-term implications on their educational success and readiness for school. We know that children with disabilities have been completely abandoned by this government firing EAs in the spring of last year, and they have not had the supports that they needed. Yet this bill is apparently going to be miraculously changing our education system. None of that is addressed by this minister. We hear almost nothing to address that when she talks about Bill 55.

Of course, it doesn't address the budget cuts. Those superintendents, the ones who will be a part of this college, will be making some very significant, difficult decisions. I know they already are. Cuts to their budget, cuts to PUF: I know that's already trickling down, and superintendents are working very hard to try to manage that right now.

Then, of course, there's the curriculum, which also – I mean, the disaster of the curriculum right now, overwhelming criticism of that curriculum, but apparently Bill 55 is the hard work that this minister needs to bring forward to this Legislature right now. Now, listen, I'd like to say that I used to work within Alberta Education as a public servant for many years, and I know the great people who work in that ministry, people who work tirelessly to make the education system better. Frankly, I'm pretty sure many of them would have been very disappointed that during this critical year, as I just described, in education in Alberta, they were supposedly

devoting their efforts to drafting the very critical work of Bill 55 when I'm sure that they all believe there are more significant issues to address.

But let me say that I gave all of that as background because I simply cannot imagine, Mr. Speaker, that we are standing here in the year we've experienced in Alberta in education and that this was the top priority for the Minister of Education in terms of education legislation. This was the top priority. Okay. Now, that's fine. Here we are. We're talking about Bill 55.

I have to say that, along with having worked with Alberta Education for many years, I worked also many years directly with school boards and with superintendents. I have nothing but the utmost respect for superintendents, who I would speak to daily, former teachers all, of course, almost all – they have to be; they have to have that teaching background to be qualified to be a superintendent – passionate advocates for their staff, for their teachers, but most of all, of course, for their students and for their parents as well. I appreciate the importance of superintendents and recognizing the good work that they do.

Of course, because of that relationship that I'd had for many years directly with superintendents across Alberta – let me be clear. My clients that I used to work with, the school boards that I worked with, spanned from north to south, all of the school boards all across this province: rural, Catholic, public, and francophone as well. I've reached out to a few of those superintendents. Obviously, what we're seeing in Bill 55 is something they've supported and they've asked for, but it's also something that is probably not top priority for them right now. They said: "Fine. It's good. It's a good thing." They're happy about it, of course. I can appreciate that, but that's not what was at top of mind for them. I can only imagine the superintendents having meetings with the Minister of Education and being told: yeah; you'll get your professional college. That's nice, but they have really big, significant issues on their plates right now that this government has continued to ignore.

With respect to the amendment that my colleague the Member for Edmonton-Glenora brought forward regarding the definition of teacher leader, which is currently defined in the certification of teachers regulation, and bringing that into this act, you know, I just heard the Minister of Education say that she wanted consistency. She wanted consistency between the act and the regulations. That is precisely what the amendment brought forward by the Member for Edmonton-Glenora was doing. It was precisely the same definition in the current regulation but bringing it into this act, into this bill. If consistency was the goal, I failed to hear a reason from the Minister of Education as to why she would not have supported that amendment, because it was the exact same definition. The point, the reason for the amendment was to bring it into the act as opposed to leaving it to the regulation.

Actually, there was a small wording that the minister used in her comments on third reading which I thought was very indicative. She said: my certification of teachers regulation. That is exactly the concern, Mr. Speaker. Instead of saying, "the certification," it's "my certification of teachers regulation." Therein lies the concern, because regulation, as we know, can be changed by a minister. It goes through a regulatory review process, but it's not debated. It's not subject to the scrutiny of this Assembly. It's simply done, really, by the minister's whim. That is the concern, because the definition of teacher leader: while the minister assures us and has assured this Assembly that it will not include principals or system principals, it's very easy for her to make that change any time. She could do that through the regulation. The intent of putting it into the act was so that it could not be done that way, so that it does come to this House for debate and for scrutiny and for transparency.

That was a very simple amendment, and it seems to align with what the objective of the Minister of Education is for consistency, but if there is a desire by the Minister of Education to not be consistent, then that would be why, perhaps, this government did not support the amendment.

