



Province of Alberta

The 30th Legislature  
Second Session

# Alberta Hansard

Wednesday morning, November 24, 2021

Day 131

The Honourable Nathan M. Cooper, Speaker

# Legislative Assembly of Alberta The 30th Legislature

Second Session

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New Democrat: 24

Independent: 2

Vacant: 1

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Jackie Lovely	Parliamentary Secretary to the Associate Minister of Status of Women
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Dan Williams	Parliamentary Secretary to the Minister of Culture and for la Francophonie

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Deputy Chair: Mr. Jones

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Eggen  
Gray  
Hunter  
Phillips  
Rehn  
Singh

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Barnes  
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Rosin  
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Sweet  
van Dijken  
Walker

### **Select Special Child and Youth Advocate Search Committee**

Chair: Mr. Schow  
Deputy Chair: Mr. Jones

Goehring  
Lovely  
Nixon, Jeremy  
Pancholi  
Sabir  
Smith  
Turton

### **Standing Committee on Families and Communities**

Chair: Ms Lovely  
Deputy Chair: Ms Sigurdson

Amery  
Carson  
Frey (formerly Glasgo)  
Gotfried  
Hunter  
Loewen  
Pancholi  
Reid  
Sabir  
Smith

### **Standing Committee on Legislative Offices**

Chair: Mr. Rutherford  
Deputy Chair: Mr. Milliken

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Ceci  
Long  
Loyola  
Rosin  
Shepherd  
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Sweet  
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### **Special Standing Committee on Members' Services**

Chair: Mr. Cooper  
Deputy Chair: Mr. Schow

Allard  
Dang  
Deol  
Goehring  
Long  
Neudorf  
Sabir  
Sigurdson, R.J.  
Williams

### **Standing Committee on Private Bills and Private Members' Public Bills**

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Dang  
Frey (formerly Glasgo)  
Irwin  
Long  
Nielsen  
Rehn  
Rosin  
Sigurdson, L.

### **Standing Committee on Privileges and Elections, Standing Orders and Printing**

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Deputy Chair: Mr. Reid

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Deol  
Ganley  
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### **Standing Committee on Public Accounts**

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Lovely  
Pancholi  
Renaud  
Rowswell  
Schmidt  
Singh  
Toor  
Turton  
Walker

### **Select Special Committee on Real Property Rights**

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Deputy Chair: Mr. Rutherford

Frey (formerly Glasgo)  
Ganley  
Hanson  
Milliken  
Nielsen  
Rowswell  
Schmidt  
Sweet  
van Dijken  
Yao

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Chair: Mr. Hanson  
Deputy Chair: Member Ceci

Dach  
Feehan  
Ganley  
Getson  
Guthrie  
Lovely  
Rehn  
Singh  
Turton  
Yao

## Legislative Assembly of Alberta

9 a.m.

Wednesday, November 24, 2021

[The Speaker in the chair]

### Prayers

**The Speaker:** Lord, the God of righteousness and truth, grant to our Queen and 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.

### Orders of the Day

#### Government Bills and Orders Third Reading

##### Bill 74

#### Advanced Education Statutes Amendment Act, 2021

**The Speaker:** The hon. Minister of Advanced Education.

**Mr. Nicolaides:** Thank you, Mr. Speaker. Apologies; I just have to set a timer for myself. Last time I think I ran quite over time and still didn't get all my points out, so I need to be a little bit more careful with my time here.

Mr. Speaker, it's my pleasure to rise this morning and move third reading of Bill 74, the Advanced Education Statutes Amendment Act, 2021.

It's been a pleasure thus far to have the opportunity to debate the bill through the various stages and, of course, through Committee of the Whole. As always, I think some interesting comments that we've heard through the course of the debate, that I probably maybe agree with, but the vast majority, at least, coming from the other side that I wasn't too keen on . . . [An electronic device sounded] I'll keep going so that my colleague who has made the cellphone violation might be able to hide in shame, but I'm sure my colleague will be making a donation to a charity of their choosing. I won't say he or she because I don't want to specify the individual that has made the cellphone violation.

Again, Mr. Speaker, I'm really happy to have the opportunity to move third reading. I think, as members of the Assembly know, Bill 74 makes a number of amendments. It makes some amendments to the Post-secondary Learning Act – I'll talk a little bit about those in a little more detail – but it also makes some changes to the recent Skilled Trades and Apprenticeship Education Act, that we have passed this past June.

I want to talk a little bit about how we got here. I think I had the opportunity to do this during second reading but ran out of time, so I want to just touch back on that. The genesis of Bill 74, in some way, connects all the way back to the MacKinnon panel in 2019. I think members of the Assembly may recall that there were a number of recommendations in the MacKinnon panel that touched on postsecondary education. One of those recommendations suggested – and I'm paraphrasing – that the government of Alberta “consult with post-secondary stakeholders” and develop a future vision for the system. I wasn't too surprised to actually see this recommendation, because, in my short time as minister, up until the time of the MacKinnon panel, I had similar feelings that there did not appear to be a strategic plan, any kind of unifying vision or

strategic direction for our postsecondary system. So it was interesting to see those MacKinnon panel recommendations because I was certainly echoing some of those sentiments in my own thinking in the early days.

We took that recommendation to heart, and we initiated a process, which I believe is one of the most robust engagement and consultation efforts in the history of postsecondary education, to develop this future vision. I knew from the very beginning that this is not going to be helpful if I, as the minister, or the Ministry of Advanced Education sit down in isolation and develop our vision the way we see it for postsecondary education and then try and get our postsecondary stakeholders and others in the postsecondary system to agree and adopt this vision.

I think members of this Assembly will know that it's my preference to work in a collaborative manner and to try and bring people together as much as possible. So we attempted to do that within the context of the Alberta 2030 vision. We set off. We brought in some additional support through McKinsey. I know that some members during the course of the debate have talked a little bit about McKinsey and said that we paid, you know, over \$3 million for – I think I heard one member at one point say, “for something that they could have written on the back of a napkin” when it comes to the strategic vision that we've established for postsecondary. Now, I probably didn't hear the entirety of what my colleague had to say there. I think he was suggesting that that's probably how the NDP develop future strategic plans and future thinking, on the back of cocktail napkins, but that's certainly not the way I like to approach those issues.

With the support of McKinsey, we were able to engage in this very robust consultation effort, which they led. So their efforts and the services that they provided to government were not just a single document or a single report but, rather, leading one of the most robust consultation and engagement efforts in our postsecondary landscape.

We conducted a hundred one-on-one interviews, we conducted 30 round-table discussions, we had six town halls, we received over 200 workbook submissions, and held a number of other engagement efforts to collect feedback to get an understanding of: where is our postsecondary system at today, and where do we need to go?

