



Province of Alberta

The 30th Legislature  
Second Session

# Alberta Hansard

Wednesday morning, June 9, 2021

Day 112

The Honourable Nathan M. Cooper, Speaker

**Legislative Assembly of Alberta**  
**The 30th Legislature**  
Second Session

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Yaseen, Muhammad, Calgary-North (UC)

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United Conservative: 60

New Democrat: 24

Independent: 3

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Sabir  
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Neudorf  
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Williams

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Deputy Chair: Mr. Schow

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Getson  
Glasgo  
Irwin  
Nielsen  
Rutherford  
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Sigurdson, R.J.

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## Legislative Assembly of Alberta

9 a.m.

Wednesday, June 9, 2021

[The Speaker in the chair]

### Prayers

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

Please be seated.

Ordres du jour.

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 70 COVID-19 Related Measures Act

[Adjourned debate June 8: Mr. Nally]

**The Speaker:** I see the hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. Thanks to my hon. colleague for letting me go first. Second reading of any bill, second reading of Bill 70 is about the intent, the rationale. Where is the government headed with this, headed for Albertans, that for the last 16 months have been so dramatically, so overwhelmingly affected, and more than just all the effects of the COVID pandemic? Of course, I've talked many, many times about all of Alberta but in particular Cypress-Medicine Hat: the mental health, the economic health, the spiritual health, and the physical health, all these other crises that are happening simultaneously, the amount of fear that was in our community. You know, it's so nice to be seeing that we're at a good point right now. Summer is coming, and there's a lot of hope right now with things relating to the pandemic.

It's back to this bill, Bill 70, the intent and the rationale. As the hon. opposition talked about a lot yesterday, this bill is maybe most noticeable by what it doesn't cover, who it doesn't address. Of course, it retroactively looks at some protection for long-term care. It puts in a higher standard, which is a big concern when one of the main concerns I've heard for the last year is moving the goalposts.

But what it leaves out are some key groups, and let's start by talking about loved ones, those affected by COVID, families with a complex grief. You know, God bless everyone that was affected with a life lost or a serious injury or what could happen in the future. But it was so much more than that. Mr. Speaker, there were entire families, millions of us, that couldn't get together with our loved ones over the last 16 months because we cared, because we wanted to protect them. We wanted to protect each other. We wanted to protect other people in a long-term care place or in our communities. The effects of that: how are we going to – the accountability, the looking in the rear-view mirror – make sure that it was got right? The intent of this bill: does that actually help us do that?

You know, a story I think of: unfortunately, one of my good friends just lost his father, and it wasn't COVID related. His dad had a great long life, but of course my friend was feeling very, very down about it. He said that the silver lining was that over the last

year, as his father was declining, he spent tons of time with his dad, having some laughs, talking family, talking the future. Can you imagine, Mr. Speaker, how many Albertans just couldn't do that because of the COVID pandemic, because of the government rules and regulations? So I'm very, very anxious, as this bill moves to Committee of the Whole, to hear more from the government, to hear more from the Minister of Health, to hear more going forward as to: were these things done as well as they could have been?

Mr. Speaker, God bless our health care staff, Alberta Health Services, our front-line workers: all the uncertainty, all the fear, all the hard work they did, the good work they did, the rules uncertain, the rules changing, the support of families. I mean, I know a couple of things have happened in my family when something serious happened with somebody's health. One time I wasn't at my best. I'm sure those people deal with that daily, and it's amazing. Are they protected? Are they going to be honoured with a retroactive higher standard, moving the bar in this law? I am so anxious to hear what the Minister of Health will have to say at Committee of the Whole, and I hope that the government comes with information and comes to answer some questions.

Of course, for seniors in our long-term care, tens of thousands of them, life was totally disrupted, first, for the protection of them and others but then, secondly, like, their social life, the spiritual life, all those things that we'll be dealing with and making up for. I'm sure that every Albertan will dig a little harder to get us through this from now going forward. But, again, Bill 70 seems to have completely forgotten them. Does that do justice? Does that honour them? That's what I'm hoping to hear at Committee of the Whole.

You know, Mr. Speaker, it's not just me. The *Edmonton Journal* had a great four-piece article about six weeks ago; Elise Stolte wrote *Cracks to Chasms: How and Why Tragedy Hit Alberta's Long-term Care Homes*. I'd recommend that everyone in here read it to look at the past, to make sure that we treat people with fairness and equity going forward. A great article and a great series. She talks about the families' complex grief. She talks about the trauma that continuing care staff went through and are still going through. One of the things that she touched on – and I wonder how this impacts Bill 70, especially. She points out that there is a whole bunch of medical leaders that are wondering if politicians, if this government have the political will to ensure that this never happens again, to ensure that the mistakes never happen again.

Mr. Speaker, I want to say that during the last 16 months there were many times that I and others presented opportunities, let's say, not to pivot but to analyze what was happening, to evaluate, and they weren't picked up. Here we are trying to get through the COVID-19 pandemic and all the other challenges that have come with that, all the other challenges that Alberta deals with anyway, and, as the hon. opposition has pointed out, here's Bill 70, that seems to focus only on the long-term care centres, seems to focus on politicians and protection retroactively and making anyone who feels that they haven't been treated equitably or fairly submit to a higher standard, which some people have indicated to me is perhaps unnecessary.

At this point, Mr. Speaker, I'm very, very concerned about the intent and the rationale of Bill 70. I think it's another instance of where this government hasn't listened in over two years, but I am waiting to hear what comes forward at Committee of the Whole. I am here to represent Cypress-Medicine Hat and Albertans, and I look forward to Committee of the Whole.

Thank you.

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

Seeing none, the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise and speak to second reading of Bill 70, the COVID-19 Related Measures Act. This is my first opportunity to speak to the bill, as will be the case for most members, and I have quite a few questions around this bill. I have quite a few concerns, quite frankly, on what this bill will allow operators to do. A lot of my questions, quite frankly, are around the process. You know, first and foremost, I think it's absolutely critical – forgive me; I've clearly not had enough coffee yet – to be as transparent as possible with Albertans, to know: exactly who was consulted on this bill? Who was asking for these changes?

**9:10**

Now, for those following at home that maybe don't have a copy of the bill in front of them, I mean, essentially what this bill does is that it provides liability protection for individuals, groups, and companies for infecting or exposing people to COVID-19. Now, we know, Mr. Speaker, that it's been COVID in some – and I'm not going to say all because I have examples of long-term care homes that have done a brilliant job protecting the residents, ensuring that if there was a positive case, they took the appropriate measures. But we know that there are numerous examples of homes that have failed. They've failed miserably. And who have been the victims of their failure? It has been our parents and grandparents who have had to deal with some very poorly handled COVID-19 outbreaks. It's been tragic.

We know that there are countless numbers of kids and families that have not seen their parents and grandparents since the start of COVID. Quite frankly, that is why Albertans are outraged at this government's audacity to break COVID-19 rules, throw a booze party at the top of the sky palace while families have not been able to see their loved ones, grandparents have not been able to see their grandchildren for over a year. And it wasn't until this government was shamed into apologizing, after first defending their actions – it's quite unbelievable, Mr. Speaker. You know, I think members on the opposite side in a short two years have gained the arrogance that the previous dynasty took 40 years to build. The sky palace took down Alison Redford and a 44-year dynasty, and this government thinks: oh, no; we're untouchable. Yeah. News flash: open up the newspaper. The reason that Albertans are so upset is because they've not been able to see their loved ones, missing birthdays and anniversaries and weddings and celebrations of life.

You know, we're hearing and I'm sure we're going to continue to hear – and there will be reports and studies done long after COVID on the true impacts on people's mental health. Not having that physical contact with loved ones and family has been extremely hard on people. I mean, it's sad, Mr. Speaker, the number of Albertans that we have lost due to COVID-19. I'm talking about due to the infection. But I'm also talking about people who have given up hope.

Coming back to this, Mr. Speaker, this bill, I would love to know – I mean, the concerns range from: who was consulted, and who lobbied for this? Let's actually hear who the lobbyists were – individuals, companies – that were advocating that they should be protected from being held accountable for their actions or inactions. Those facilities, that have failed our seniors, failed to adequately staff them, failed to ensure that there's appropriate PPE, that there are appropriate standards, need to be held accountable, and this piece of legislation protects them. At what cost? If there were, you know, massive COVID outbreaks and spreading in a facility because the facility mishandled it because they either didn't have the policies in place or they failed to enforce them or failed to act on them, they should be held accountable. If my parents were in a home that did this, you're darn right I'd want to go after them. I'm

sure that every single member in this Chamber, including the mover, would feel the same way. I'd love to know from him: who did he talk to; who did he consult? At what cost are we bringing in this piece of legislation?

The other thing that's quite upsetting, Mr. Speaker, is that, yes, this has applied to our seniors facilities. Well, who else is going to be able to slip through these holes? Who else is going to be able to say: oh, this applies to us; we are no longer liable for our negligence?

Now, I appreciate that someone from the other side will probably pop up and say: well, gross negligence doesn't count for this. Well, great. Let's funnel a whole bunch of money to lawyers to start arguing over: was it negligence, gross negligence? I love the fact that, you know, again: as long as good-faith efforts were made. Well, that's not going to be a loophole that companies are going to take advantage of.

Now, good-faith effort is actually defined in the bill, as is gross – well, no, actually. Pardon me. Gross negligence is not defined in the piece of legislation, and I'm sure that members in the government will point to other definitions of it, but if you ask me, it should be in this piece of legislation. Good-faith effort is defined as "an honest effort, whether or not that effort is reasonable." Now, that definition is extremely broad, but it is integral in the legislation to determine if the liability protection will be extended or not to the person or the organization.

Mr. Speaker, I understand that there are good people working in these facilities that I'm sure are equally frustrated that in some cases there weren't adequate processes, there weren't adequate staffing levels and staff members to deal with it. The reason I oppose this bill as it stands currently is that, again, it provides an out. It allows those operators that have failed to not be held accountable for their failures.

Now, I said at the beginning and I'll make it clear that there are some incredibly well-run facilities in this province. I know for a fact, Mr. Speaker, that in my own riding the Emmanuel Home is a private, not-for-profit long-term care facility that has done a phenomenal job. Well, and maybe part of it is that because they're not-for-profit, they reinvest every single dollar back in to their facility to enhance care for their residents. This is where there is a conflict, that in the private, for-profit facilities shareholders are first in line, so decisions on whether to reinvest profits back in or take them out as profit is that discussion. I won't say that all of the for-profits are bad because they're not. Some of them are very good; some of them are terrible.

The issue, though, here, Mr. Speaker, is: what motivated this bill, and who are the primary lobbyists that convinced some members of this government, enough of them, to bring forward a bill and then adopt it as a government bill, to take this on? Now, I've heard lots of little juicy rumours that the UCP government is completely divided on this bill. Maybe it's because some of their members actually have parents in some of these facilities and they've, unfortunately – I don't wish this on anyone – had bad experiences with their facilities.

**9:20**

**Mr. Eggen:** More than a rumour.

**Mr. Bilous:** Well, I can't say factually, so I'll leave it at that.

The reality is that, you know, this legislation is also retroactive. I stand with grieving families, Mr. Speaker, and believe that they should have the right to seek justice. The courts will decide whether or not an operator or individuals should be held liable. This legislation just provides a cover, and it protects those that should be held accountable if there are examples of negligence.

Mr. Speaker, I cannot support this bill as it stands in good conscience. I really question how the members on the other side can actually support this piece of legislation in good conscience, considering what it does. You know, here on this side of the House we stand with our justice system. Again, if operators are saying, “No, no, no; we followed the rules to the T; we have nothing to hide,” great. Then you don’t need this piece of legislation to protect you. What are you hiding? For a government to buckle under the pressure to protect some of these operators, I’d seriously be asking yourselves why you got into politics in the first place and what motivated you. How does this make life better for anyone, especially grieving families?