Actually, they might want to change that definition of teacher leader, which would then mean, of course, that it could include somebody else. It could include principals. Then they would be subject to CASS membership, which means they could not be members of the ATA. Given the tone and given the way that this government approaches teachers and the ATA and their complete disdain, it's very clear that that could be an underlying motive, and that's exactly what we were trying to address. By failing to accept that amendment, the minister made it clear that that perhaps is her objective.

On that note, Mr. Speaker, it's a little bit exhausting for myself, as a parent of elementary school children, as a former lawyer for school boards, somebody who used to work within Alberta Education, the spouse of an assistant principal, that we have education legislation before us in this House in a time that could not be more critical for education in Alberta, and this is the legislation that this government has prioritized. I also think it speaks clearly to who this government is.

Thank you, Mr. Speaker.

11:50

The Speaker: Hon. members, are there others? The hon. Member for Lac Ste. Anne-Parkland.

Mr. Getson: Thank you, Mr. Speaker, and thanks, Minister, for bringing this forward. Sorry. I'm clearing my throat a bit, folks, here tonight. I'm having an issue with the mask being on so tight here tonight. For those members opposite that like to critique me clearing my throat and saying a bunch of other comments, that's okay. I can carry on with life here. Bill 55: Minister, I just want to thank you for bringing this forward. As a father of four school-aged kids – my oldest is in grade 11 this year. He went back during COVID and everything else. My girls ended up staying home this year. They elected to home-school. That's the first time that we've done that.

Some of the jabs you've been taking, Minister, having to deal with COVID, having to deal with everything else – through you, Mr. Speaker, to the minister: hats off to you for persevering on the platform commitments that we made, listening, and truly consulting with the professionals that are out there that are educating our children and recognizing that. You know, with some of the stuff that you've taken from the members opposite, they haven't given you much credit where credit is due. One thing I'm going to offer to you here is just an observation over the last couple of years: no wonder why they're so upset; they lost the best job that they never did. You're doing the job, you're taking care of business, and you're doing it for all the right reasons: for our students and for the school divisions and for the curriculum, et cetera. With that, my heartfelt thanks.

I'm going to share just a little bit of a personal observation as somebody who went to a small school division and a kindergarten to grade 12 school that was only 360 people. Out in Niton Junction at the time, we kind of had that – when I went to school, it was kind of one of those last stops for teachers that came from different areas or had been bounced around or the very first stop for those new educators that came through. We had high turnover rates. We had low funding. We had tons of challenges. As a kid going through there, it was really a struggle to have that continuity.

Now that I'm an elected member and I go out to Grande Yellowhead school division, I can see the resurgence and the change in that school division in the way that they handle business.

Hats off to Carolyn Lewis as superintendent out there. Quite frankly, Minister, this lady was taking care of business before we showed up. One of the big things that I had observed is their high test scores. They had really good rates in their scores.

One of the things that Carolyn had shared with me when I started drilling into it – again, my background was projects, so starting to look at things a bit differently – was on cost. She was maintaining to her principals to get their costs in order within the budgets that they were working with, to make sure that if they didn't have the skill sets to do that, there was training available through their controls person. She also put it back to those principals to be responsible for the budget and the test scores. They had to achieve both, and they had to meet it year over year, and if the principals didn't meet those requirements, then maybe they weren't the right ones for the job. All I've seen from that whole element there: they get a shiny gold star compared to some of the other jurisdictions that I tie in with. Not that they're bad, Mr. Speaker to the minister, but some are held to a higher level of standard and calibre.

Now, if we can take that – and I think I'd mentioned that to some of my colleagues before – whole idea and add that professionalism and some continuity to it and, through your Bill 55, actually have the CASS, have professional recognition and that, think of how many more impacts in lives that we can change, think of how many more kids, especially in that rural Alberta context, where they can have those genuine opportunities, again, working within the budgets and the means and reaching that high-calibre performance. And then principals themselves are extremely engaged and their staff is engaged because they have clear performance goals and criteria that come along with it, and the kids are benefiting. That is true, genuine engagement, and that's where I see some of the biggest benefits, Minister, of what you're looking at doing in Bill 55 and how it impacts all those schools and those kids out there.