Now, I don't think we – at least, I can speak for myself – fully grasped the challenges of this effort at the outset because we had, as I think members can understand, interests and priorities from student leaders that came to the table and things that they wanted to see; we had interests and concerns from faculty members that they wanted to see reflected in the vision; there were some priorities from government, of course; and there were priorities from postsecondary institutions themselves.

Hearing all of these different priorities was the easy part, and creating a venue for all of these individuals to provide their opinion was the easy part. The challenging part, however, was trying to put all of this together and synthesize a future vision and document that our students, our postsecondary presidents, taxpayers, the government of Alberta, and the general public could all agree on. I know that all of our stakeholders are not going to agree on everything within the Alberta 2030 plan, but I do firmly believe that we've landed at a place where the primary interests and priorities of our stakeholders are reflected in the Alberta 2030 vision.

That's not just my opinion, Mr. Speaker; many of our stakeholders have said precisely that. Our stakeholders have said that they see their priorities reflected in Alberta 2030. Those are their words. Those are words from student leaders, those are words from postsecondary presidents and others, who have said that they see

their priorities reflected in Alberta 2030, and they have also said that it is clear that the government listened.

I want to raise this because – I believe it was during second reading or other stages of debate – I heard some of the members opposite say that Bill 74 is yet another example of this government not consulting and just ramming through legislation that nobody wants. I can't understand how they make that connection, especially with the engagement and consultation effort that I just outlined for the Assembly. I say that because I want to address that point and make sure that it's clear to members and is on the record, the extensive level of engagement that went into the development of Alberta 2030.

Alberta 2030 forms the basis for Bill 74. As I mentioned, it makes a number of amendments to the Post-secondary Learning Act and the Skilled Trades and Apprenticeship Education Act. Let me start with the Post-secondary Learning Act. The bill makes a number of changes to the Post-secondary Learning Act. Number one, it makes some adjustments to the preamble of the Post-secondary Learning Act. It adds two new sections to the preamble and makes some other language modifications, and those changes will help connect the Post-secondary Learning Act to the vision that was developed in Alberta 2030.

Some of the pieces that have been added into the preamble speak to the importance of research and commercialization of research. I think we can all agree that our postsecondary institutions are home to groundbreaking research. They see the development of new ideas and facilitate new discoveries.

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Furthermore, I think we can all agree that if we can create the right environment so that those new ideas, new discoveries translate into new products, new start-ups, new business ventures, it creates a win-win scenario; it benefits our postsecondary institutions, it benefits the students that are involved, and it benefits all of Alberta as it helps to diversify our economy. This is real diversification in action, and by pointing to this in the preamble, we'll ensure that that element of research commercialization is instilled as a priority of our postsecondary system.

We've also amended the preamble to draw importance to the concept of parity of esteem, which I know members have heard me and others, including the Premier, speak to in many instances. The concept of parity of esteem is that a trade certificate has the same value, merit, and worth as a university degree. So the preamble will be amended and adjusted, should the bill be passed by the Assembly, to instill that element in the act.

Bill 74 will also establish the minister's advisory council on higher education and skills. We've had a little bit of debate about this, throughout the course of both the committee process and other stages of the bill, and I've heard different comments from members opposite and others about the higher education skills council, what it's supposed to do, and some of the concerns that they have. I know that the members opposite have some concerns. I am genuinely, Mr. Speaker, trying to understand these concerns. I can't quite understand the logic behind their concerns.

I have heard from some members opposite that they're concerned that the body will be duplicative and add cost. The latter is a little interesting because whenever we're in this Assembly, it seems like the members opposite are suggesting that we provide more – more funding, more resources; it doesn't matter what the problem is – more money, but now, when we want to strike a small committee of nine people to provide some strategic direction to our postsecondary system, they're concerned that we're going to reimburse these members their travel and accommodation costs to

get to and from meetings. I'm trying to understand the logic between those two arguments.

One of the things that I've observed, Mr. Speaker, during the past two years and the fact that we developed Alberta 2030 is because our postsecondary system does not have a strategic vision, does not have a strategic plan. Again, it's not just my opinion; it was also flagged by the MacKinnon panel. As well – I forgot to mention this – the lack of a strategic plan or strategic direction was also highlighted by the Auditor General.

The Alberta 2030 strategic vision that we've developed is the first time in over 15 years that our postsecondary system will have a strategic plan, so shouldn't we ensure that continues? Shouldn't we ensure that our postsecondary system is continuing to evolve, to think about the future challenges of our economy, the skills needs of our students and new graduates, and helping to provide independent, clear, and objective policy advice to government to make more informed decisions about how to move our postsecondary system forward?

I think we can all agree that that's something we should pursue. I know that the Member for Lesser Slave Lake agrees, but for some reason the members opposite don't, and I really can't understand why. I've tried throughout the course of this debate to understand why.

**Mr. Orr:** Just politics.

**Mr. Nicolaides:** Just politics, I guess. Perhaps the Member for Lacombe-Ponoka is right; maybe just politics.

It's unfortunate, but I do believe that we have to, especially when it comes to our postsecondary landscape, have the opportunity to hear real, objective, and impartial advice and guidance. Now, I have heard the members opposite raise some concerns about who's going to be on this committee. They've noted that the bill says that there – it actually goes through a list of who can't be on the advisory council, and that's done very deliberately.

Now, as members of the Assembly may know, we actually had something like the minister's advisory council on higher education in the past. It was called the Campus Alberta Strategic Directions Committee. Now, you may not have heard of it, and that's okay, but I think that maybe the fact you haven't heard of it speaks to the problem. The body was ineffective. It was supposed to do what's being articulated here now with the minister's advisory council on higher education to help provide strategic direction to our postsecondary system, but it was ineffective. Through the Alberta 2030 consultation effort we heard some ideas from postsecondary presidents and others and students about why that body may have been ineffective, and one of the reasons that I heard over and over again was because of who was on it.

The Campus Alberta Strategic Directions Committee had a seat for every single president of our postsecondary institutions. I mean, that sounds good, but when we're looking at developing a body to provide strategic planning to our postsecondary system, I don't know that having every single president around the table helped to develop that vision. That could be part of the reason why the body was ineffective, because each individual president is going to do their work, which is to advocate for, develop, and build their individual institution. They do that job very well, and I commend all of our postsecondary presidents for their incredible efforts. That's where their focus and priority is first and foremost, on their individual institution, and sometimes it can be challenging to bring these individuals together and think about how we move our entire system forward at a 50,000-foot level.