All they want is to have their right to seek justice protected. We’re not talking about, like, the outcome of a process. We’re saying: allow families to have a process if they feel that operators or facilities did not do everything that they could and should have to protect our most vulnerable. We know, and we will see reports – and this is why I believe that this bill is coming through now and is retroactive to March 1, 2020 – that many deaths in these facilities were in fact preventable, and if they were preventable, then someone needs to be held accountable. This piece of legislation stops that. It protects those operators that should be held accountable.

For those reasons, Mr. Speaker, I will not be supporting Bill 70 and ask the government to rethink this piece of legislation.

**The Speaker:** Standing Order 29(2)(a)?

Seeing none, are there others wishing to speak to the bill? The hon. the Member for Edmonton-West Henday.

**Mr. Carson:** Thank you, Mr. Speaker. It’s a privilege to rise this morning on Bill 70, COVID-19 Related Measures Act. I appreciate the comments from the previous member and the debate as it’s continued in second reading. You know, in our role as MLAs, again, as has been said already, we must do everything we can to protect the people in our community, and seniors are no exception. If anything, we should be working extra hard through this process to protect them as they are extremely vulnerable to what has presented itself in COVID-19 and in this global pandemic.

You know, through this process – of course, traditionally, we as good New Democrats and, hopefully, all members in this Legislature do our best to spend time in their community and on the doors. We haven’t been able to do that through this process, but we have found ways to make those connections as best as we can. One of those ways is through making phone calls to our constituents, and I do my best to do that on a regular basis, a weekly basis, often several times a week. It’s troubling sometimes, the conversations that come up. They’re important conversations, no doubt, you know, instances I can think of, where we reach out to our community and maybe make that phone call to a supporter or somebody that you’ve had conversations with, whether they’re a supporter or not, in your community. You look forward to those conversations. Sometimes, through this pandemic even more so, you call them, and there’s no one on the other line to pick up, and you find out one way or another that their life was lost to COVID. That’s just one instance.

You know, I can think of other conversations that I’ve had with seniors in long-term care facilities, where they might even say, “Well, I’m doing okay, but the person that’s in the room next to me has passed away,” or maybe “I’m alive right now, but I kind of wish I wasn’t.” These are conversations that I carry with me every day.

I can’t imagine the situation that Albertans find themselves in, that Alberta families find themselves in, especially through this pandemic, when you’re having conversations with your relatives,

with your families about the decision to move a family member into a long-term care facility, into a supportive living facility, and you hope that with that decision those organizations, those corporations, whether not-for-profit or for-profit, will do everything they can to keep your family healthy and alive and to treat them with dignity and respect. When that decision is made, the last thing you want to hear is that you lost a family member, that they weren’t treated with that dignity that they deserved. You know, somebody who has built their life here, somebody who has given everything that they had to our community, to our province, and to come out on the other end with such negligence – it’s disturbing that we find ourselves here, Mr. Speaker.

Of course, there are many complex pieces to this conversation, but the fact is that in many instances I have to place the blame completely at the feet of this government when we talk about the lack of rules and regulations on the front end of this pandemic to protect those seniors in long-term care facilities. Of course, I’m concerned about the support and about the willingness for facilities to protect seniors as best as they can above any kind of profit, above any kind of cost. Life is priceless, Mr. Speaker, yet here we find the government saying quite the opposite, the government saying that we must protect these corporations at all costs. It’s devastating to me. We should be doing everything we can to hold these associations or these corporations accountable if there was indeed negligence.

Again, I appreciate that, to the best of their ability, most of these facilities have done everything they can under the complex situation that we find ourselves in, under the lack of rules and regulations put forward by this UCP government, and I also appreciate wholeheartedly the workers in these facilities that are also doing their best. But the fact is that this government has failed truly and deeply on this file. We saw rules about ensuring that workers at these facilities are to only work in one facility, Mr. Speaker. That is the right decision to make. Yet we saw several exemptions given by this government to allow those workers to be crossing to several facilities. Again, in itself, in the exemptions that this government has put forward to these facilities, there have been major liabilities. There have been major concerns that if a worker is to contract COVID at one site, they’re potentially bringing it to another, that we haven’t done everything that we can to ensure, as much as possible, limited contact between these workers, between the staff, whether it’s in one facility or several facilities.

**9:30**

Yet here we are. Instead of the government recognizing their failures, instead of the government going to those families with an apology, potentially ensuring that those families are taken care of, that their grief is understood and appreciated, we see a government that is doing their best to protect those facilities that may have been potentially negligent. I, Mr. Speaker, have several long-term care facilities in my constituency. I would likely say that the majority of them are for-profit, and I would say that they, as far as I can tell, have done everything they can to protect those seniors. But at the end of the day, as we recognize in the opposition and as we have called for, these facilities must be held accountable.

That accountability, first of all, comes from the willingness to accept and move forward with a public inquiry into the handling of the COVID-19 pandemic in these long-term care facilities. The fact that we in opposition have called for that repeatedly, over and over again, and that there has been no willingness to see that supported and to see that move forward from this UCP government in itself is, I would say, an admission of their own failure. They are not willing to hold these long-term care facilities accountable. They are not willing to hold themselves accountable and all members of this

Assembly accountable for any failures that we saw through this process.

You know, we know that over 1,250 residents in continuing care facilities have, tragically, died from COVID-19. These families want accountability, Mr. Speaker. They want accountability from those facilities where they lost a loved one. They want confirmation that there was no misdoing, which is why we're seeing these cases before the court. Yet instead of appreciating that and supporting the move for that accountability, this government is doing their best to remove the liability for these corporations. It's absolutely devastating. Again, this is a gift, as members have said before me, to lobbyists and profitable owners of these private continuing care facilities.

Again, I know that these are conversations that happen between families when they're talking about moving members of their family into continuing care facilities. They should have every guarantee in the world that their family member is going to be protected, that they are going to be able to live in dignity. That goes, of course, above and beyond the personal care of a senior. That goes down to what that senior is receiving for food, what they're receiving for mental health support, and the list goes on and on. But, again, here we are trying to protect those facilities from liability instead of saying: we understand your concerns; we understand your grievances.

I would echo the member from before me. If we aren't doing everything we can to support those families, why are we here? Why have we found ourselves in a situation where we're trying to protect somebody who is potentially negligent in this situation? There have been a lot of questions that have been raised so far in this process, and I would say that the number one question is: who did you consult with? We've heard again, I suppose, rumours that members of the government were consulting on this before it was introduced, consulting with continuing care facilities instead of taking the time to ensure that the grieving families were part of the process. So I'm not convinced that there has been a thorough consultation process through this.

We know that long-term care facilities have been incredibly underfunded, chronically underfunded, through our society, and I think that that starts with government's move to allow more and more private long-term care facilities, private continuing care facilities in our province and across Canada. Just like whether we're talking about P3s or we're talking about any other instances of privatization, once the government is able to allow a private corporation to come in, they feel like they can wipe their hands clean of any misdeeds that happen after that fact. They no longer have to ensure that there's adequate funding because if something goes wrong, they can say: well, it was the corporation's fault. Of course, now we have before us this piece of legislation, where they're actually going to protect those corporations who may be at fault.

Mr. Speaker, I truly don't know how we got here. The fact and the idea that has come up several times in this debate, that this government is making this legislation retroactive to protect themselves and these for-profit corporations, is truly a misguided value. We've heard, as far as I remember, the Health minister say that this wasn't the case, even an unwillingness to talk about the fact that this is going to be retroactive, that this is going to affect cases that are before the courts where grieving families are trying to hold these facilities accountable. It's not even a matter of what happens next, but it's about covering the liability of these facilities who have potentially done wrong to our seniors, to our families already. Again, I don't place that blame fully or potentially at all on those workers in those facilities, who are doing their best to support Albertans, to support seniors in our community. The fact is that this

government has failed completely when it comes to putting in place rules to protect those workers, to protect those seniors in those communities, and, at the end of the day, to protect all Albertans.

There's a lot more that needs to be said on this conversation. I hope that I have that opportunity as we continue into Committee of the Whole. I look forward to hearing from other members on this important issue. The fact is that through this legislation, again, this government is essentially admitting that they've done wrong. It is completely misguided to – instead of appreciate and reflect and support those grieving families in our community and those grieving workers who have seen so much life lost because of the decisions of this government, instead of supporting those workers, this government is turning their backs on them. It's absolutely unacceptable, Mr. Speaker.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a)?

Are there others wishing to speak to the legislation? The hon. Member for Edmonton-Manning is next.

**Ms Sweet:** Well, thank you, Mr. Speaker. It's an honour to rise this morning. I just want to thank my colleague for sharing his stories and for calling his constituents and having those conversations and just seeing how people are doing during COVID-19. I think that, you know, one of our roles as elected officials is to make sure that we're still in contact with our constituents as much as we possibly can be. Even when we're faced with barriers around COVID-19, to know that MLAs are still listening and still part of the conversation and are just reaching out to check on how everybody's doing I think is a very honourable way to represent your constituents.

[Mr. Milliken in the chair]

I just wanted to recognize that good work and also recognize that I think this is something as New Democrats that's very important to us, which is making sure that our constituents can hear from us and are being heard. I know in talking to many of my colleagues, we've been making those calls and just checking in and just making sure that people are doing okay. I think that speaks in relation to the piece of legislation that we're talking about now.

**9:40**

Partly the reason I say that is that, you know, I too have been calling in my constituency and other constituencies as well just to make sure that Albertans know that we're here and we're listening. I've been hearing stories from Albertans about concerns for their loved ones and concerns for their parents and not being able to go and visit. Because I have a very young constituency, we have lots of new babies and, like, little young people in our constituency. You can see at our playground that there are kids running around our fields and our playgrounds all the time. In talking to those families, one story that came through my conversations was that someone had a baby who is now eight months old and has never met their grandparents, or hadn't until the vaccines started to roll out a few months ago. Obviously, they were trying to not only keep the baby safe, but also they wanted to make sure that their parents were safe and healthy. Of course, they couldn't go to these facilities because they weren't allowed to visit, and their family was grieving that process of not being able for grandbaby to meet grandparents.

You know, I think we've all heard different stories about that. We've all experienced different things over the last year and a half when it comes to our family members and not being able to spend time with them and not being able to grieve when situations have happened, people have passed away. So when we look at this bill, I get a little frustrated because I feel like families have been through enough through COVID.



You know, when we think about the fact that we had over 1,200 seniors pass away during COVID, at a time when families couldn't see each other, at a time when we know that spouses were being separated and not being able – one was maybe in a long-term care facility, one being in maybe a more independent living situation – to go and visit each other, I think that they've been through a lot. When we hear about these people, seniors that have passed away, we also know that because of the restrictions that were in place many families weren't able to grieve and weren't able to have funerals the way that they normally would. Family wasn't allowed to travel to go and see them. There's lots of pain attached to, I think, our long-term care facilities, attached to COVID, and then on top of that I think some anger for families that are still probably grieving and still may not have been able to have a proper funeral or a way to honour the passing away of other family members, depending on how people reflect.

I find the timing of this piece of legislation really frustrating. I find it frustrating because not only is it being introduced at a time where we actually know that families are trying to go through the court process, are trying to get what they believe is justice for their family, but we also see a piece of legislation that is being retroactively enacted so that it goes back to the beginning of COVID. There is a lack of empathy, I think, or recognition in that, in the fact that, you know, I'm not sure I understand from the government nor do I feel like I've heard from the government what's been done to talk to these families that are grieving, to find out what would be better, what could fix this, what could support these families, and an acknowledgement that there were maybe some practices that could have been better.