With that, allowing me to digress a bit – my colleagues here on the floor, I appreciate that, because it does have a big impact. When these kids fire up in the new economy that we're creating, have the opportunity to work from home – we've seen some of the negative aspects of COVID, but we've also seen some of the advantages that these kids can have. I honestly, honestly believe that what you're doing – listening to CASS, giving them their college, raising up those credentials, and allowing that line of sight – will pay dividends not only for the near term but for the long term for our entire system. So thank you so much for that.

This act: what it'll do is allow the college of superintendents, or CASS, to become a professional regulatory body. That's important because it strengthens the education to Alberta's students by creating professional organizations and leaders – again, that credential recognition – and letting them step outside of some of the teaching stream as well. Private-sector experience and industry standards, the energy sector: that falls into it.

It fulfills the desire of superintendents to have a professional organization. Again, there's something with that, that credence and credibility of being considered professional, whether it seems like a small thing to some of us, but having that little shiny star, that accreditation, does mean a lot out there, and to raise and achieve that level is not something to be taken away from. Again, if we can raise the calibre, raise the bar, and allow them to achieve that with their request: massive.

It would allow for the creation of set standards, which raises the bar of excellence in Alberta's education. Again, I talked about that in my own personal observations of bringing up the bar and those measures.

It reduces red tape and provides the local autonomy of school authorities. Reducing red tape: of course, that's a platform

commitment, and our Associate Minister of Red Tape Reduction takes similar hits in here, too, for doing a good job, because no one else did it before and, you know, folks opposite don't like that.

Flexibility required the need to ground on circumstances: allowing them to actually deal with emerging challenges at hand that are unique to those school divisions or even potentially those schools themselves, so giving them that.

It allows them to investigate the conduct of competency matters. Again using Carolyn – I hope she doesn't get too embarrassed when she may see this – as an example, she set the bar high in those expectations, made them very clear, gave them a timeline to achieve them, and then held them accountable, so accountability and responsibility for the budgets and performance. It was one or the other or maybe none before, and there was a cultural change. Those principals, again, the ones that I ran into, and the staff were encouraged by it. They literally look at things different. It reminded me of a high-performing project team. It was something to behold. I was pretty proud of that.

Education is so important. By making sure that these are set or evolved and held accountable for sets of those, the standards important to parents, personal perspective of the parents, again, having that line of sight for the parents, having that ability to talk to them in there – the proposed legislation outlines that CASS will not be involved in contract negotiations, will not play a union function for the superintendents.

The proposed legislation explicitly clarifies that superintendents must respect the authority of the board as their employer. Some that get entrenched for a number of years – and I know that you were a trustee before, Mr. Speaker, to the minister again. You can see how the elected sometimes are the ones that just pass through, and some of the superintendents that become entrenched also stagnate. They have to understand that they are not the be-all, end-all, end stop. They don't push the trustees around. The trustees are elected by the parents, by people in those areas, and that's how it needs to be influenced. So this will allow that, ensure that that's still instilled, that they know who's who in the zoo, as it were. The proposed legislation explicitly clarifies that superintendents must respect – we went through that.

Membership will be mandatory for superintendents and selected other educational system leaders. Most of the leaders could join as associate members, again, giving the optionality for it, to step outside of the norm, if you would, and allow them to be part of something larger, "something larger" meaning the context of that professional organization, which is absolutely wonderful.

What else do we have here? Vital role of the educators.

Again, really just happy to talk to this, happy to see that all the challenges, that everything that's been happening over the last year, that this, too, COVID, shall pass. I know it's going to be hard for some folks to appreciate that, that this will end. Everything you're doing is laying the foundations for that success. For having that line of sight and continuing to move the bar forward, thank you so much for enduring all the things that you do to do that.

Just trying to look at any other speaking notes here that I had, the key points in there. The proposed legislation outlines that CASS will not be involved in contract negotiations and will not play a part in the union functions of superintendents, again, having that separation between the superintendents and the unions and making sure that that's clear, looking at it as the business model, making sure that you have that professionalism, that they can pull together on it, setting the bar higher, and then having that college or, if you would, that association to hold each other in higher esteem and higher regard. I think this is a winner. Thank you so much for bringing it forward. I know that we're all going to benefit from it.