In the act it stipulates that a current president cannot be a member of the council. This is to ensure that there's some separation

between the priorities of individual institutions and the priorities of the system as a whole. It's also why representative student leaders who are in a position of student leadership at the time cannot be on the council, et cetera. We want to ensure that this body is somewhat detached from the day-to-day realities of our postsecondary institutions so that it can help to think in a long-term manner about the future of postsecondary education. Now, hopefully, we'll get that mix right. We'll have to make sure that we continue to evolve those efforts as we move forward, and if we need to make some modifications, then we can happily do that. I just wanted to provide some additional clarity as to why that is being suggested.

I just want to outline as well my priority in looking at appointments to this council. It is my priority to ensure that we have a cross-section of individuals at the table. I do believe it is important to have – I think you're giving me a three-minute warning there, Mr. Speaker. Thank you. Very kind of you. I think it's important to have a good cross-section of individuals on the higher education skills council. We need the voices of students, we need the voices of postsecondary leaders, and we need the voices of industry and other important partners at the table to help ensure that we're moving our postsecondary system forward.

Now, as I mentioned, Bill 74 also makes some minor adjustments to the Skilled Trades and Apprenticeship Education Act. We recently passed that act, in June, which was a complete rewrite of the 30-year-old Apprenticeship and Industry Training Act. In the process there were some pieces that in further consultation with stakeholders they flagged for us, that they would be more comfortable seeing some of those elements reinforced in the bill itself. We're happy, as always, to listen to our stakeholders and make the adjustments that they've suggested.

Mr. Speaker, I know I'm running out of time here very quickly. I hope I've been able to provide a little bit more clarity to members of the Assembly about the intent of the bill, why things are being done the way they are. Again, I'm always open to working in a collaborative fashion with all members to develop a strong bill. Unfortunately, we didn't see too many amendments, I think only one, in the Committee of the Whole process, which was to simply scrap the entire council, which I didn't feel would be productive at all, but no other amendments that would have bolstered the council or other elements of the bill.

In closing, Mr. Speaker, just to ensure that I haven't forgotten this important part and make sure it's on the record, I again move third reading of Bill 74 and want to thank all members of the Assembly for their debate and continued debate. I know we have some time during third reading for some additional commentary, and I hope the members opposite and members of the government side will be open to interjections throughout other stages of debate, through third reading, because I'm sure I'd enjoy the opportunity to take them up on those interventions.

With that, again, Mr. Speaker, thank you very much, and I move third reading of Bill 74.

9:20

**The Speaker:** Hon. members, the Minister of Advanced Education has moved third reading of Bill 74, Advanced Education Statutes Amendment Act, 2021. I see the hon. Member for Calgary-Mountain View has risen to provide some comment in the debate.

**Ms Ganley:** Thank you very much, Mr. Speaker. I'm pleased to have the opportunity to rise and speak to this bill. I think the bill itself is a piece of a larger series of legislation and cuts that this government has made to postsecondary. I would say that my primary objection to the way this government is looking at postsecondary is that they fundamentally misunderstand the nature

of innovation and of creativity and of how we sort of spur those things going forward. If there is one thing that Alberta needs right now, it's innovation, it's creativity, it's new ideas, and it's new ways of doing business. We are entering a phase of transformation in our economy, and we must do this. We stand at a moment in history where, even though some of the members opposite would continue to do it, the realities of climate change cannot be denied, the realities of the impact on our lives and very direct impacts.

People talk about, you know, this summer. We don't get a lot of months of summer here in Alberta, and we lost a lot of it to the fact that it was too hot to go outside for periods of time. It was above 37 degrees, which I don't think I have ever seen. I've lived in Calgary for over 40 years; I've never seen that. We had smoke sort of constantly coming in throughout the summer. We've just seen some incredibly tragic flooding and landslides. Roads have been washed out, in British Columbia, I think. These are just a few events that are localized to here. World-wide the events we are seeing as a result of climate change are massive, and they are going to have impacts on human lives. They are going to impact our ability to produce food to feed ourselves. That is a problem, and that is a problem that needs to be solved. It requires that we move forward, and that's going to have big impacts here in Alberta.

I say this, and I'm sure the members opposite will object, but honestly our major oil producers all agree. They've all made – not all; the majority. Over 90 per cent have made commitments to net zero by 2050. This government won't, but industry sees what's happening. They see what's going on around them. These are things that will be transformational, and in a time of transformation in order to stay a leader in energy and in other sectors, Alberta needs creativity and we need innovation, and this bill and this minister's entire approach to creativity fundamentally misunderstands how that works. He thinks that everything is measurable and quantifiable and that if you measure the exact jobs that people get when they come out of school, that is the only possible value that postsecondary can provide. Mr. Speaker, I just think that is completely wrong.

I'll give you an example. I had the opportunity recently to go on a tour of a sort of innovation lab just north of the main campus at the university that the university has been developing in conjunction with Innovate Calgary. It's a great lab, but one of the areas they were talking about for innovation – like, a lot of the work comes from development in pure science, development where, when it originally started to happen, no one could say: this is how it's going to lead to a job; this is how it's going to lead to money. It was just a scientific development. A lot of those developments have come together to create the future.

My father is a geophysicist. He did research geophysics, and he talks a lot about how in previous oil price crashes companies wanted to scale back the cost of their operations. What they cut was research. What they cut was looking for where new oil would be. It didn't have any impact immediately on those companies, so it seemed like they were just saving money but continuing to do business. But 10 years down they hadn't found any new reserves, and suddenly they had nothing to produce. Everyone was really surprised, right? Like, what happened? I think a lot of companies learned a lot from that. This was a while ago, but I think my point is that sometimes investing in a thing that doesn't seem immediately productive is critical for your sort of long-term survival. That's what this minister's approach misunderstands.

I'll give you another example, Mr. Speaker. Quantum physics, for instance, seems extremely purely theoretical, exactly the sort of thing where this government would, you know, say 20 years ago, have said, "Oh, this is a waste," but now these sorts of theories and the impact that they're having on computing are massive. This is going to be a massive area for innovation, but it came from sort of

purely scientific research. I think this minister's approach is just fundamentally wrong-headed. Sure, it won't have an impact today, but 10 years from now it will have a huge impact, even five years from now. It's an impact we can't weather because we are in the midst of this transformation of our economy. The last thing we need is to lose the ability to use new ideas in creative ways, to lose those new ideas because this minister doesn't think it's worth while because it doesn't generate a dollar figure the day after tomorrow. I think it's incredibly problematic; the entire approach is problematic.

The minister also mentioned that this is a result of consultation. I mean, everyone says that about everything, so take it for what it's worth. I think the problem is that he says, you know, "This was a big consultation; it was a better consultation," but the questions always are: who did you ask, and what did you ask them? You can consult on anything and you can generate the answer you want. Again, the minister referenced the MacKinnon panel. The MacKinnon panel made findings, and at that moment this government decided what it was going to do. It wanted to cut postsecondary. It wanted to focus only on things that, like, created immediate money right now. It just wanted to completely scrap the long term of what a postsecondary does. So it went out and asked people and asked them questions that would get it that answer and then claims to have found that answer. Well, of course you did; that's what you went looking for.