You know, I would like to hear from the government a little bit more around this just in the sense of: why does it have to be retroactive to March 1, 2020? What work has been done to honour these families, to make sure that they have some form of closure when it comes to what has happened, that there is an acknowledgement by the government that things could have been better?

I think one recommendation that I would make to the government, if they don't feel that they want to answer those questions, would be to acknowledge that we do need to do a very serious review of what long-term care facilities were doing during COVID-19. There needs to be some form of public accountability, some recommendations, some really serious analysis and thought put in by this government to look into the structure of our long-term care facilities, to look at what happens during a pandemic. How do we take care of the people that took care of us, and how can we do better?

I think, you know, these are our parents. These are our grandparents. These are people that taught us to be who we are, and while they were raising us to be the people that we are today – you know what? – they made mistakes, too. I mean, I'm sure my grandparents or my parents would say: "Hey, you know what? I wasn't a perfect parent. I wasn't a perfect grandparent. I made a mistake." Well, you know what would be great? If the government says: "You know what? We weren't perfect during COVID-19. We made mistakes. Maybe we didn't take care of you seniors as well as we should have. We learned from that."

I think the one thing we can do when we honour our teachers and our elders and our grandparents and our parents is to go to them when we make mistakes and say: I made a mistake. That is one of the first fundamental rules I think our parents teach us. It would be a way to honour, I think, our seniors, a way to honour our elders, to acknowledge that there were mistakes made, to do an inquiry, and to look at how we can support our seniors better.

I don't even mean just during the pandemic. I think that looking at what happens during a pandemic will obviously highlight glaring concerns, but some of those concerns may also be things that end up being repetitive over a period of time outside of a pandemic, where we need to acknowledge that maybe the quality of food is not great, maybe some of the facilities are so old that they need to be upgraded, maybe they need better HVAC systems. How do we make sure that people still have community access, social access at a time where we need to also be keeping them safe? All of the things. How do we make sure that families are honoured if a family member passes away? All fair, I think, in an inquiry, or if you want to not call it an inquiry because that seems like a hot topic, call it a review, whatever makes the government comfortable. But I think it needs to be done.

I think that that's a true honour that needs to happen for our seniors. We need to honour their contribution to this province. We need to honour the fact that they deserve quality care, and we need to honour the families that grieved and are still grieving. They may not just be grieving a death of a loved one in seniors care, but they may just be grieving a year of not being able to see each other, a year of not being able to celebrate family milestones. Grief is different in all ways, and everybody processes it differently. Let's honour Albertans. Let's honour our seniors. Let's have an inquiry that will create probably some great recommendations and outcomes that will only improve the quality of care for our seniors. Let's also honour the fact that this legislation should not be retroactive to March 1, 2020, because things were definitely not perfect at the beginning, and I think that Albertans deserve due process.

9:50

With that, I think I will close my remarks. Again I just want to, you know, say thank you to all of our Albertans and all of our long-term care workers and to everyone that's been pulling together through COVID-19 not only to keep our seniors safe but for the sacrifices that they've made when it comes to those family events. Hopefully, soon those grandparents will get to meet their grandbabies.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

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

Seeing none, any members wishing to join debate on Bill 70? I see the hon. Member for Edmonton-City Centre has risen.

**Mr. Shepherd:** Thank you, Mr. Speaker. Appreciate the opportunity to rise and join debate on Bill 70, the COVID-19 Related Measures Act. This is a bill, I think, that we need to think very carefully about. There are many questions to ask about the government's intent in bringing this legislation forward and the impacts this is going to have.

We are just coming out of the worst wave we have seen of the COVID-19 pandemic, and indeed Alberta for a period was leading in Canada and the U.S. for COVID cases. I think we have a lot of work to do to look back over what occurred even though we are still waiting for the first report on the first wave from this government, which they promised earlier this year. We have good reason, I think, to want to see some serious inquiry so that we can learn and indeed, where appropriate, hold individuals or corporations accountable for decisions that were made, and that is what this bill is about.

Now, in particular, we know the impacts of the long-term care and continuing care system. The impacts for Alberta's seniors and their families were amongst some of the most profound, particularly during the first and second waves. The Member for Cypress-

Medicine Hat referenced an excellent piece that was written by journalist Elise Stolte, where she cracks the chasms, where in the fourth and final article in that series she talks about how serious those impacts were. She says:

By the numbers, 17 per cent of long-term care homes in Alberta had an outbreak during the first wave. Those outbreaks had an average of 17 resident cases, 12 cases among staff and five resident deaths. Thirty per cent of long-term care residents who tested positive for COVID-19 during that time died.

She notes that most continuing care homes didn't have more than three days supply of face masks even at the time that we began to recognize that they were critical to controlling the spread. Alberta made masks mandatory for these facilities in mid-April. She talks about one of the largest privately operated care providers. Revera operates 170 homes across Canada, including nine in or around Edmonton, others throughout the province. "Nationally, 873 of their residents got the disease during the first wave, [and] 97 per cent of those were linked to outbreaks that started before staff wore masks."

She talks about the second wave. Now, of course, we know that during that second wave we had some serious issues here within the province of Alberta, the contact tracing system breaking down, being completely overwhelmed despite the government's claims that they had properly staffed and invested and there was no issue. She talks about how in September there were nine new outbreaks of COVID-19, roughly equivalent to the height that we saw of wave one. "By October, 27 more facilities declared a new outbreak. In November, 60 more clocked in." She says, "That's just counting outbreaks that led to at least one death." She says that about half of those outbreaks were small, with one or two deaths, but many others had dozens of fatalities, lasted for months, and only when those homes got access to vaccines and rapid test strips did they see that come down. She talks about how between September and February 1,162 residents of long-term care and other seniors' living homes died, seven times as many as during the first wave.

What is the response we see from this government, Mr. Speaker? Is it to launch the inquiry, that we've called for multiple times, into how things were conducted, into what steps were taken, into what impacts it had, that this government chose to wait and lag behind other provinces in taking steps like consolidating staffing or restricting people from working in multiple facilities or taking other important steps, looking into some of the most serious outbreaks we saw at places like McKenzie Towne? No. The first real public action we see is the government bringing in a bill to make it more difficult for families, individuals who have lost loved ones, potentially due to neglect, to seek justice.

This government likes to make claims that they have been one of the most transparent in Canada about sharing information, being honest with Albertans through this pandemic. Mr. Speaker, that is patently untrue.

Here we see again the pattern of this government, putting economy ahead of the good of Albertans or what they claim is economy, putting corporations before the people of Alberta. This legislation will make it incredibly difficult. Indeed, it's retroactive legislation, that will go back, and even those families who currently have cases they have already filed are now going to face an increased barrier, a much higher bar, that they have to overcome, making it easier for corporations to defend themselves and harder for families to stand up for themselves. It's shameful, Mr. Speaker, that that is the most prominent action that this government has taken so far in terms of looking at the impact of the COVID-19 pandemic and indeed decisions of this government on seniors in continuing and long-term care. This legislation provides liability protection for individuals, groups, or companies who may have had a part that

they played in infecting or exposing people to COVID-19, retroactive to March 1, 2020.

Now, one of the other concerns that my colleagues have raised is that this is not only limited to long-term care and continuing care. The government has made the argument that this must be in place because otherwise these facilities would be shutting down, and we just can't afford to have that: too big to fail, I suppose, Mr. Speaker. But the fact is that they are giving themselves the ability to create regulation which would expand this to other areas.

There are other areas where there have been serious concerns about actions that other corporations have taken and indeed the role that this government has played and how that impacted individuals through the spread of COVID-19 infection, indeed, loss of life. We speak of the Cargill meat-packing plant. Is that going to be included? Is that why this government has given itself that ability, so that they can excuse those employers from being held accountable, make it more difficult for families that had lost loved ones there or others who will face long-term damage and impacts on their quality of life and their health due to having contracted COVID-19 at their workplace?

Mr. Speaker, just in March we saw documents released from Alberta Health that showed that this government held back information from those workers. There were e-mails showing that Dr. Deena Hinshaw informed the government that local medical officers of health had seen transmission, had caught the infection while in the Cargill meat-packing plant. She made that clear to this government the same day that they were about to have a call with workers at that plant.

**10:00**

Now, interestingly enough, nobody on that call told those workers that there had been transmission in the plant after protective measures had already been put in place. Neither the minister of labour nor the Minister of Agriculture and Forestry mentioned it to those workers on that call. Indeed, the Minister of Agriculture and Forestry instead told those workers: everything that needs to be done, both to keep people safe and the food supply maintained, is being done for you and everyone working at Cargill today who are still hard at work; everything is fine.

Not only that, but that same day that minister added to his ministry's narrative about the state of those facilities, minimizing any role that the conditions at the plant actually had in the outbreak. The minister wrote: well, there are unique external circumstances around the Cargill plant that facilitated a larger outbreak, including housing and transportation, which significantly contributed to the rapid spread. In other words, blaming the workers, Mr. Speaker. He stated that the High River COVID-19 cases were not due to conditions at the plant on the same day that Dr. Deena Hinshaw had informed them that COVID-19 had spread in the plant after protective measures had been put in place.

Again, we have to ask: when the government is bringing in legislation like this, which gives them the ability to excuse anyone that they deem under regulation, is this part of their consideration? It certainly seemed to have been last year, when it seems pretty clear that they appeared to have put the priority of the employers of that plant ahead of the safety and health of the workers. Are we going to see them again now, through Bill 70, put those employers ahead of justice for these families?

I think there's good reason to ask, Mr. Speaker: who did this government consult in putting this together? Did they sit down and talk with any of these families, these individuals? Did they talk with the workers, with the workers' elected representatives? Did they sit down and talk to those who had lost loved ones, those who have cases before the court right now against those facilities, to consider

what the impact would be and what barriers this is going to create for them in seeking justice and redress?

We do know that it is rumoured that the member that brought forward this bill has taken the time to speak with insurance industry lobbyists. Indeed, it's reported that even some of his caucus colleagues were not terribly happy about those conversations, that there's been, according to what's been reported, encouragement for those industry lobbyists to lobby MLAs to make sure this passes. I wonder if the same effort has been made to encourage MLAs to talk to the families and the folks who've been affected, as my colleague from Edmonton-West Henday noted he has.

There are a lot of questions to ask about how this legislation was brought forward, particularly: who was consulted? How many times have ministers or members of this government caucus or cabinet met with insurance industry lobbyists on this issue? How many times have they met with the Alberta Continuing Care Association? How many actual Albertans who have been affected, who have lost loved ones have they spoken with?

There are serious concerns that have been brought up by experts in the field. Doctors Ubaka Ogbogu and Lorian Hardcastle wrote in their opinion piece in the *Edmonton Journal* that "Bill Shielding [Long-term Care] Homes from COVID Lawsuits Sides with Business over Families." They talk about the McKenzie Towne incident, where "Twenty-two residents died after more than 100 staff and residents in this facility were infected with COVID-19." Those cases are now being expected to meet a much higher standard.

There was the opportunity for the courts to hash this out, Mr. Speaker. That's what they are there for. But what the government is doing with this piece of legislation is putting a thumb on that scale and saying that instead of families having that balance, corporations will have more strength.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for any questions or comments.

Seeing none, are there any members wishing to join debate? I see the hon. Deputy Government House Leader has risen.

**Mrs. Savage:** Thank you, Mr. Speaker. I move to adjourn debate on Bill 70.

[Motion to adjourn debate carried]

### Government Bills and Orders Third Reading

#### Bill 65 Health Statutes Amendment Act, 2021

[Adjourned debate June 7: Mr. Carson]

**The Acting Speaker:** I see the hon. Member for Edmonton-Manning has risen to join debate.

**Ms Sweet:** Well, thank you, Mr. Speaker. It's an honour to rise this morning to speak to Bill 65, the Health Statutes Amendment Act, 2021. Now that we're in third reading, we've had some opportunities to discuss this, and one of the hopes that I had had, as we continued through this debate, was that the government was going to at some point come back and put an amendment in that would deal with the fatality inquiry. I know I've brought it up a few times, and I know that many of my colleagues have brought up the issue a few times.