With that, Mr. Speaker, I'll close my remarks. Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Peace River.

Mr. Williams: Well, thank you, Mr. Speaker. I appreciate the speech from my colleague the Member for Lac Ste. Anne-Parkland, and I want to contrast it with the preceding speech from my colleague across the way, on the other side of the aisle, from Edmonton-Whitemud. I appreciate that the Member for Lac Ste. Anne-Parkland genuinely is trying to listen to parents, to stakeholders, to CASS, to the children themselves and what they need. What we saw from the member opposite was, sadly, something that brought us to, I think, a lower level of debate. To be honest, Mr. Speaker, I would love to have intervened on the speech, but there were some procedural issues on Monday, so I haven't had the opportunity to. But I'm very happy to be getting the chance to speak now.

12:00

I just take issue with some of the things, in contrast, that the Member for Edmonton-Whitemud said compared to Lac Ste. Anne-Parkland. He brought up the interest of CASS, that it is good legislation listening to parents and children whereas Edmonton-Whitemud seemed to imply that the problem is the yo-yo of children going in and out of schools. Well, this government is proud to have taken a last and limited resort to restrictions, to get as many children in schools for as long as we safely can keep them. By contrast it seems the NDP, the members opposite, would have locked down schools immediately and kept them that way from the beginning.

I think it's concerning also that as a former member of Alberta Education, she would somehow impute the bureaucratic intentions of her former colleagues . . .

Mr. Dang: Point of order.

Mr. Williams: . . . saying that those individuals . . .

The Speaker: A point of order is noted. The hon. Member for Edmonton-South.

Point of Order Allegations against a Member

Mr. Dang: Thank you, Mr. Speaker. On 23(h), (i), and (j). The hon. member is obviously referring to the Member for Edmonton-Whitemud and has made an allegation against that member of what she intended to say and what the motives she intended to imply upon the public servants that serve this place are. I would ask that the member withdraw those comments and apologize. I think that clearly it is something that is unbecoming of this House.

Thank you.

The Speaker: The hon. Deputy Government House Leader.

Mr. Madu: Thank you, Mr. Speaker. There is no question that this is not a point of order. This is a matter of debate. You know, what the hon. Member for Peace River was saying is that somehow that member would impeach the intentions of her colleagues at Alberta Education. That clearly is a matter of debate given the content of the incendiary remarks by the Member for Edmonton-Whitemud with respect to the intentions of the Minister of Education and the priorities of this government and the Minister of Education. So there is nothing in Standing Order 23 that would lead to the conclusion that that is a point of order. That certainly is a matter of debate.

Mr. Williams: May I add?

The Speaker: Are you providing some additional context?

Mr. Williams: Simply adding the context that I intend only to honestly quote the member opposite and to debate the speech.

The Speaker: Are there others?

I'm prepared to rule. I do agree with the Deputy Government House Leader that this is a matter of debate. As it turns out, two versions of the facts can be present inside the Assembly, and we have to take the hon. member at his word. I do think that the more we can stick to the meat of the matter, the less likely these sort of personal offences may be taken.

The hon. Member for Peace River.

Debate Continued

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

The Speaker: Three minutes.

Mr. Williams: Thank you. I will get to the meat of the matter, which is the previous speaker for Edmonton-Whitemud's comments, whatever they might be precisely, surrounding her former colleagues at Alberta Education. It's concerning if she is implying that they do not want to be doing the will of the minister in drafting this legislation. My understanding and my experience working with these professionals is that they have the utmost professionalism in how they approach this, and they would never try and imply to anyone that they don't want to do what has been lawfully asked of them in their responsibility in drafting legislation on behalf of the government, that will be voted on in this House. I think it's unfair for any member to accuse any or imply that any one of those professionals who work in our bureaucracy would have any other intent.

I think it's also concerning that the member opposite seems to only have a concern that we're opening and closing schools, doesn't seem to have any issue with the content of the legislation itself but seems to be prolonging the debate. I contrast that with my hon. friend from Lac Ste. Anne-Parkland, who wants to substantively speak to the content, wants to continue to move forward debate, and wants to implore the minister to continue doing the good work that she's doing. I'd like to hear from the Member for Lac Ste. Anne-Parkland if he has any thoughts on how we could improve debate in the Legislature and stay to this content and his thoughts, particularly on Bill 55.