I think another thing worth talking about is that, again, this government is saying: oh, everyone is onboard; everyone agrees; everyone thinks this is great. I actually spent a fair amount of time talking to professors, because the lovely constituency of Calgary-Mountain View has a disproportionate number of professors, probably because of its location, and I actually ran into a lot of professors that I have had over the years.

One of the things I was reminded of was that when I was at university, I took a couple of classes – they sound very, well, general because they were called general studies 300 and 500. It doesn't sound like anything. It's essentially a history of western thought, but for me that was formative. Reading those texts from throughout the ages and sort of interpreting, like, "What did they write, how does it reflect the way they see the world, how does it reflect the lens that they are using to interact with everything every day, and how was that reflected in those societies?" was really formative for me. It has served me incredibly well in this job, and that's the sort of thing that this government and this minister are saying is worthless. I just don't think so.

I think that, well, as individuals, as members of a democratic society we should have a vision for the future, and I think that that vision is created oftentimes by thinking about exactly these things, by thinking about history and philosophy. What did people write about in their times, and what did that say about their lens on the world? How are we different now, and how could we be different now? What could we learn from it? What should we definitely avoid from it? I think that those things are very important.

**9:30**

I think another thing worth mentioning, another discipline that this government would say is worthless and not worth investing in is probably philosophy – there isn't always a direct link between that and immediate generation of capital – but I think this government couldn't be more wrong. This government has made a lot of mistakes over the course of its tenure, arguably more than in any two-year period in history, and they are primarily mistakes of philosophy. They are primarily mistakes of essentially a lack of looking at your facts and your premises and drawing logical conclusions. Those are the mistakes that this government makes. They fail to read evidence. They fail to consider what the possible

outcomes of that evidence are. They fail to see how premises lead to different conclusions.

You know, to take just one example, the failure to use or consider evidence appropriately with respect to the COVID pandemic has had devastating impacts and not just on people that got COVID, Mr. Speake, but on anyone who needed a surgery in this province. That ability to evaluate evidence, that ability that you get through pure sciences, through social sciences, through philosophy: that could have stood this government in very good stead. The sort of ability to understand statistics and modelling and logical argumentation would have made a big difference, and it would have made a big difference to the lives of a lot of people. So it is frustrating to me to see another plank in this government's vision come forward like this because it devalues precisely – precisely – the things where, had this government had it, had anyone at that cabinet been asking good questions, been thinking logically and rationally about what was happening, the fourth wave could have been prevented, and all those lives could have been better.

Another thing worth talking about here is this – the minister talks a lot about the parity about esteem, and, Mr. Speaker, in principle I think it's good, but again we're in this actions-words sort of dichotomy here, right? I mean, I would almost call it a parody of esteem because at the same time the minister is saying: oh, we're going to put in legislation that, you know, different forms of education are equally valuable. I think that's right. I think it's a hundred per cent right that different forms of education are equally valuable. I think that being an electrician or a pipefitter is just as valuable as being a lawyer – like, I don't disagree with that for a moment – arguably more valuable in some ways, not to diss my own profession.

The thing that bothers me about this is that it's: let's give you a nice set of words, but at the same time we're going to undercut your ability to negotiate for better pay and working conditions. So we're going to tell you we respect you, but we're not going to act like it. At the same time that we're saying, you know, "We're going to put in legislation that we respect you," we're going to cut your overtime pay, we're not going to allow you to bank that at time and a half, and we're going to allow your employer to sort of impose on you arbitrarily that you don't get time and a half for your overtime.

The words are respectful, but the actions are not, and that is my problem with this. You know, we're going to raise your taxes, we're going to raise your costs so that we can give money away to rich overseas shareholders. We're going to cut your ability to negotiate for better wages that can help your family. Those are not respectful actions. I guess, with respect, Mr. Speaker, the minister is not acting respectfully. Saying nice things while at the same time undercutting someone's pay and their working conditions is not respectful.

In addition, Mr. Speaker, the minister talks about the evolution of the system. I mean, he's put significant stress on the system. The sort of massive cuts imposed by this government have put stress – and stress can sometimes generate evolution. I don't deny that, but I think we have to remember that it doesn't always. Just sort of taking away from people, forcing students to pay higher, suggesting that certain disciplines are not valuable and ought not be valued by the system: I don't think that's the thing that's going to produce the kind of change we want to produce. It may produce change, but I don't think it produces the change that we want.

To come back to the beginning again, that's not how any study of the history of sort of creativity and creative ideas and innovative ideas, ideas that have actually changed the course of our history – that isn't how it works. You don't necessarily know what you're aiming for when you start. It may seem purely theoretical, much like quantum physics, and it may prove to be incredibly valuable at the end. So in this time, when we need that transformative energy,



when we need not just depth of knowledge in a subject area but breadth of knowledge, because breadth of knowledge is often what enables people to see those different interconnections that ultimately cause innovation, this government is suggesting that that is worthless. They are suggesting that if it doesn't produce immediate economic outcome, if it doesn't produce an immediate job, it's not meaningful.

I will tell you, Mr. Speaker, that I have two separate undergraduate degrees, both of which did not produce an immediate job. The first one was in psychology; the next one was in philosophy. I guess I thought to myself: what's less likely to be employable than psychology? Eventually I went to law school, and that all went fine. But the point is that those degrees were important, and they were formative. I learned important things, important things that have contributed to what I went on to do. I know that a number of people in my cohort now – because we're probably in the middle of the middle-aged – a lot of people have done phenomenal, spectacular things that were not really obviously in the discipline that they initially trained in, but they learned those skills. It isn't just a specific skill set for a specific job that you go to university to learn. You go there to learn how to understand experimental methodology and how to understand the, like, massive, massive amount of evidence that comes at us on a day-to-day basis. The ability to understand that doesn't just serve you well in terms of the economy and in terms of innovating. It serves you well in terms of your ability to participate in a democracy, to understand the massive flood of information around you.

We're seeing it right now with vaccine misinformation, right? That is very, very dangerous. It is a direct and current danger to the lives of everyone in this province. Having the ability to rationally understand what actually doing research looks like and how it differs from a Google search is pretty critical. If we had more people who had that understanding, we would be in a better position.

Mr. Speaker, at the end of the day, my objection to this bill, my objection to this government's entire approach to postsecondary is primarily that. It does not understand what creates a good ecosystem in terms of innovation, in terms of creativity. It fails to understand that those things that don't seem like they lead directly to money can actually be very valuable. It fails to look at history and look at the way sort of creative and disruptive innovation and technology changes are created and by whom they're created. Nobody went to school specifically to invent the printing press, yet they did.