Now, for the reminder of the members of the House, because I believe that we should honour this story, there was a fatality inquiry

that happened in regard to someone who was referred to as Ms Lewis. Now, Ms Lewis, well, was left in a wheelchair outside – that is basically the quick summary of that – and because of that, there was a fatality inquiry that happened. During that fatality inquiry there were some recommendations that were made to the government that needed to be implemented, which could have happened as we had the Health Statutes Amendment Act opened up.

Judge Dixon, who was the judge that oversaw the fatality inquiry, made recommendations related to the tragic story of Ms Lewis, who suffered from homelessness and mental health. Ms Lewis was admitted to the hospital under the Mental Health Act, and through a series of tragic events and some mismanagement and because of policies and legislation that enabled them, Ms Lewis ultimately died in the emergency room.

Judge Dixon made additional recommendations to modify the Mental Health Act and the Health Information Act so that the tragic story of Ms Lewis would never happen again, but unfortunately we don't see these recommended changes being brought forward in this legislation. So again I will ask the government, because it has been repeatedly brought up in all stage of this debate: why not? Why is the government only taking small portions of the recommendations brought forward by Judge Dixon when we have a piece of legislation that could fix it all? And I've asked this question. I asked this question of the Health minister during debate, and I received no response. I have asked this question, during debate, of the associate minister, and I have received no response. I don't understand why Bill 65 is currently in the House, the Health Statutes Amendment Act, spring 2021, that is not addressing the tragic fatality of Ms Lewis.

**10:10**

I would appreciate at some point the government giving us a rationale. We hear this government stand repeatedly – repeatedly – talking about mental health. We've seen panels created around mental health and addictions. We now have a new panel that has been created around children's mental health, yet we have a fatality report with clear recommendations of what needs to be changed under the Mental Health Act, and it's not being done. That's a little disingenuous, also a pretty serious cognitive disconnect, I think. When we think about the fact that – how can the government stand and say, "We take mental health and addiction so seriously that we're going to revamp the whole system; we're going to create a system that works for all Albertans, that is going to be the best mental health system in all of the land," and then when there are recommendations and opportunities to do it, the government doesn't do it? It doesn't make any sense.

It also dishonours the story of Ms Lewis and the fact that there was a fatality inquiry. Fatality inquiries don't happen that often, Mr. Speaker, so when they do and when there are some pretty clear recommendations being made, it is a very good opportunity for the government to make some significant changes. Again, we stand here, and I'm still waiting. I do think that this should have been done. I would wish that at some point there would be a response to the question about why it's not done. I mean, I will continue to bang my head against the wall on this topic, I guess, because I don't seem to be getting anywhere with this government on it, so I'll move on to another concern that I have in regard to Bill 65.

One of the other things that I think I – and many of my colleagues have already brought this up, the changes to the automobile insurance. I mean, again, we still haven't heard a very good rationale from this government as to why these changes are being made. We know the legislation is now going to give the Finance minister the powers to waive penalties for insurers at discretion.

That's a pretty significant change in the approach of how things are currently being run within the current legislation, yet when we ask, we're not being provided with a compelling reason. It's also a very, very strange place to start.

This is why these omnibus bills make zero sense to me. They just touch on so many different pieces of legislation that actually do not relate to each other whatsoever. It's like trying to slide in changes in a rushed way: if we pile it all together, nobody is going to notice all the changes that we're making because you have to go through five or six or seven or eight pieces of legislation just to figure out where we're headed. The bill is called Health Statutes Amendment Act, yet we're talking about insurance. I mean, the rationale around that would be lovely to hear. I don't even know how they correlate, especially when we're talking about premiums. Again, is this just something where the government comes up with it and decides, "We're going to do it, so we're going throw it all together"?"

I still don't understand who has been consulted. We see very clearly in this piece of legislation very clear direction from a judicial fatality review that is being ignored. Now, we see in the same piece of legislation the Finance minister just creating a power to waive penalties for insurers at their discretion. I'm curious as to who consulted on that and why that's connected to this.

It's like this very strange picking and choosing winners or losers, who we're going to listen to, who we're not going to listen to, and then let's just mash all the changes together, and hopefully nobody will pay attention, and we'll just continue on as is. It's a very consistent thread. I'm sure we're going to hear that when we debate the next bill that's probably going to need to be called because it seems like we have a lot of omnibus legislations that just continuously keep mashing all of our pieces of legislation into one magic bill. I just wish that the government at some point would decide to be open and transparent and just explain to Albertans what they're up to. I think part of the struggle – you know, because we're here to help, my personal advice to you as the government would be that if the government decided to start actually explaining why it is that they're creating so much chaos in all these different pieces of legislation and mashing them all together and would just stop doing that and, like, create one piece of legislation that clearly addresses one issue, Albertans might start trusting the government a little bit better just because it would be so much clearer to understand what they're up to.

What this does, what these big red tape reduction omnibus bills do, that start talking about five or six pieces of legislation all in one: it looks really, really sketchy in the sense that it looks like you're hiding something. I mean, the government can continue to put out a persona of: we're trying to hide things, which is why we just keep creating all of these pieces of omnibus legislation, because we don't really want you to know what we're up to. That's the perception that Albertans have at this point of the government. To be fair, I'm sure the government is realizing that based on public polling.

So maybe – just maybe – members of the government might want to have a chat with their cabinet ministers and just be, like: hmm, why does it all have to be mashed together? Why are we not actually dealing with some of the issues that should be dealt with like fatality inquiries, publicly transparent? Why are we talking about changing insurance legislation in this bill? And then, just for fun: why did we throw vets in with insurance? We've gone from mental health to veterinary supports with pharmacists to insurance to – my goodness, what else is in this bill? There's a lot. It just keeps going all over the map, yet it doesn't address jobs at all. It doesn't talk about rural health care at all and all of the concerns that Albertans really care about. It just changes a whole bunch of little things where, obviously, someone has had a conversation with the government at some point and said, "This is what we want," and the

government says: "Okay. We'll give it to you except when it comes to mental health, because we just don't agree, because we have a huge philosophical disalignment with Albertans when it comes to how we support people with mental health, so we won't fix that part."

Anyway, I'm disappointed, to be honest, that we have another piece of legislation that just mashes everything together, that isn't open and transparent, and that doesn't actually deal with the fatality review, which has been brought up repeatedly and will actually support Albertans with mental health and addictions.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

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

**Mr. Shepherd:** Thank you, Mr. Speaker. I truly appreciate the thought and the insight that my colleague has brought to commenting on this bill. Of course, I know that she has some deep perspective from her work in the past in the areas of mental health and some of those other areas on this bill. I was just hoping that she could provide a bit more insight perhaps on some of the concerns in regard to her experience.

**The Acting Speaker:** Should the hon. member – well, I see the hon. Member for Edmonton-Manning has risen.

**Ms Sweet:** Well, again, I'll be really quick, Mr. Speaker. I mean, I'm literally just asking the government, when it comes to mental health, to just do something about it. I mean, this is a pretty clear example of what would be a simple fix that would actually help people. There are clear recommendations that could have been in this piece of legislation that just aren't there. Instead of going after people who are in the inner city of Edmonton and Calgary and other places around supervised consumption sites and turning that into a whole ideological discussion, let's just support Albertans. Let's support them with their mental health. Let's support them with their addictions. Let's recognize that we have a homelessness issue in this province. This fatality inquiry addressed those issues, yet the government chose not to fix them. Just fix it. Second reading, Committee of the Whole, third reading: it has been repeatedly brought up. It just needed to be amended, and this was the opportunity to do it.

**10:20**

This legislation is leaving Albertans behind that are seriously impacted by homelessness, that are impacted by mental health, and that are impacted by addictions. The government could have finally shown something that was tangible to Albertans that they were going to do to fix the problem, and all we've seen is an attack on people that use supervised consumption sites. We've seen now the new requirement for ID. We've seen panel after panel after panel that has been very clearly already predetermined when it comes to mental health and addictions. I honestly would have really liked to see the government just do this because it made sense and because the fatality review reports and recommendations were so clear and the bill was already open and it could have just been done.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

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

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise and speak in my final comments regarding Bill 65, the Health

Statutes Amendment Act, 2021, as we are on third reading. Again, you know, my colleagues, I think, have laid out, maybe not as concisely as we all could, all of our challenges with this current bill as it's about to be voted on and likely passed. I find it interesting and concerning that, again, the bill speaks to the health statutes amendment, yet a throw to the insurance sector is inserted in this bill that's not considered an omnibus bill. In every sitting the government brings forward an omnibus bill to do some housekeeping that affects a variety of acts. Why wasn't this part of that? Why was this buried in the Health Statutes Amendment Act, 2021? It's interesting. I mean, was the government trying to sneak through these changes, and what brought about these changes?

You know, as my colleagues have articulately laid out, the fact that there's a throw to the insurance industry, which isn't the first throw that we've seen from this government: I really wonder how deep those ties go between the insurance industry and this UCP government. We've seen things like auto insurance caps removed. We've seen insurance companies jack up rates on Albertans. Mine went up at least a third, almost doubled. The question is that for a government that claims that they're on the side of the average Albertan and saving taxpayers' dollars, their actions paint a completely different picture. We've seen new park fees imposed on Albertans that have never existed in the history since our province officially became a province. We've seen increases in personal income taxes, increases in user fees.

It seems that this government is nickel and diming Albertans at every corner, at every turn. I don't recall that being a part of their election platform. This government loves to talk about their election platform and promises that they made. Sometimes lip service is paid to something that is then claimed as a promise kept. A great example is the recall legislation, that will never ever actually recall a single member, yeah, and other bills.

Here we have the government giving a throw to insurance companies who file late. I believe that their filing requirements are part of another piece of legislation that's not being amended here. If a company does file late, there's a penalty. Now, Mr. Speaker, you know, we can talk about why that is. I think most Albertans will understand that every year they have to file their taxes, and if they file late, there's a penalty. They pay a penalty for filing late. I think that's the case for most things. I mean – I don't know – if you borrow a library book from the library and return it late, there's a fee. You know, back in the day, when we used to rent movies from Blockbuster, you rent a movie, you return it late, and you pay a fee. The fee is there as an incentive to return it when it was due. The fees for insurance companies who file late are there as a disincentive to file late, so that they file all their paperwork on time. Now the minister has the authority to waive that fee.

What we don't know in this bill, Mr. Speaker: what are those fees? What's the average fee for filing late? I don't know. I don't even know the formula. It's not in this bill. We don't know how much money potentially companies could be saving or the revenues the government could be forgoing through this change. I think Albertans deserve to know. If you're going to make a change and allow that, then where is this transparency? I think knowing that would have better informed all members of this Chamber to have a more robust debate on the merits of this.

Now, what I have heard on a number of occasions is the associate minister of red tape get up and give examples of natural disasters and how that's the impetus or the reason for the government bringing this in, on which, I've said, I believe in second reading, Mr. Speaker, that if that's the case, well, then let's talk about a provision that would account for that. Let's talk about how to build in flexibility without giving away the farm. What we have is the ability for the minister, without any oversight, not an order in

council – it is the minister's sole decision at his or her discretion, currently the Finance minister, at his discretion – to exempt companies from their late penalties.