The Speaker: I think it is important that he provides his thoughts to Bill 55. Perhaps if there is other debate about ways to improve debate in the Legislature, that may take place in private members' business on a future Monday. I'm not entirely sure.

The hon. Member for Lac Ste. Anne-Parkland.

Mr. Getson: Yes. Thank you, Mr. Speaker and to my colleague, who always is an inspiration. He speaks so eloquently. I'm rather rough and clumsy in comparison to him. He represents his constituents very well and very passionately for the democratic process here. I know he holds it in high esteem and high regard as we do here as well.

To point to a matter of Bill 55, one of the things that frightens – and this is an opinion, not a fact. It's just simply opinion, and obviously it will be a matter of debate. What frightens a lot of the opposition members, I believe, when it comes to new legislation

and looking in a different way is that it goes out of the context of their normal, their comfort zone. Again, there are folks that have a higher tolerance of risk or a higher tolerance for change. Some of these changes they may think detract from what has been a very good system so far, but my experience is that when you have a good system, you always analyze and you tweak it and you change as things go along and you see what the next steps are before you throw too many switches.

Sometimes when individuals get scared, they tend to retract. They tend to go back into their holes as it were. They're very scared to pop their heads out and take that risk for change. You know, I had mentioned before in here that there was a little book or a little story that was called *Who Moved My Cheese?* I recommend the members opposite to really look at that, because there are a couple little characters in there. Their names are Hem and Haw. They're not adaptable to change. One does, and the other one starves. The ones that are willing to take the risk and change, they're all the better for it.

The Speaker: That is the time allotted for 29(2)(a). Are there any other members wishing to speak?

Seeing none, I am prepared to call upon the minister to close debate should she choose to do so. The hon. Minister of Education.

Member LaGrange: Thank you, Mr. Speaker. After more than a decade of the College of Alberta School Superintendents looking for legislation that would allow them this opportunity to have their own profession, I'm happy to bring that forward and to close debate.

[Motion carried; Bill 55 read a third time]

Bill 61 Vital Statistics Amendment Act, 2021

The Speaker: The hon. Minister of Service Alberta.

Mr. Glubish: Well, thank you, Mr. Speaker. I want to start by thanking all members of this Assembly from all sides of the House who have participated in debate on this bill so far and have collaborated to bring it to this point, being third reading. As you know, things can get heated in the Chamber, but I think on this bill, we've had some really great and respectful dialogue back and forth. I believe there remain a handful of unanswered questions from members of the opposition from previous stages of the debate, so I'd like to take the opportunity now to address those.

First, the Member for Edmonton-Glenora had referenced the story of the Greyhound killing, and I believe that she had wondered if that perpetrator, Vince Li, would be eligible under this legislation to change his name. The answer, Mr. Speaker, is yes. People like Vince Li, who are found to be not criminally responsible, are not convicted of a crime, so they would still be able to legally change their names under this legislation.

The member also asked about the reason for changing the wording around burial permit to disposition permit. She was right in her supposition that the change is due to other means of interment. More and more people choose cremation when making arrangements for their own death or the death of a loved one. Even when cremation, or perhaps other methods in the future, is chosen, those cremated remains are not always interred. This is more all-encompassing language.

12:10

Mr. Speaker, the Member for Calgary-Buffalo asked about amendments around the place that an event occurs, and I would just

clarify that there, too, we are using more all-encompassing language. Currently, the Vital Statistics Act only recognizes cities, towns, villages, and hamlets when registering events such as births or weddings, and that includes areas under the federal Indian Act, Métis settlements, and others. This change comes as more and more Albertans request the ability to more accurately report where an event has taken place, and this is something I've heard about a lot at my office, Mr. Speaker, from folks all across the province. While we were addressing the issue of dangerous offender and long-term offender name changes and had this act open, we thought this was a great opportunity to give Albertans what they've been asking for.