I think, Mr. Speaker, at the end of the day, I am not in favour of this bill. I am not in favour of this government's approach to postsecondary, and I think they should rethink it.

**9:40**

**The Speaker:** Hon. members, are there others wishing to join in the debate this morning? I see the hon. Member for Edmonton-Castle Downs.

**Ms Goehring:** Thank you, Mr. Speaker. It's my pleasure to rise this morning to speak to Bill 74, the Advanced Education Statutes Amendment Act, 2021. You know, I'm listening to the debate, and I think about all of the people that are impacted by postsecondary and the massive, massive cuts that this government has done towards this essential industry, institution. We have a bill here that is literally about our future, our learners, whether you're a young person coming out of high school, going into postsecondary or you're an adult learner who has returned or wants to return to postsecondary because you need to change your career. This is a conversation that I know is happening around many different tables across the province. With COVID we've seen incredible job loss,

we've seen so many individuals and families struggle with their future, and a feasible option should be to be able to go to university, postsecondary, trade school, and take the opportunities that this province has to offer. However, when this government cut nearly \$700 million from postsecondary institutions, that had a direct impact on those that would like to potentially access postsecondary.

I've heard so many people that have been laid off that want to go back to school, to look at changing their careers because perhaps their career isn't an option anymore. They need to look at diversifying. They need to look at changing, and postsecondary is not a feasible option. When you're a single parent, that risk of changing your career and taking an opportunity to go back to school becomes unachievable, unattainable because of the cost. So people are doing jobs, doing careers that don't have long-term impact. They don't have the quality-of-life impact that someone deserves.

You know, I grew up in a household where my dad was an electrician. He started in this industry when he was a teenager. He was 16, left home, went to Calgary, worked for Calgary Power, did his apprenticeship and everything there, and then transitioned into TransAlta and then eventually retired under Fortis. This was an incredible opportunity for him as a young person coming from rural Alberta, born and raised in Cherhill. He went out and bettered himself and was able to provide for our family. I'm so proud that my dad was part of the trades. But when we look at people entering the trades and we look at people that want to get into careers that have a quality of life, it's difficult.

I know that my parents always told me: choose a career that you love to do; pick something that makes you happy. When we're students, when we're in high school, we have those big conversations. What do I want to do with my life? Where do I see myself going? I knew that watching my dad work incredible hours – he, unfortunately, suffered a horrible injury. He worked on power poles, and he was at a site. Unfortunately, they didn't have a clear understanding of the power poles that he was working on. It had been rotted under the ground, and it fell. He was in hospital for a long time, and he considered changing careers.

But I remember that at that moment I was terrified of wanting to go into that career. I remember being little and having my dad come to our classes talking about being an electrician and doing safety presentations about the real risk of electricity and just being fascinated with wanting to do it until that injury happened. As a kid, you know, you have these big dreams about what you want to do with your future, and you have this unlimited capacity to dream big about what your future entails.

Unfortunately, this government has made it so that it's not an accessible dream for everybody when they want to look at postsecondary. The cost for students right now is at a place where it's actually not an option for everyone. Not everyone can afford the luxury of postsecondary. That is absolutely shameful. We have a province where people should be able to have a dream and be able to figure out how they can achieve that dream through postsecondary if that's their path.

I have students in my office that are taking social work, and listening to the stressors that they have – they're all in different stages of their learning. Some of them are brand new out of high school. Some of them are adults who were injured at work and went back to school and decided that social work was a path that they wanted. I have a veteran who retired from the military and is now going into social work. Just a very diverse group of individuals that have chosen social work as their career choice. The stressors that they're under with the cost of living, with the cost of education: they're having a hard time being able to focus on their learning.

We know that when it comes to learning, there are so many factors that can implement your ability to actually learn, and that doesn't change from childhood into adulthood. You need your basic needs met. You need food. You need shelter. You need health. Right now, with the cost of living for these students, some of those things are negotiable. Some of those things aren't considered a requirement. They're negotiating on, "I can't afford to do this, so I'm going to cut back on my food so that I can invest more in this," or "I can't afford my insurance, so I have to change how I get transportation." These are decisions that shouldn't have to be made. These are decisions that students shouldn't be stressing about.

When you're a student, your whole purpose is to be able to go to your classes and invest in that class, to be able to really understand the information that is coming at you. Being a student is stressful, Mr. Speaker. I know that when I was a student, computers were a brand new thing. I was a single mom, and I didn't have access to a computer. That was considered a luxury. For me, it meant getting child care, getting to the university campus, being able to print off a paper. There were a whole bunch of barriers that were in place.

Those barriers today are: "Can I afford insurance for my vehicle to drive? Maybe I'm an apprentice, and I have to be able to get to a work site, but I can't get there because there isn't public transportation that goes out to Dow. Or I can't get there because it's in an industrial part of the community that doesn't have public transportation. I need my car." These are decisions that students should not have to make.

I mean, when I look at this piece of legislation, it was a wonderful opportunity for the government to reinvest in all of the cuts that they did. Unfortunately, that's not what this legislation does. I think that when we look at the professionals of the future, we're missing out on so many individuals that could potentially be doing great things, but they're not engaging in postsecondary because of the cost, or they're dropping out of postsecondary because their mental health needs are just simply not being met because of the cuts.

9:50

My daughter is in university, and her partner – she was becoming an ASL interpreter, and COVID hit, and the impact on her ability to learn American sign language online was so stressful. The class really, really struggled. More than half of the class withdrew from the program simply because that avenue of learning just wasn't a supportive atmosphere for learning ASL. So at 19 years old she's having a career crisis. She took some time and applied to different universities knowing that because of the cost in the province, because of the insurance, because of utilities, she couldn't afford to live far from home. She knew that she needed to be able to access a university that was close to home because she needed that financial support. So right there her choices were limited. Fortunately, the U of A is an incredible university, and she was accepted there.

At 19 she had her career path already planned out from the time she was probably 15 or 16. It changed. It was outside of her control. This is a young adult whose peers, her support group, are making these big life decisions. I hear about them struggling, Mr. Speaker. When she gets on her Zoom calls with her peers and they talk about what's going on, they're not stressed out about the content that they're learning. They're not stressed out about the caseload that they have in university. They're stressed out that they can't have access to a mental health person. They're dealing with anxiety. They're dealing with life stressors that in part are a direct impact from all of the cuts that this government has provided. To me, that's heartbreaking. Our young people should be able to be in university and have a wonderful experience getting to know new people, expanding their minds, learning new information, focusing on what

they are being taught, becoming creative thinkers. But right now that simply isn't the case, and this legislation doesn't do anything to support that.