One of the issues I have with this, Mr. Speaker, is, again, that it's *carte blanche* for the minister, but where is the oversight? Where are the checks and balances? I've spoken in this Chamber numerous times: the reason that many regulations come through orders in council is so that it has to be a joint decision made by cabinet. It's not an individual minister who has that authority. I understand that. I understand it well from both the opposition perspective but also from being a former cabinet minister, knowing that certain decisions are there for that added level of oversight because as human beings we are all prone to making errors in judgment. So an OIC ensures that you have, you know, depending on the size of the cabinet – but let's just ballpark – approximately 20 people, 19 others that are able to look at it and say, "Yeah, this is a good decision" or "Here are concerns" or "Here's sober second thought." That's no longer the case, Mr. Speaker.

Again, I'm not opposed to the idea that there may be extraneous circumstances, but for me that's where we go from what's reasonable and flexible, looking at extraneous circumstances versus what is pitched in legislation as: "Oh, no, no; the minister won't abuse this authority. It'll only be in the rare situation." Well, I'd like to take this government at their word, but it seems daily there's some new incident, there's some new embarrassing decision or action that comes to light which completely discredits this government and, I'll say, Mr. Speaker, from their own doing. This can't be blamed on Trudeau and Ottawa. We know that's the Premier's favourite go-to. You know, I'm actually surprised that the booze party on the sky palace wasn't blamed on Ottawa somehow. Maybe it was that the Prime Minister flew in the bottle of Scotch or something. I don't know.

10:30

The reason that the opposition calls for these kinds of caveats or collars in legislation is to ensure that there are mechanisms to ensure accountability, that just hearing, "Trust us that the minister won't, you know, willy-nilly or often use this exemption over and over and over again" – because companies now can say, "Oh, we just have to apply for an extension, and then there's nothing to worry about."

Again, Mr. Speaker, I'm sure that there are some insurance companies who play by the rules, who file on time. I bet that those companies would be a little frustrated with this piece of legislation and how it's amending it because, again, what you do with an unbridled or unfettered *carte blanche*: companies who get an extension will not have to pay fees. It's actually punishing the companies that file on time. You're rewarding bad behaviour and punishing good behaviour. So I'd imagine that there are a number of companies that are saying: "Well, thanks, government. Now you're giving all of us in the sector a bad name." They don't want that, right?

I mean, similar to the previous bill that we debated this morning, Mr. Speaker, as far as giving long-term care facility operators cover to not be held accountable for how they handled the COVID-19 pandemic over the past year and a half. So those good operators who staffed up, who invested many, many dollars – and I know this from speaking to a number of long-term care facility providers. They invested substantial amounts of their reserves into ensuring that their residents are protected. That's the right thing to do. I applaud them.

But those few that maybe were negligent should go through the process. That's why we have a justice system, or at least that's why I thought we had a justice system, to ensure that citizens had the

ability to seek justice. That last bill takes that away. It strips them from their rights. Again, for a government that claims to stand up for people's rights, their legislation does the opposite, which I think, quite frankly, Albertans are starting to see in spades and really question the integrity of this government.

When I've asked the Associate Minister of Red Tape Reduction in Committee of the Whole how this government will ensure that this new-found power that this bill will give the Minister of Finance to waive late fees, late penalties – how can Albertans be assured that this will not be abused? We didn't get an answer, Mr. Speaker.

You know, again – I'll state it one last time – I'm not opposed to a mechanism which allows some flexibility in a circumstance beyond control. I would think, Mr. Speaker, a great example would be some of the major natural disasters that, unfortunately, our province has gone through over the past 10 years, from the major floods in Calgary and southern Alberta, including High River in 2013, to the Fort McMurray fire. I know that we've had other – I mean, Slave Lake has had their fires and challenges. Listen, there's no shortage of natural disasters that have affected and hit our province harder than most other provinces, quite frankly. Under those circumstances, is it reasonable for a company to ask for an extension for a filing? Sure. Yes. Is it reasonable to waive those fees? Yes. But they need . . .

**The Acting Speaker:** Thank you, hon. member.

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

**Mr. Shepherd:** Thank you, Mr. Speaker. I have to say that I appreciate the thoughts that were brought forward by my colleague from Edmonton-Beverly-Clareview on Bill 65 and particularly around this piece giving the Finance minister the ability to unilaterally decide to waive these fees for the insurance companies. I particularly appreciated his thoughts when he sort of spoke to the impact this may have on other businesses. Of course, this member served as the minister of economic development and trade and had the opportunity to speak with many companies across the province of Alberta about the message that is sent by decisions that are made by government; indeed, for example, if we think about the message that was sent to the tech and innovation industry when this government originally unilaterally removed every single support, including those that had been long standing and had been in place in every other province long before we had ever entered government. I think, as the member noted in his conversation on this bill around this change that gives this power to the Finance minister, the decisions that government makes send very clear messages. In this particular case I think the member is correct: sending the message that it's possible simply to waive things or simply not take these things seriously could indeed send a negative message to businesses and to others.

Indeed, one should also consider the message it sends to Albertans, as has been so often the case, as my colleague noted with Bill 70 this morning, and with so many other decisions – the \$4.7 billion corporate giveaway – that this government continually sends to Albertans in terms of who they favour, who they're interested in listening to, who actually has the ear of government, which was perhaps most aptly illustrated recently with the sky palace patio party. As others have noted in conversation this morning, that level of entitlement was communicated pretty clearly to Albertans. It's a story they are familiar with and they have seen before.

I think it's worth considering, as we are debating Bill 65, which generally, for most of the changes here, are relatively added on, the points that were raised by my colleague from Edmonton-Beverly-Clareview, who has been in this Assembly for some time and has

had the opportunity to observe how these sorts of decisions on the part of government ring out and message to Albertans. I'd be interested if he has any further thoughts on that particular perspective.

**The Acting Speaker:** I see the hon. Member for Edmonton-Beverly-Clareview has risen, with about two minutes, on 29(2)(a).

**Mr. Bilous:** Thank you very much, Mr. Speaker. You read my mind, sir. I was going to ask you how much time I had.

I want to thank my colleague the Member for Edmonton-City Centre for asking the question and proposing his thoughts. I couldn't agree with him more, Mr. Speaker; examples of some ill-conceived decisions that this government has made, which have come out after the fact. Again, one can see very clearly that this government has had to be shamed by the public into doing the right thing but even into admitting when it has made a mistake. I find that part absolutely fascinating because I do believe that Albertans are very forgiving, but, again, as the expression goes: fool me once, shame on you; fool me twice.

10:40

What I didn't talk about in this bill, Mr. Speaker, are some of the other changes that are being made. I mean, really, my understanding of this bill is that there are only a couple of changes that are being made, and the second change is the provisions that when a government joins an injured claimant's lawsuit and it ends up being unsuccessful, the GOA is only responsible for paying additional reasonable costs related directly to recovering the cost of health services provided by the claimant. I know that that exists in other jurisdictions, so that really wasn't one of the issues that we had. Now, I know that the bill does a number of other things.

**The Acting Speaker:** Thank you, hon. member.

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

**Mr. Sabir:** Thank you, Mr. Speaker. I rise to speak to Bill 65. This bill relates to health care. Its title is Health Statutes Amendment Act, 2021. I think over the course of the last one year, 15 months, Albertans have been through a lot. In fact, Canadians and the world across have been through a lot due to the COVID-19 pandemic. In our response to the COVID-19 pandemic, certainly having a universal, strong health care system was essential to our response. In many countries that didn't have a centralized, universal health care system, outcomes for them were way worse than what we have seen in countries with universal health care.

Essentially, having a strong, universal health care system is essential to make sure that when faced with a pandemic, when faced with health emergencies, everyone, all Albertans are able to access that system, rely on that system. This bill is also making some changes, but I think all these changes that this government is making to the health care system need to be seen in the overall context of the changes this government has made to our health care system and in the context of this pandemic and the lessons that we have learned and we need to learn from this pandemic.

When we see the government record in that context, I think from day one this government has been at war with doctors. They have been fighting with doctors every step of the way, even on their driveways. They ripped up their contract, and ever since, there was no improvement in government's relationship with the doctors. In fact, Alberta doctors voted 98 per cent no confidence in this government's Minister of Health. Imagine, Mr. Speaker, that you're in charge of a file. In that file doctors are one of the key and

essential stakeholders, and 98 per cent of them have no confidence and no faith in this UCP government's Health minister.

Then we are seeing the impact of that on our entire health system. Despite what this government says, we have seen and heard of doctors leaving. I do personally know doctors who have moved out of this province. We are seeing in rural communities that every other day there will be some news that rural emergency centres don't have a doctor. While we are going through a global pandemic and where everyone is cheering their front-line workers, supporting their front-line staff, this government is planning to fire 11,000 of them once the pandemic is over. Instead of learning from this pandemic that having a stronger health care system is essential, that it's a basic and fundamental right of Albertans, and that we need to strengthen this for any future emergencies, what this government is doing is that they're hell bent on firing 11,000 of those front-line heroes. As I said, instead of strengthening it, they are privatizing part of our health care system as well.

That's the context or the background. These are the kinds of steps, the kinds of changes this government has so far made to our health care system. That's the kind of treatment that doctors, nurses, and front-line staff have received from this government. The changes contained in this one may not be as material, but there are some changes that even don't relate directly to the health care system; for instance, the changes relating to insurance and the Crown's Right of Recovery Act.

Mr. Speaker, there are so many examples in our daily lives. For instance, just take the example of a phone. We go to a phone company, we look at various packages, we sign a deal, we agree on a price, we agree on a monthly date for the bill, and once we receive that bill, we do get a certain time to pay that bill. If we don't pay that bill, then there is a fine that gets added onto that bill. It's the same with other government business. If you owe something to Revenue Canada in taxes, additional charges will be added to your debt on the amount you are owing. That's simply the regular way of doing things, the way that we have done things in this society, in this country.

10:50

But what this bill is doing: it's removing an automatic fine for automobile insurers who fail to submit their annual premium reports to Treasury Board and Finance, and now the Minister of Finance will have discretion whether or not to apply the fine. When Treasury Board was asked about the rationale for this change, the best they could come up with was that that's for circumstances if a CFO for an insurance company unexpectedly passes away before the filing deadline. I think this amendment is a solution in search of a problem. While all Albertans in their day-to-day affairs are expected to meet the deadlines, are expected to be held accountable for not meeting those deadlines, here in this province we have a government that will bend backwards to do everything which insurance companies ask them to do.

Again, this change also needs to be looked into in the context of many other changes, many other favours that this government has given to insurance companies. When we were in government, we put a cap on automobile insurance rates. At that time the argument of the companies was that that may not be viable for them. They were asked to share their books and give some evidence. When this government came in, they just went ahead and removed the cap, and now we are seeing a skyrocketing increase in insurance rates. Many Albertans have written to us. I can even say, personally, that my insurance was doubled as well. And when the insurance companies released their reports in 2019, we saw that it was close to a billion dollars in profits.

Then we are seeing another bill that's before the House, Bill 70, where, again, the government is siding with insurance companies and the seniors home operators so that nobody can even hold them accountable for the things that – many Albertans who have lost their loved ones in those seniors homes think that they do have a legitimate claim and that they should have their day in court, but, no, instead of consulting with those Albertans, the government is siding with insurance companies.

I think it would have been nice if the government had come up with a better explanation of why these changes are needed, how they relate to the health system, and why they are necessary to be inserted in this bill. These are the things, these are the questions that remain. Also, the government needs to do better when it comes to managing our health care, protecting our health care system for future generations.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you, hon. member.

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

Seeing none, are there any members wishing to join debate on Bill 65?

The Deputy Government House Leader to close debate? I see that as being waived.

I am prepared to ask the question.