Another question from that member was around the wording of public bodies in section (3)(d). Mr. Speaker, this wording ensures that we are consistent with FOIP terminology, and police or law enforcement agencies are called public bodies under that act. I just want to reiterate also that clarity in who is able and unable to legally change their names in Alberta is important for applicants or prospective applicants. The registrar is very knowledgeable and competent, and I have no concerns with the registrar's ability to carry out her job.

On a related note, as far as I am aware, there has only been one incidence in which the registrar denied a name change, and that was denied because the name included swear words and had an offensive meaning. There have been no denials in the last 11 years, but the fact that there have not been denials does not mean that the broader legislation is not needed. As I mentioned, we know simply because of the example of Mr. Leo Teskey, who is a dangerous offender serving time in Edmonton, who, as I mentioned in earlier stages of debate, had sought a court order to do a publication ban on the fact that he was thinking of and intended to seek a legal change of name – that example alone demonstrates the need for this legislation. We should not allow even one of these dangerous offenders to have the opportunity to change their name and hide from their past and hide in our communities.

I believe the last outstanding question was from the Member for Edmonton-McClung, and it was a follow-up question related to the transgender community. As I said during Committee of the Whole, no law-abiding Albertan is affected by the changes proposed in this bill. I do understand and appreciate that some Albertans, whether they are members of the transgender community or not, may find the process a bit daunting. Let me just say for clarity that the process is the same for everyone, and fingerprinting has been a standard requirement since January of 2004. Mr. Speaker, Bill 61 does not introduce any new processes for individuals who are applying for a legal change of name. It simply adds an additional internal process where names are run through various databases to ensure that the applicant is not convicted or has not been convicted of one of the designated offences under Bill 28 and is neither a dangerous, long-term, or high-risk offender. I hope that that is helpful clarity for the Member for Edmonton-McClung, who I believe was asking on behalf of folks that they had heard from.

I will also highlight two other things, Mr. Speaker. First, I have checked with my department, and I have never received any feedback from transgendered individuals about fingerprint concerns for legal changes of name, and if there are folks who have concerns, I would encourage them to reach out to the Service Alberta department, where they can receive additional information to put their minds at ease. Second, I want to remind all Albertans that legal changes of name are not published and haven't been published for several years.

Mr. Speaker, I want to close by summing up what this bill does and why. Essentially, this bill expands on work that we did last summer with Bill 28 to close loopholes in the legal change-of-name process to ensure that these most violent criminals, the most dangerous and

despicable folks in society, are not able to change their names and are not able to hide in our communities. We need to do this to make our communities safer, and that is why this legislation that we are talking about today will ban high-risk offenders as long as they are designated high-risk, and also, it would ensure that there is a lifetime ban for dangerous offenders and long-term offenders.

Mr. Speaker, I've said it before, but it is so important to reiterate that we know that survivors, victims, and their families have to live with trauma for the rest of their lives. These convicted offenders, who inflicted that trauma, should have to live with the consequences of their actions and live under their own names for the rest of their lives. No hiding from their past, no hiding in our communities, and, I think as the Member for Edmonton-Glenora said earlier, no hiding in the shadows. I thought that was appropriate.

This is important legislation. It's important legislation that we are moving forward with in Alberta. I hope, at the conclusion of this third reading debate, that we will move forward with this. It is important legislation that also requires a Canadian response, so I will absolutely not rest until I have done everything in my power to encourage and equip my colleagues in every other province and territory in Canada to join us in implementing these same strong protections because all Canadian families deserve to feel safe. All Canadian communities should be safe from these violent criminals, and I believe that this legislation is an important first step and that we can be leaders on a national scale to ensure that we can make all of those communities a little bit safer.

With that, Mr. Speaker, I'm so please to move third reading on the Vital Statistics Amendment Act of 2021. Thank you.

The Speaker: Hon. members, the Minister of Service Alberta has moved third reading of the Vital Statistics Amendment Act, 2021. Are there others wishing to join the debate? The hon. Member for Edmonton-Highlands-Norwood.

Member Irwin: Thank you, Mr. Speaker. It's an honour to rise and speak to Bill 61. I'm going to be quite brief. I've not had a chance yet to speak to this bill, but noting the late or early hour, I will be brief.