I'm happy to see that there are amendments and changes to apprentices and the apprentice program in the province. My oldest son is a fourth-generation insulator in oil and gas. From listening to his grandfather talk about his experience becoming an insulator to my son's experience, a lot of changes had to occur, and as safety regulations and understanding about what it means to be an apprentice and that hands-on learning – we've seen changes happen. So I'm pleased to see that apprentice pay and the mentor-to-apprentice ratio are addressed in here. I know what it takes to have a student and to have someone under you that's looking to you for direction and advice. I know that as an insulator there are huge safety factors in that when you're working in oil and gas and you're on a live site, a bad decision could mean life or death.

Seeing that this bill addresses that apprentice-mentor ratio, as a mum who's son had gone through that, it's comforting to see that. I know that my youngest wants to become a plumber. Knowing that he's going to have an opportunity to have a really good relationship with his mentor in a reasonable ratio is comforting. I appreciate that that bill does this. I'm sure that there are many different trades where this has been neglected, and it's wonderful to see that.

But what we really need to see on top of that is simply a reverse to the cuts and a genuine effort and action to start repairing the damage that they've inflicted on this sector. I know that in reading this bill, I don't see anything that takes real action to restore cuts.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Edmonton-Beverly-Clareview has the call.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise and speak to Bill 74, the Advanced Education Statutes Amendment Act, 2021. I appreciate that many of my colleagues have spoken to this bill at numerous stages and that we're in third reading. There are a few points that I want to make on this bill, first of all highlighting the importance and necessity and critical role that postsecondary institutions play in our province, how they are, in fact, an economic driver. They are a magnet for companies to come to the province, but also they're a catalyst to help start-ups. You know, the role that they play is paramount.

I find it quite hypocritical that this government gets up and beats their chest when tech companies decide to move to Alberta, but the reason they're moving to Alberta is because of the access to talent, not because of their corporate tax cut. In fact, every company that I've sat down with, including AWS in their new announcement – not once did these companies mention the corporate tax rate. Not once. They mention access to talent as their number one reason for choosing a jurisdiction. Now, I applaud our postsecondary institutions, you know, especially the fact that we have 26 amazing postsecondaries, but the U of A and the U of C are on the international map and are a destination of choice for so many students. In fact, the U of A proudly has now a Nobel prize winner.

Instead of building on this success and momentum, what does this UCP government do? Slash almost \$700 million out of their budget. Now, what's beyond frustrating is that the government loves to hear these companies come to Alberta, yet they must put in earplugs halfway through because the companies tell them: we're coming because of talent. Where are we getting this talent from? We're growing it through our postsecondaries. So making cuts to postsecondaries is cutting off our nose to spite our face. It makes absolutely no sense, and there will be long-term consequences of this. Companies will look to other jurisdictions that are actually

investing in their talent pipelines. It's frustrating because we want to see that growth in our tech and AI ecosystem continue, but the actions of this government are worrisome, and industry has flagged that.

There's also been a complete reluctance to implement programs that industry has been asking for to level the playing field between Alberta and other jurisdictions like the interactive digital media tax credit. This government is so ideological that because it was introduced under an ND government, somehow it's a bad program. Well, talk to industry. They're beyond furious. They don't care who is government. They don't care if it's a UCP idea or an NDP idea. In fact, they say to us: "It's neither of your ideas; it came from industry. We just want good policy to be implemented."

**10:00**

When you cut a program because a previous government introduced it, it's naive, and quite frankly they have much more colourful language to describe those actions. There have been numerous calls, though, to reinstate programs that were working. There's example after example of companies who have relocated because Alberta is not competitive. Again, the corporate tax rate has nothing to do with it.

BioWare is a great company, a great example, that was started here in Edmonton. Almost 10 years ago BioWare had 800 employees. They moved 500 of those employees to Quebec. Why? Well, it wasn't because of taxes, because the taxes in Quebec are much higher than Alberta. The company moved 500 employees to Quebec because they have a tax credit program.

**Mr. Rutherford:** So lower taxes.

**Mr. Bilous:** A tax credit program.

Their labour is their highest cost driver and amounts to a much higher amount than the difference between the tax rates in Alberta and Quebec, yet this government continues to tout the corporate tax rate to the bottom as a silver bullet. Again, no start-up benefits from a low corporate tax rate. You could drop it to zero and you're still not helping. The bill here doesn't do anything to help make Alberta more competitive.

Questions that I have around this new advisory council. I'm at a loss for understanding when the minister gets up and says: "No, nobody from a postsecondary will be on this advisory council even though it's advising about postsecondaries. It's going to be all external people." Now, if the minister was to say, "There are going to be some external; we want to hear from the private sector, we want to hear from the international community, and we also want to ensure that we have our own postsecondaries on this or some representation of our postsecondaries," that makes sense to me.

To say that we're not having any from the very sector that this applies to would be like the Minister of Jobs, Economy and Innovation standing up a tech and AI advisory council, but no tech or AI companies can be on it because that's all inside baseball; we only want companies, individuals who are not from that space. Well, that would be absurd. That would make so sense whatsoever. The fact that the very institutions that this advisory council is advising on are nowhere around this table is worrisome.

Now, the other question I have is the timing of this. The minister is setting up this council even though the government gave a significant contract to McKinsey to help develop their 2030 strategy. I will say at the outset that McKinsey does incredible work and are a global firm. Quite frankly, I read a lot of their articles regularly. So I have no issues with that, but we've spent almost \$4 million getting a 2030 strategy, and now we're standing up a separate advisory body. How are those two going to interact? What

happens if the advisory council gives advice in complete contradiction to the 2030 strategy document?

The other thing I find interesting is that, again, if there's no representation from our postsecondaries yet the council is giving direction and setting strategic goals as well as metrics for measuring the performance of our postsecondaries, there's a huge gap here. That would be like the board of a corporation setting performance goals in isolation from the CEO, not talking with them at all about their vision and the outcomes that they're driving towards but someone else devising it and saying: here; now do this. They're doing it in a vacuum. No company that I'm aware of does that. The board works with their CEO and their management team to develop metrics, to develop these goals, yet here's another example where this government thinks they know better than business.

Mr. Speaker, I mean, for these reasons, I really struggle to support this bill. I mean, if we're looking at using our postsecondary institutions and system to help drive innovation, economic development, to be that catalyst which we know our PSEs are, this bill does nothing to achieve that. It does nothing to restore the \$700 million that was gutted from our postsecondaries. It's disappointing because I do know for a fact that the Minister of Jobs, Economy and Innovation is a fan of the technology sector and does want to see investment and companies continue to come to Alberta and to develop and grow here in Alberta. The harmful cuts that have been brought to our postsecondaries will not only interfere with that, but it's at complete odds with, again, trying to grow this space, this space where these companies rely on the talent that is graduating from our postsecondaries. Massive cuts reduce programs, reduce seats in programs. It means less funding for researchers, researchers that are critical to draw to Alberta, who draw students and graduate students with them, who then, in fact, spin out companies.