[Motion carried; Bill 65 read a third time]

## Bill 62

### Red Tape Reduction Implementation Act, 2021

[Adjourned debate June 8: Ms Pancholi]

**The Acting Speaker:** I see the hon. Member for Edmonton-Manning has risen.

**Ms Sweet:** Well, thank you, Mr. Speaker, and thank you for the opportunity to rise and speak to Bill 62. Now, I'm going to carry on with a little bit of what I was speaking about the last time I spoke to this bill in Committee of the Whole, and that was encouraging the Associate Minister of Red Tape Reduction to go down memory lane when it came to the Alberta Utilities Commission.

Now, again, just as a quick reminder for all members of the House who may not have been able to hear my lovely speech last time, Bill 50 was an issue. In 2009 under Stelmach and then under Redford we saw Bill 50 come in, which basically was going to allow for the building of utility corridors both from Edmonton north with the heartland, west of Edmonton, down to Calgary, and also east down from Edmonton to Calgary. During Bill 50 one of the major issues that came up was the significant impact that was going to happen for landowners. This, again, was in relation to the Alberta Utilities Commission.

We saw that approximately 2,500 landowners were going to be affected by this proposed project. Concerns were expressed regarding property devaluation, environmental impacts, interference with agricultural production, and health hazards, mostly related to strong electromagnetic fields associated with high-voltage transmission lines and linked to increased rates of leukemia in children. Many of the affected landowners worked together to form the United Power Transmission Area Groups, and of course many of those individuals who were part of that group then moved on to create the Wildrose.

Now, the reason that this is so important, Mr. Speaker, is that what we see within Bill 62 is that the government is going back to the old ways of Bill 50, which is allowing cabinet to create timelines for approvals on many of what would be considered decisions such

as what Bill 50 was going to do around utility lines. Now, what I had encouraged the hon. minister or associate minister to consider is that while those timelines are being implemented for approvals, landowners should also have the same respect, the same balance, and the same ability to have timelines set for review processes. The reason for that is that one of the most contentious issues when it comes to the AUC is the standing test for these reviews. The standing test currently says: directly and adversely affects people only – this has been since 1960, so there’s a problem here – and must have a legally recognized interest or right, i.e. a property right, and must be distinct from the community as a whole, not the public. The AUC requires proof on balance of those probabilities of declining property value, health risks, et cetera, and cannot cross-examine a superficial company rebuttal.

**11:00**

That decision was made in 2008. What we know is that that continues to be an ongoing issue for property rights owners when it comes to decisions being made in relation to the AUC, when it comes to utility corridors being built on their land. Now, the response that I received from the minister when I brought this up in debate the other day was quite interesting to me, Mr. Speaker. The reason for that was – and I’ll quote from the hon. associate minister. This was about 11:50. I can’t remember what date, but 11:50. I quote from the minister.

I just want to clarify a couple of things, Mr. Chair. First of all, this issue here, in terms of Bill 50,

which is what I’m referencing right now about utility corridors, is going to be addressed through the property rights panel, which our government actually put forward. Just so that anybody who’s watching doesn’t take the revisionist history [of the NDP].

Fair enough. The associate minister stands and says: hon. member, this issue is going to be dealt with at the Real Property Rights Committee. Oh, okay. Again, as many of us know, in this parliamentary practice, typically once an issue is referred from the Legislature to committee, it should no longer be heard in this place because the intent is that all members of this Assembly have agreed it is an issue that needs to be consulted on, needs to be discussed, and therefore it’s been referred to committee. The fact that the minister is currently on record from only a week ago saying, “Well, hon. member, this is actually going to be addressed at the Real Property Rights Committee” – again, my question would be to the associate minister: then why is it currently in Bill 62? It shouldn’t be in Bill 62.

So I’m going to help the minister out a little bit here because, again, we’re here to help. I’m going to move an amendment. I will wait until the Speaker has the copy. Sorry, Mr. Speaker. I should have prepped myself.

**The Acting Speaker:** Thank you.

Hon. members, should you wish to receive a copy of this amendment, feel free to put up your hand, and one will be delivered. That said, there will be copies at both of the tables at the entrance. I’m assuming, I think correctly, that a copy of it has already been electronically sent to the table. This will be referred to as the REC1 amendment. I guess that is the easiest way to do it.

If the hon. member could please read it into the record, and please continue with your remarks should you choose to. There are about nine and a half minutes remaining.

**Ms Sweet:** Thank you, Mr. Speaker. I’ll be quick in reading it into the record. I move that the motion for third reading of Bill 62, Red Tape Reduction Implementation Act, 2021, be amended by deleting all of the words after “that” and substituting the following:

Bill 62, Red Tape Reduction Implementation Act, 2021, be not now read a third time but that it be recommitted to the Committee of the Whole for the purpose of reconsideration of section 1.

Now, Mr. Speaker, again, I want to go back to the reason I would like to bring this back to Committee of the Whole. I think the hon. minister would like to probably reconsider his comments that he made only a week ago in the fact that he has indicated that this issue is currently sitting in front of the Real Property Rights Committee. Now, if that is the case – and the minister is on the record indicating that it is – I would like to help him out by bringing this back into Committee of the Whole so that he can amend this bill and remove that section. As we all know – and we all like to respect the parliamentary practice in this House – this current portion of the bill should not be currently sitting in front of the Legislature because it has been referred by all members of this Assembly to a committee.

I can appreciate that maybe the reason that the hon. minister does not want to have this removed out of the piece of legislation and probably will not be supporting my recommendation and my support in being here to help is because we know, in fact, that at the Real Property Rights Committee the government defeated our ability to discuss this very issue. How do we know that, Mr. Speaker? Well, I will quote the hon. Member for Leduc-Beaumont from our last meeting, where an amendment was considered. That amendment: to strike out:

“consider the Coal Conservation Act as relevant to [its] mandate” and substitute “consider the following acts as relevant to its mandate: Surface Rights Act, Water Act, Coal Conservation Act, mineral rights act, Forests Act, Environment Protection and Enhancement Act, Oil and Gas Conservation Act, and Pipeline Act.”

That motion was put to the members of the committee by the hon. Member for Leduc-Beaumont and then very quickly defeated by all the government members at that committee. This is in *Hansard*. This is on record. This is very clear.

What is also very clear, Mr. Speaker, is the fact that the Real Property Rights Committee will never address the real property rights of Albertans because, in fact, if it was, we would be addressing those very pieces of legislation, including the Surface Rights Act, but it was removed from our mandate of the committee. We know that this piece of legislation, Bill 62, that is currently sitting in front of us in this Chamber, that was introduced by the associate minister, is actually fixing something that the minister would like to fix but is not actually addressing the real issues for Albertans, which is the right to appeal for real property rights.

Although the minister will say on record, as he did – and I have quoted that already – that this will be dealt with at the Real Property Rights Committee, clearly it will not, and the reason that it will not is because the government defeated our ability to review those pieces of legislation.

I would like to encourage the government, if you really want to tell Albertans that you care about their real property rights, if you really want to make sure that rural Albertans’ voices are heard, you have one of two options. One would be to accept this amendment, remove this section during Committee of the Whole, and amend the bill so that the discussion can happen, and then bring the issue back to the Real Property Rights Committee and allow us as a committee to actually talk about this issue. Currently there is no space, whether it be within Bill 62, to support the appeal process for Albertans in real property rights, nor do we have the capacity in the Real Property Rights Committee to address this issue because the government has removed it.

So, again, this government does not actually want to address this issue. This government does not want to fix this issue. What this government is doing is creating another committee to appear like



they're concerned about rural Albertans' issues and their rights when, in fact, they've put every barrier in place to prevent us from actually fixing the issue.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you, hon. member.

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

Seeing none, are there any members wishing to speak to REC1, which is a recommittal amendment? I see the hon. Member for Edmonton-North West.

**Mr. Eggen:** Well, thank you very much, Mr. Speaker. Certainly, I speak this morning on this recommittal for Bill 62 with tremendous interest. I just want to thank the hon. Member for Edmonton-Manning for doing this research and making this very astute, relevant observation that, in fact, we see at least this part of Bill 62 functioning in exactly the opposite of what the rhetoric around what the government says it does on a very important issue around property rights for Albertans. You know, we've seen a long history of issues such as this becoming very, very important in the minds of Albertans, particularly rural Albertans.

11:10

I think that trip down memory lane that the Member for Edmonton-Manning brought up in regard to Bill 50, talking about clearing spaces for utility lines in rural Alberta, is an excellent case in point where if a government, in that case the Conservative government of the day, fails to consult Albertans around projects in their jurisdiction affecting their property, then these things can blow up, I think quite legitimately so as well, not just creating the formation of the transmission group, which became quite powerful, but, you know, even breaking off and forming the nucleus of a political party, right?

I mean, I just happen to remember this quite well because I believe I was the environment critic at that point for the New Democrats. I went down to some hearings that they had to hastily put up in Rimbey, Alberta, because people were viscerally angry about how their property rights were being breached, and, you know, it was starting to blow up. The government had to scramble and be very reactive.

They created these so-called public hearings at the courthouse, so I drove down there one day because I wanted to be part of that whole thing as a Member of the Legislative Assembly, especially, and the critic for that same thing and was met at the door and was blocked and barred from entering that very procedure. I mean, it was a good-natured kind of blockage because, of course, they were using the guards from the Legislature, so I didn't feel affronted by them, but it certainly was an affront to the process of having public hearings and consulting people in that region. People were hopping mad, you know, just to tell you. Other people were excluded, and we were all moved to the curling rink close by, where they said that they would set up a closed-circuit TV so we could watch the proceedings from another location. The whole thing just deteriorated from there.

So here we are with another Conservative government, again, not dealing with consultation for land use in this red tape reduction bill. You know, just even the Member for Edmonton-Manning describing the process, this convoluted process: I believe part of the issue is that the Associate Minister of Red Tape Reduction was in fact not representing the truth very well at all when he said that it could be sent back to the committee for discussion when, in fact, it couldn't. You know, I would like to know: on this issue where on earth is this Associate Minister of Red Tape Reduction? Where is

he on this issue? I think that we deserve to hear an explanation for it.

We are creating through this recommittal an opportunity to do that, in fact. We know that one of the talking points for this UCP government is around property rights, but when they actually have something that they can actually demonstrate their commitment to property rights and consultation on, they play this sleight of hand – right? – saying one thing, quite frankly, Mr. Speaker, and doing another. The common-sense radar for ourselves, for Albertans in regard to actually standing up and respecting property rights is reacting very strongly to this part of the bill.

It's like this is another case – because we've seen a number of these red tape reduction bills. Again, we have the UCP government crowing on about how they're making life better for Albertans because they're removing these rules and regulations and so forth. You know, in fact, regulations are quite often there for a reason. You don't protect property rights by removing legislation that protects property rights, right? That is an absolute contradiction. This is a perfect example of that. Quite frankly, I think that all MLAs should take a very careful look at this this morning.

Section 1 of that bill, regarding the Alberta Utilities Commission Act, needs to have the full light of day shone on it. Clearly, this has not been the case. I'm sure the last thing that this UCP government would want is to reignite those concerned citizens, in fact, like we saw back with Bill 50 years ago. You know, you end up with a political force, and that political force, Mr. Speaker, is not going to be paddling in the same direction as this government because, in fact, it's legislation like this that redemonstrates, again, the arrogance that Conservatives tend to have in regard to property rights here in the province of Alberta.

I thank the Member for Edmonton-Manning for putting these pieces together on this recommittal. I certainly urge, you know, in the most helpful way possible, as was mentioned before, all members here this morning to consider this recommittal as a way to avert what otherwise I think is the potential for a disaster.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

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

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

**Mr. Shepherd:** Thank you, Mr. Speaker. I appreciate the opportunity to speak to this recommittal amendment on Bill 62, the Red Tape Reduction Implementation Act, 2021. Now, my colleague from Edmonton-Manning has done a very able job of laying out the long history of these sorts of concerns when it comes to the Alberta Utilities Commission and landowners and the tensions that have existed there. Indeed, it is an indelible and notable part of Alberta's history, as she has described, as it did lead to the formation of the Wildrose Party and quite a bit of drama, I suppose, throughout the Alberta political scene, which led us back to the government that we have today, where we have the unification of conservatives in the province of Alberta, at least until recently. Yeah. Certainly, there have been some notable cracks in that unity over the last little while, as has been quite evident, much to the detriment of governance in the province of Alberta.