I want to first acknowledge the minister. I truly do appreciate your comment on the transgender community because that was something that was raised with me as well. Truly, it's – I can't claim to speak for the trans community, but I can certainly just appreciate that you looked into the issue and that you offered for folks to follow up with your department. Truly appreciated, and I hope to see more support for the trans community from other members of your government. I do thank you for that. You know, we've made it very clear, just like I remember standing in this House to speak to Bill 28 as well, that, absolutely, we support the intent of this legislation, just like we did with that as well. We truly believe that we need to uplift the rights of survivors and victims, and I appreciated you mentioning that as well.

We're supportive of this bill, but I cannot leave this out of the debate. The fact is that this is a government that continues to speak about support for survivors, for victims, but I still think about – I think about it all the time – the folks that we heard from last year when this government decided to raid the victims of crime fund. We heard first-hand from survivors of horrific crimes who pleaded with this government to not move forward with the cuts to the victims of crime fund, and they did so anyways. While we can't reverse that, not now anyways, I just want to get on the record again that this

government, moving forward, needs to take the calls of survivors seriously, to hear from folks who experience traumatic sexual and physical assault and the hoops that they need to jump through, the therapy and the supports that are needed and that are so crucial, especially following such traumatizing actions.

Again, I'm not going to continue to – anyways, I won't. I've said this on the record multiple times, but it's very disheartening to hear a government say one thing and not support it.

I want to make one other point, and that's other supports for survivors. We've mentioned, when we've talked about Bill 8, the human trafficking bill, and when we spoke to Bill 28, that without supports for survivors, lots of these pieces of the legislation are meaningless. When we're talking about supports for survivors, supports for people fleeing domestic violence, as an example: housing, child care – right? – the need for wraparound supports.

With that, Mr. Speaker, again, we are in support of this piece of legislation, but I want to urge this government, moving forward, to think about what tangible actions they are going to support that will truly help survivors and victims. Thank you.

12:20

The Speaker: Hon. members, are there others?

Seeing none, I am prepared to call upon the minister to close debate. The hon. the Minister of Service Alberta to close debate.

Mr. Glubish: Well, thank you, Mr. Speaker. I want to thank again everyone who participated in the debate on all sides of the Chamber. I think it was a very respectful discussion, and it seems to me that there might actually be a consensus here, which is great news for Albertans. I'm hopeful that we will have a good, positive result here tonight.

I just want to say that, you know, this is one of many examples of how as Minister of Service Alberta I have sought to do everything I can within my portfolio, within my areas of responsibility to solve a very real problem. I am the Minister of Service Alberta; I'm not the minister of everything. I'm going to focus on the things that I have control over, that I have jurisdiction over, and I'm going to do the best of my ability to make Albertans' lives better, to make our communities safer, and I'm going to use all the tools at my disposal.

It just so happens that the Vital Statistics Act is one of those tools that I have jurisdiction over, and that is why we are taking this important step here today, to ensure that these dangerous criminals will never be able to change their names and hide from their past and hide in our communities. We're doing that, Mr. Speaker, to protect Alberta families and to keep our communities safe.

With that, I'd like to move to close debate.

[Motion carried; Bill 61 read a third time]

The Speaker: The Deputy Government House Leader.

Mr. Madu: Thank you so much, Mr. Speaker, and thank you to the hon. members of this Assembly on both sides of the aisle for a job well done today. We've had the opportunity since this afternoon to debate and pass some very good pieces of legislation, and I am thankful to all members of the Assembly.

With that, Mr. Speaker, I move that the Assembly be adjourned until 1:30 p.m. on Thursday, April 22, 2021.

[Motion carried; the Assembly adjourned at 12:23 a.m. on Thursday]

Table of Contents

Introduction of Bills	
Bill 71 Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021	4763
Government Bills and Orders	
Second Reading	
Bill 71 Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021.....	4763
Bill 65 Health Statutes Amendment Act, 2021.....	4766
Bill 66 Public Health Amendment Act, 2021	4779
Committee of the Whole	
Bill 71 Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021.....	4764
Third Reading	
Bill 71 Employment Standards (COVID-19 Vaccination Leave) Amendment Act, 2021.....	4766
Bill 55 College of Alberta School Superintendents Act	4788
Bill 61 Vital Statistics Amendment Act, 2021	4793

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