A great example – and I know the minister knows this. Dr. Rich Sutton is world renowned in artificial intelligence machine learning. He's at AMII, the Alberta Machine Intelligence Institute, and he's there because government after government, including the NDP government, funded AMII to ensure that we would have this world-renowned talent. With Dr. Sutton at AMII he has an incredible following, and that following is the reason that AMII is ranked fourth in the world. It requires funding, but what that does is it lays the foundation for companies to take the research that they are doing and apply it to solve real-world problems, spinning them out into companies. Those investments are critical.

Mr. Speaker, I do believe that every MLA in this Chamber wants to see Alberta succeed. But legislation that does not repair damaging cuts to the very lifeblood of our tech, AI, and start-up ecosystem is putting our province on the wrong course and will have long-term consequences and impacts for future companies, future investments.

**10:10**

It sends a message to start-ups that this UCP government does not value you and is acting in a way that this UCP government is saying: go to another province, one that invests in postsecondaries. Sadly, Mr. Speaker, we have seen a level of brain drain. For those reasons, I will not be supporting this bill.

**The Speaker:** Hon. members, are there others wishing to join in debate for third reading? I see the hon. Member for Calgary-McCall would like to add a comment or two.

**Mr. Sabir:** Thank you, Mr. Speaker. I rise to speak to Bill 74. I think my colleagues this morning have talked about the importance of postsecondary and how it helps drive research, innovation, and transformation and the impact it has on the economy, the impact it

has on creating, developing human capital, intellectual capital, all those things. When it comes to postsecondary, the government wants to talk a really big game in vision 2030 and all those nice things, but their actions, their budget numbers speak way louder than their words, and they do not support anything of what government is saying.

In my own experience, I think that postsecondary plays an important role. For many in my riding education, skilled training at postsecondary is their only hope to get ahead. What this government has done in the last three budgets is that they have cut postsecondary to the bone. In every single budget postsecondary education has been on the chopping block. They have cut \$690 million from postsecondary education since they took over. These are the numbers straight from their budget. Their policies have resulted in layoffs, mass layoffs, from postsecondaries across the province: the University of Calgary, SAIT, NAIT, the University of Lethbridge, the University of Alberta, you name it, Mr. Speaker. Fifteen hundred full-time employees have been laid off as a result of reckless UCP cuts to postsecondary education.

Throughout this pandemic the Official Opposition has been asking them to reverse course. We have made suggestions throughout this pandemic that it's not the time for them to push their agenda under the guise of a pandemic. It's not the time for them to push austerity under the guise of a pandemic.

We asked them to reverse \$690 million in cuts that they made to postsecondary education. We asked them to freeze tuition fees. Instead, tuition fees have been skyrocketing since the UCP took over. We asked them to stop hikes on student loan interest. They did not listen. We asked them to halt performance-based funding. Nothing. They didn't listen.

They said that postsecondary was not only important to help drive research and innovation; it was critical for Alberta's economic recovery as well. They want to talk about vision 2030 and all those nice things, but the reality for many Albertans in my riding and across this province is that the changes that the UCP government is making to postsecondary education will make postsecondary education unaffordable and inaccessible for all Albertans except the most privileged. That's the impact of this government's policies and this government's reckless cuts to postsecondary education.

As I said, the vision they want Albertans to believe in may look good on paper, but their actions, their budget priorities speak louder than that. The damage that has been done by these policies and by these budget cuts will be felt in years to come, and unless the government reverses these reckless policies, reverses these reckless cuts to postsecondary education, I don't think that we can support this bill.

I will urge the government to reconsider their approach to postsecondary. We are living in changing times. The world around us is changing quickly, and a strong postsecondary can only help us understand that changing world and position Alberta for a future that is bright, that is fair, that includes everyone, and those cuts, those layoffs, and those hikes to tuition and student loan interest do not help us with that.

With that, I will urge everyone to not support this bill unless the government is willing to put money where their mouth is. Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Edmonton-North West.

**Mr. Eggen:** Well, thank you, Mr. Speaker, and good morning to everyone. I rise to offer perhaps some context and some commentary on Bill 74, such as it is, including maybe just a little bit of the history

that led up to where we're at here today in regard to Bill 74, an amendment act.

**10:20**

When I first saw that there was an amendment act on the Order Paper for this fall session, I thought: okay. Many of the unfinished pieces, unfinished business, that did exist from the last advanced education bill that was brought up by apprenticeship and trades colleges and so forth: they're going to perhaps make those adjustments, and that's a good thing.

In fact, we very explicitly as the Official Opposition had pointed out these omissions in the last advanced education bill, and of course it made it difficult for us to support that last bill last year because of the unfinished business that was there. So having this amendment come forward, my initial reaction was that, okay, well, they're going to patch up these pieces that they should have done last year, and that's fine. But then as we see Bill 74 unfold and as people had a chance to digest it, yes, those changes were there. They are there in Bill 74, some of the changes to apprenticeships and so forth, you know, perhaps not fixed in the way that they should have been, but then there's a whole lot more there, too. Perhaps, Mr. Speaker, it would bear some assistance for people making a choice around voting for or against Bill 74 to look at what those other things are. And where did they come from?

When we first saw this UCP government come into power, they had a number of advisory boards and advisory councils that helped them to perhaps pick a direction for their new government. One of the first and most prominent ones, and very often cited, was the MacKinnon report. The MacKinnon report talked about a whole range of things around the economy and helping to find Alberta's place in Confederation and to look ahead to the next 10 or 15 or 20 years. You know, quite a lot of the MacKinnon report was devoted to postsecondary, saying that we spend too much money on postsecondary, that we perhaps have too many colleges and universities, that this needs to be reduced somehow, that we need to change the administrative structure of our postsecondary system here in Alberta and have some elements of metrics using performance-based funding to determine the funding levels for postsecondary as well.

A lot of time and, I think, a lot of emphasis was placed on this MacKinnon report by this new government, and it was part of a pattern, Mr. Speaker, that we saw with this UCP government in which they would defer decisions and responsibility from themselves as a government and instead have a third-party external entity to sort of deflect the decision-making onto, right? The MacKinnon report was one of those, and the MacKinnon report had quite a lot to say about postsecondary here in the province of Alberta.