That aside, it's important to note that in so many ways this government seems to be set on repeating the mistakes that happened before. I believe it was my colleague from Edmonton-Beverly-Clareview that noted yesterday that in so many respects this government in two short years has managed to achieve the levels of entitlement that took the Progressive Conservative Party of Alberta over 40 years to build. That has been evidenced in so many ways

and is perhaps evidenced again by a bit of a lack of thought in this particular section of Bill 62, which is making amendments to the Alberta Utilities Commission Act.

Now, my understanding is that this would empower the Alberta Utilities Commission to mandate timelines or create limited timelines on approval processes so that they could simply determine that, you know, a company should not have to wait beyond this particular amount of time before getting approval on a project. Okay. If there are indeed concerns about how long approval processes are taking, there are many ways to approach that, perhaps looking at: what are the delays? What are the issues that are holding it up? Are there ways to improve the system by which it takes place?

But taking away a concrete measure or taking away just giving the ability to simply mandate a specific timeline, not giving a consistent timeline and indeed not giving a timeline for individuals, then, who may wish to appeal that process, that is where the main concern is. Again, what we seem to see here is a government that is putting its thumb on the scale on behalf of one particular group against individual Albertans, as we saw as we talk about Bill 70, which has been brought before this House, where this government is putting the thumb on the scale on behalf of long-term care corporations, private companies over Albertans who are seeking justice and redress in the courts.

**11:20**

Again, in this situation what we have is the government saying that they will mandate to ensure that companies or folks that have projects in the approval process can get them through in a specific timeline, but they are not making the same provision for individuals who may wish to appeal that project, whose own lives, whose own property may be impacted by that project. That, to me, Mr. Speaker, is a concerning thing. Now, of course, again, it is a precedent that's been set by this government time and time again, as we heard clearly from rural leaders at the Alberta NDP convention this past weekend, who spoke out very clearly, saying that they are not being heard by this government on a wide range of issues.

This is, of course, the same behaviour that we saw from this government when it comes to coal in the province of Alberta, where they charged forward with quietly removing the Loughheed coal policy last year without consultation, without any discussion, with Albertans, that is, Mr. Speaker – certainly, there was much discussion with Australian coal companies – again, a situation where this government clearly is more interested in working with corporations, putting the thumb on the scale on their behalf, rather than actually talking with the Albertans who are impacted by their decisions that have been made.

That was one of the major issues, again, that we've heard from municipal leaders and indeed from many people who live in rural areas. Indeed, the polling shows that a vast majority of Albertans are against this government's plans, and that still has not been enough for them to actually set them aside. They still have to try to set up a sham of a rigged consultation process, which still in its first round, despite every attempt by this government to again put their thumb on the scale, returned a clear and resounding answer from Albertans that they do not want what this government wants to force through. On this particular issue, we see the government again repeating that pattern.

I think my colleague from Edmonton-Manning has put forward a fair amendment here, an opportunity for us to return to Committee of the Whole and remove this problematic portion for reconsideration. Again, it is on this government that they are choosing to make these kinds of changes through an omnibus piece of legislation in calling it red tape. This is something that could have a very real impact for a number of Albertans, but the government is

simply just sort of trying to slip it in with a number of other changes as if it is a small and minor thing. The impacts this is going to have deserve real and true debate. They deserve real and true consultation.

While the government claims that the committee they have right now looking at property rights will address this, of course, that's language we've heard from this government before, where they said, you know, to the concerns that people have around potential coal, opening up the eastern slopes for strip-mining, the issues that people have around that regarding the impacts it was going to have on water, the impacts it was going to have on the environment: oh, well, we'll take care of those there. Then, of course, they drew up their committee and their consultation in such a way that they tried to exclude those very things. I do not trust the government when, with one hand, they are pushing this change through without consultation and, on the other hand, saying: but, no, really, trust us; we'll address that.

Again, on so many issues what we are hearing from folks in rural Alberta, from rural Alberta leaders, from people who live in rural communities is that the government is not in fact listening and is not addressing some of the very real concerns that they are bringing forward.

This recommittal amendment gives us the opportunity to return this to Committee of the Whole. It gives us the opportunity to pull this particular piece out of this legislation. It leaves the rest of the government's work intact in that regard. It lets them move forward on those other initiatives and gives the opportunity for this to be truly addressed on behalf of Albertans who may be affected.

Frankly, for a government that has claimed it was a government of the grassroots, that it was a government who is focused on bringing power back to the people of Alberta, what we have seen again, time and again, is that this is a government that is interested in taking power for itself, putting more power in the hands of its ministers, indeed shutting Albertans out on so many aspects. What the government likes to do is introduce boutique pieces of what they call democracy to give the appearance of Albertans being engaged, to give the appearance of empowering Albertans while they use every other process and lever at their disposal to take more power for themselves.

Here is an opportunity, through this recommittal, for them to show at least some good faith. That was a promise, of course, that was made back in January, when the government again demonstrated the incredible level of entitlement. In fact, that was the beginning of, frankly, the wave of entitlement and the incredibly questionable actions on behalf of this government. Back in January, when members of the government, indeed a minister of the Crown, chose to take an international vacation during a time when every other Albertan, the vast majority of Albertans, were following the public health rules, at that time, after several days of pushback we saw a commitment, unfortunately not from the Premier but certainly from some ministers on his behalf, that this government was going to be more humble, was going to earn back the trust of Albertans. We've seen how that's gone over the past five months, Mr. Speaker. Not well.

Here we have a very clear opportunity for the government to perhaps begin to follow through on that promise. Certainly, the events of the last week, with the sky palace patio party with the Premier's liquor cabinet, have certainly given even more impetus to the point that indeed, you know, ministers of the cabinet had to call the Premier out because they recognized the incredible damage that is being done by that level of entitlement that finally brought down the Tory dynasty of 44 years and has seemingly come roaring back under the current government. Members of cabinet, members

of the caucus recognized how damaging that is and publicly called out the Premier.

That is the atmosphere in which we find the consideration of this recommittal amendment. I think my colleague from Edmonton-Manning has aptly laid out what that meant for the conservative movement in this province previously, when they chose to ignore that voice of Albertans. Not, of course, Mr. Speaker, that I'm looking to do any favours for that movement, but I will say that in this particular case, on this particular bill, on these changes to the Alberta Utilities Commission Act, it would be worth this government reconsidering its plans here, taking this back to the drawing board, allowing this to go back to Committee of the Whole so that this could be removed, set aside for reconsideration. If they truly want to follow through on their commitment to look at this as part of their property rights committee, then indeed let's pull it out, and let's send it over there. Let's make it part of their discussion and their consultation as they are purportedly bringing Albertans to the table.

**11:30**

If the government is truly engaging in that process in good faith and they truly mean to address this there, why change the legislation twice, Mr. Speaker? If they truly mean to address it, then let's bring it there. Let's have that discussion. Let's make sure this is not another instance like, again, with the rescinding of the Lougheed coal policy, where the government is trying to rush something forward on behalf of industry without consideration of the impact on Albertans and what Albertans actually want to see. I think it is a reasonable check and balance, as much as this government seems allergic to that concept and tries to remove and duck at it every turn. It is part of our democratic system to protect the people of Alberta.

I support this amendment from my colleague. I appreciate her bringing it forward. It's certainly my hope that all members of our caucus and members of government would be willing to support it and take this opportunity to bring the voice of Albertans back to the table if this government is truly committed to grassroots democracy, as it so often claims.

Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for questions and/or comments.

Seeing none, are there any members wishing to join debate on this recommittal amendment RECI? I see the hon. Member for Edmonton-Castle Downs has risen.

**Ms Goehring:** Thank you, Mr. Speaker. It's my pleasure to rise this morning to discuss Bill 62, specifically the amendment that we're debating right now, that was brought forward by my colleague the Member for Edmonton-Manning. I think that when we're in this place discussing bills, discussing legislation and impacts of legislation, when we're in the middle of a debate on a bill and we learn that this is something that a piece of is going to be dealt with in a committee, it only makes sense for every member in this Chamber to vote with the amendment. We're simply asking that a piece of this legislation, section 1, be brought back to Committee of the Whole to discuss further. We've been told that this is going to be dealt with in the property rights committee, so why there would be any opposition to wanting to pull this section out doesn't make sense.

We know that there are many different committees that this government has established or disbanded. I wonder about the intention of creating a committee but then not giving it the ability to actually address things; instead, put it forward in a piece of

legislation and not have it thoroughly reviewed with the committee that is actually responsible for that piece of legislation. We see this act, the Red Tape Reduction Implementation Act, come forward by an associate minister of a ministry that they created, that seems like it's been a make-work project to give this associate minister things to do. Here's an example of something that shouldn't have been brought forward. If the associate minister was actually talking to what the government is doing, he should have at some point realized that this section didn't need to be in this legislation because it was currently being reviewed by a committee.

I don't understand how this government decides that we're going to create a committee, we're going to have it tasked with things, and expect Albertans to take it seriously when we're pushing legislation through that they should be dealing with. We have a government that has committees, that has reports available, that we discussed yesterday in our emergency debate. We asked for an amendment to bring forward the report. There is a committee. There's an organization that has been working on recommendations, which is the purpose of a committee, to review information, assess, and come up with recommendations. Yesterday in our debate we asked for those recommendations, that report, to be made public. We were denied that. So I worry that this is a practice that there is an illusion that there is a committee doing the work because this government says that we have a committee that's looking into that, but in reality what they're doing is taking legislation, putting it forward without going through the process that they established.

I know that when we were government, we created a panel around child intervention, and what our panel looked like was having members from all different parties represented, numerous experts from Children's Services, indigenous communities, foster care, and the work that we did on that panel was solely done with the purpose of creating recommendations and creating legislation. Our panel lasted about a year. When we were halfway through, we were able to come forward and present preliminary recommendations. What we did as government was that we then took those recommendations from the committee and brought them forward to the House.

You would think that that is the order in how things should occur. You create a committee; you have them discuss, review, come up with recommendations; they present them to the minister responsible; and then that minister comes up with legislation to be thoroughly debated in this House.

That's not what's happening here. When we look at this Bill 62, section 1 specifically, we're told that it's going to be dealt with in committee, but just put this through; we'll deal with it today. That is defying logic of how a committee is intended to run. What that tells me is that they already know what they want to do. The committee is not going to actually come up with recommendations that this government may or may not share. Based on their past, we don't see what comes out of recommendations.

We hear: trust me; this is what they said. And then when we're doing consultations, we hear industry and stakeholders saying: "Well, who did they talk to? Not us." Because we don't have the recommendations, we don't have the information.

This amendment is giving us the opportunity to put it back in committee, to allow the committee that's been assigned to do the work to actually do the work, make a recommendation, and then let's see if this is what the Associate Minister of Red Tape Reduction should be doing rather than going through all of these different ministries and creating pieces of legislation that they think need to be tweaked so that they can justify this ministry. We're taking away a process that should really lie within that committee.

As a member that sits on committees and has sat on committees outside of this Legislature, I know the amount of time and hard

work and commitment that goes into really thoroughly assessing what is before us as a committee. The intention is to be able to dig in deep and get to the information. Because you have more time, you have that specific task to work on those things that are referred to a committee. You have the ability to really work through what industry wants, how it's going to impact Albertans, things that perhaps we didn't think of when legislation is being put forward, things that through the committee you can weed out and determine: is this the right path? This is what we're thinking; what do you think? Why would this piece of legislation come before the committee has actually made recommendations? It's a backward process, Mr. Speaker. Perhaps it's so that in six months the minister of red tape can come back and have more legislation to bring forward. Because that's what's going to happen.

**11:40**

If we look at this legislation, we're expecting the Real Property Rights Committee to review this section, come back with recommendations. Perhaps they're going to be different than what's being recommended right now, so that means that we're going to have bring a piece of new legislation in to support the red tape reduction ministry. It seems like extra work. It seems like more red tape, more steps added that are out of sequence with how things generally run.

Mr. Speaker, I'm just very frustrated with the way that this government rolls out their legislation. This is a perfect example of how it can be done in the proper way, the proper steps. We are asking for an opportunity to send it back to committee so that we can discuss and really take the recommendations that the Real Property Rights Committee is presenting. I know that if I was on that committee, I would feel pretty frustrated and upset that legislation is being brought forward before we had the opportunity to really get to what's going on, to hear from all the stakeholders, to hear what the concerns are, to hear what the solutions are.

If you don't know from those that are being impacted what the solution is, how can you make legislation to recommend a change? We don't know who this government talked to. We do know that it isn't in front of the committee recommendations point. We know that the committee hasn't come forward and brought a recommendation saying that this is what needs to happen. We're hearing: we're going to just put this through, we'll hear from the committee, and then we'll make changes if we need to. That doesn't make sense unless you're trying to show that the Associate Minister of Red Tape Reduction is working.

This piece of legislation has so many different ministries affiliated with it. I'm sure that there are good pieces in here that I think we can support, but when I look at things like the travel and tourism, Travel Alberta Act, I don't know that this information is actually what industry is asking for. Travel Alberta came to our committee and provided information and insight about what they would like to see. I don't see anywhere in legislation that this government has brought forward a plan that actually supports what industry is asking for, yet we have red tape reduction, Bill 62, brought forward with changes that government is claiming are going to impact travel and tourism.

We have an opportunity right now to let the members of the Real Property Rights Committee continue to do the work that they've started, continue to consult, and make recommendations to this Legislature. Why are we not respecting the time and effort and work that the committee members are doing, that the stakeholders that they're consulting with are doing? Why are we making decisions ahead of what they're recommending? It just simply doesn't make sense, Mr. Speaker. When I look at this notice of amendment that's been brought forward by the Member for Edmonton-Manning, it

simply makes sense. I would love to hear from other members of the committee about what their thoughts are, what they think about being on a committee that is intended to come up with recommendations but not being consulted about this piece of legislation, not being able to have the ability to thoroughly review, meet with stakeholders, and come up with solutions and recommendations.

When we bring forward amendments, what we've seen over and over is a straight no. It's voted down. We very often hear very limited response from government and what their thoughts are. It feels like it's just a blatant: no, we're not going to support what the opposition is bringing forward.

I think that there are members from government on this committee. I would love to hear their insight and how they feel about committing to this committee, putting hard work into it, time and effort, building relationships, talking to stakeholders. How are they going to go back to their stakeholders and say: "Yeah. We're in a committee. It was appointed. We don't actually get to make recommendations that the government is going to do. They're saying that we do, but this is a prime example, Bill 62, where the recommendation comes in without actually hearing from the committee?" I would love to hear feedback from other committee members, to hear what their feelings are about doing that and how they're going to go back to their stakeholders and explain to them: despite being part of this committee and taking the time and listening, we're not actually going to do what you are recommending; the government has already made a decision, and this is what's going to happen. I think it would be a very difficult conversation.

I think it's damaging to relationships and again shows why so many people question this government and question the transparency of how they do things, when this is an example of them having a committee that really could have an impact on this piece of legislation. I'm not saying it's bad. I'm just saying that I want to hear from the committee that's actually tasked to do this. There are experts, members in this Chamber that are involved that should be having a voice in the legislation that comes forward.

With that, Mr. Speaker, I will wrap my comments and request that members support this. Thank you.

**The Acting Speaker:** Thank you.

Hon. members, 29(2)(a) is available. I see the hon. Member for Edmonton-Beverly-Clareview has risen.

**Mr. Bilous:** Thank you, Mr. Speaker. I'll make my comments brief. I just wanted to thank the Member for Edmonton-Castle Downs for her comments on this amendment as well, this recommittal, which I think is very, very timely. The member and the previous speaker, the mover of the recommittal, the Member for Edmonton-Manning, have put forward really solid arguments as to why this bill should be recommitted.

The fact that the government created an all-party committee to explore property rights yet the minister moves forward on a bill, ahead of the committee, with changes to property rights – what was the purpose of creating the committee? Let's rename it the Makeshift Work Committee or the Red Tape Creation Committee or the Wasting Members' Time Committee. If members are serving on a committee tasked with going out to consult – and we'll give the committee the benefit of the doubt; they are in fact going out and consulting with landowners, property owners to talk about how to strengthen their rights through legislation – then it's insulting to those committee members and these landowners that the minister has an attitude of: "Oh, no, no. We know best, not you. That's why

we'll bring forward changes to the legislation ahead of the work of this committee." It's a slap in the face, Mr. Speaker.

It would seem that this recommittal makes sense in order to include recommendations and advice from the very committee tasked with going out to bring forward recommendations to change the legislation. Like, putting the cart before the horse is an understatement. These changes in this bill completely undermine the work of the committee. I would imagine that when the committee attempts to reach out to Albertans for consultation, they'll say: "What for? What's the point? Your government has already amended the legislation. They've made changes before they have the information in front of them." I think that element of this bill needs to be pulled out so that the government can actually value the work that its private members are doing. If not, then to those private members that sit on the bill: I hope you can read the blinking neon sign that says, "You are not valued, nor is the work that you are doing on this committee; thank you for being a bum in a warm chair."

11:50

There are parts of this bill that I think are good and are necessary. I'll echo the comments from the Member for Edmonton-City Centre. The fact that changes to the Alberta Utilities Commission ensure that there are timelines by which approvals and updates need to occur, I think, is great. Mr. Speaker, I can't help but think of the example – now, this is regarding the AER, the Alberta Energy Regulator, as far as approvals go for certain projects. I know that there are examples where companies have waited years to hear whether or not a project is approved. That's ridiculous. That's what drives investment to other jurisdictions, when approvals have no end in sight and can carry on and on and on. So this part of the bill, I think, is positive.

**The Acting Speaker:** Thank you, hon. member.

I see the hon. Member for Cardston-Siksika has risen.

**Mr. Schow:** Thank you, Mr. Speaker, and thank you to the Member for Edmonton-Beverly-Clareview for his remarks. We certainly disagree on a number of things, most notably the definition of brevity. I rise to speak on this amendment to recommit Bill 62 to Committee of the Whole for the purpose of reconsideration of section 1.

Now, I just read through, did a quick search through the Committee of the Whole notes on *Hansard* and didn't see where an amendment was put forward by the opposition for this exact purpose, so I guess the real question here is: if not then, then why now? It's a good question, Mr. Speaker, because if the NDP felt that this was so important to bring forward, that it needed to be addressed so urgently that we need to refer back to a previous stage in the bill process, why wasn't it just done then? It begs the question: do they really care about this, or are they just wasting time, to use the Member for Edmonton-Beverly-Clareview's own language?

Now, on that vein, I would like to address some comments that he made specifically regarding the property rights committee. Now, members would know in this Chamber, specifically on this side of the House and members from the legacy Wildrose Party in particular, the importance of property rights, which is one of the many reasons why this committee was struck. To suggest that the members who are part of this committee are simply, again, bums in garden chairs – I'm sure there's a more colourful way the member would put it if he wasn't in this Chamber. Actually, the member did say just simply: bums in garden chairs. I don't have the benefit of the Blues, Mr. Speaker, but I actually wrote that one down. I thought that was comical. You might as well own the words while

you have them or they're coming out of your mouth. Anyways, if that's simply how that member thinks the members of the committee are fulfilling their role, he's sadly mistaken.

Now, with regard to this bill it is unfortunate that the members want to recommit this because what this section does simply, section 1 of the bill – I'm just kind of going through some of my notes here, and it would appear that my computer screen is locked, and I can't get the password for it, which is interesting. Anyways, all that to say that it is an unnecessary step, Mr. Speaker, to refer this back to Committee of the Whole to address this section in particular, section 1, regarding the Alberta Utilities Commission Act.

Further to that point, the arguments made by the members of the opposition suggest that the Associate Minister of Red Tape Reduction hasn't done his due diligence on this bill. It's unfortunate because that's effectively saying that the minister himself isn't doing the job that he was duly elected by his constituents and appointed to Executive Council to do.

Now, that is sad because there are many instances when the members opposite were in government when I absolutely disagreed with what they were doing and I disagreed with the process by which they came to their conclusions, by which they wrote their bills, but I'm not going to sit here and say that they don't care about Albertans or that they don't necessarily think that they need to consult everybody. Now, I certainly know that they didn't consult the stakeholders I would have consulted, namely, on something like Bill 6 or, frankly, just the job-killing carbon tax, but I do believe that members on both sides of the House genuinely care about the province and want to do the best job possible for their constituents.

So I do find it disappointing that the members on that side, specifically from Edmonton-Castle Downs and Edmonton-Beverly-Clareview, would be saying such things in this debate simply to cast doubt over a bill that I believe the Associate Minister of Red Tape Reduction has put a lot of time and effort into. I know that member, that minister personally. Now, again, it should come as no surprise that I am not supporting this amendment, and I encourage members of this Chamber to follow suit because this is a well-thought-out, well-rationalized piece of legislation that the hon. Associate Minister of Red Tape Reduction has put considerable time into, like many of the other bills he has put forward in this Chamber.

With that, Mr. Speaker, I will not be supporting this amendment, and I would actually ask members opposite to reconsider their views about the importance and the value of a committee on property rights. Apparently, property rights don't matter to the NDP caucus. Property rights are not something that they care about because, apparently, members of that committee are simply just bums in seats – bums in seats – just filling time, wasting time, again to use the Member for Edmonton-Beverly-Clareview's own language.

**Mr. Eggen:** We're bidding our time is what we're doing.

**Mr. Schow:** Comical.

I mean, look, they want to recommit this bill to Committee of the Whole. Well, honestly, they can take this amendment and commit it to the back of the filing cabinet because it's bananas. Frankly, it's bananas, Mr. Speaker. I can't support it. I can't see that anybody else would support it. If they cared this much about such an amendment, they should have brought it forth in Committee of the Whole, but apparently that was too much work as well. You know, I don't mean to be too crushing with my language to the members opposite, but I just don't see why this is a necessary step at this exact moment.

I do thank the members opposite for their interest in this bill, and I certainly believe they have the intent of representing their constituents, but this, I don't think, is the right step. I think it's important that we continue to debate the merits of this bill – and certainly they've done that to an extent – but a motion to recommit would not be something that I would see as necessary, and I think members of this side of the House would agree. I don't see why they would want to put this forward. Again, they talked about wasting time. I just don't see it. I think that would, you know, be

something that wouldn't be the best use of time in this Chamber, to recommit this bill to Committee of the Whole.

I do see that my time is running short. I suspect that we are about to adjourn for lunch. With that, I will take my seat.

**The Acting Speaker:** Thank you, hon. member. Read my mind.

Seeing that the time is now noon, under Standing Order 4(2.1) we are now adjourned until 1:30 this afternoon.

[The Assembly adjourned at 12 p.m.]

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For inquiries contact:

Editor

*Alberta Hansard*

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875

E-mail: [AlbertaHansard@assembly.ab.ca](mailto:AlbertaHansard@assembly.ab.ca)