A lot of our 26 universities and trade schools and colleges and so forth were quite concerned around these intimations that the MacKinnon report was making because, of course, they talked about consolidation. They talked about closing universities, closing faculties, and, perhaps, bringing more of the decision-making responsibility into a central entity. Bringing it into some sort of superboard or something to that effect. That was one thing. Of course, when you are trying to turn over and destabilize any given entity, what you can do is start by putting out some big ideas that everyone is certainly concerned about and scared about and having this hang over like a dark cloud.

The second thing this UCP government did, and did again for three successive budgets, is make massive cuts to our postsecondary system – right? – a running total for the last three budgets of more than \$690 million taken out of our postsecondary institutions either through operating grants or other ways by which this provincial government is responsible to our postsecondary

system. By taking out probably a generational cut to postsecondaries in the province of Alberta here, then that's the second shoe to drop for postsecondaries, where you had a lot of these very ominous decisions put out by a third-party special expert advisory council or the MacKinnon report, followed by quite significant cuts, as I say, generational cuts, probably our largest, you know, accumulated cut to postsecondary in the history of our province.

These cuts were not made in any sort of uniform way but, rather, were directed quite pointedly at several of our largest universities – right? – with the University of Alberta absorbing the lion's share of these cuts, the University of Calgary as well, the University of Lethbridge, Grande Prairie Regional College, and so forth. These cuts literally turned things upside down for those and other institutions around the province. Thousands of people received their layoff notices. Whole programs and faculties had to be cut and were absorbed and amalgamated into other units, and of course perhaps the most egregious thing is that tuition had increased significantly as well, a 7 per cent increase for each budget along the way, adding up to a 21 to 25 per cent increase in tuition for students here in the province of Alberta.

You know, Mr. Speaker, you hear this minister go on and on about his talking points that while Alberta's tuitions were lower than other provinces, this just brings it up to the average, number one, completely failing to update those talking points from two years ago, when he first started saying these things to not include the fact that he has overseen the biggest increase in tuition in Canada right here in this province of Alberta but also overlooking the fact that Alberta students, through less functional grant programs and so forth, are at a double disadvantage in regard to getting the money they need to go to university and then paying that money back afterwards – right? – having much larger interest rates and carrying some of the highest debt loads in the country for postsecondary education. That's kind of laying the landscape over the last two years or so for where we are here with Bill 74. Then something else happened as well, and that is that postsecondary institutions across this province, the faculties, the students, the support staff, and, most importantly, the general public started to push back on this UCP's attack on our postsecondary system here in the province.

Albertans know that perhaps the best asset that we have, Mr. Speaker, to help us to diversify our economy, to help retain a young population that we have here in this province as well and to really just make an investment in Alberta – the biggest asset that we have available to us is our postsecondary system. As the hon. Member for Edmonton-Beverly-Clareview points out, this is a way by which you can attract and retain business. It's a way by which you can help to diversify the economy, and it's a way just to build a general quality of life for our residents of the province of Alberta. I mean, when you're building a family and you're having your own kids, what more do you think about than how they can receive the best education possible and build the best quality of life possible for themselves and for their family so that they can stay here in the province, too, so that you can have your sons and daughters getting a good education and putting down roots here in the province as well? We do that for selfish reasons because we want to be able to have the kids close by and the grandkids, potentially, too, but for larger societal concerns as well.

Building and investing in postsecondary is instrumental and foundational as a part of who we are as Albertans and other jurisdictions, too. I'm sure the same thing goes for other provinces and places around the world, but Alberta up to this point had a distinct advantage in that we built a very comprehensive postsecondary system that is quite dispersed around the province, too, 26 different institutions in different places, not just in Calgary

and Edmonton but universities in Lethbridge and polytechnics in Red Deer and Grande Prairie and the whole range of colleges all across the province where people can study in their local area and, perhaps, stay in their local area, too.

10:30

All of this was compromised by this double attack by the ideology towards postsecondary and this attitude of this UCP government towards postsecondary, combined with massive cuts, unprecedented generational cuts. People started to push back. The general public – I heard from the Calgary and Edmonton chambers of commerce very emphatically to stop this attack on these institutions in their cities. They're just too important, too integral to not just the economy but to the very character of Calgary and Edmonton and other locations as well across the province. We saw quite a broad push-back, a push-back from faculty as well as administration, saying that you simply cannot take so much from our institutions and destabilize them and not expect catastrophic consequences.

Mr. Speaker, what we see as a university – you see it just across the river here, as an example, the University of Alberta. You know, it's a collection of buildings and faculties and different areas of expertise. But there's also something there which is intangible but even more important, and that is the reputation and the integrity of those institutions across the province. It takes decades or even a hundred years or more to build the reputations of some of these places, and they literally can start to unravel in a matter of months when people see a lack of commitment, a lack of financial commitment to those same institutions. Reputations dissolve very, very quickly. They take decades to build, and they can be undermined very, very quickly.

That's another argument that was put on the table after successive cuts and a signalling of a very narrow-minded direction by this UCP government towards our postsecondary institutions here in the province. There was a push-back, a big one at the highest level, against this very myopic and reductive approach towards funding postsecondary by this performance-based model that this government put on the table. There was a push-back in regard to massive tuition increases without ancillary supports for people to be able to continue to afford to go to school, right?

We have a very high postsecondary degree level in this province, but people brought those degrees from somewhere else. They came here to get a job, and they brought their degrees from elsewhere. We have the lowest participation rate in postsecondary in the country from our own students that are coming up through the grade school level and then pushing on, hopefully, to some trade or postsecondary institution. Again, that has to do with an attitude, it's to do with trends, and it's something that we need to change over time.

Again, Mr. Speaker, the short version of this is that the main problem with this bill, Bill 74, is that it has this advisory council built into it, not just an advisory council to, you know, give sage advice on weekends about the direction or the colour you're going to paint the library or something but, rather, an advisory council that this government can use to shape the future of postsecondary and use as an excuse to continue to make cuts to our postsecondary institutions across the province. We have a big problem with that, and as a result we cannot support Bill 74.

**The Speaker:** Hon. members, are there others that would like to join the debate? The hon. Member for Edmonton-Meadows.

**Mr. Deol:** Thank you, Mr. Speaker. Thank you for the opportunity to rise in the House and add my comments to Bill 74, Advanced

Education Statutes Amendment Act, 2021. Looking at this bill, I'm reasonably disappointed. I can say "reasonably" because of what I see in this bill. It's disappointing to see that this bill doesn't really help our postsecondary education system in Alberta.

Looking at this bill and given the critical time that we are going through and what has happened during the past two and a half years of this UCP government's time, it seems like the UCP ideologically does not realize the fundamentals of education and the education system in our societies, so their approach and their interpretations are failing to recognize and appreciate the contributions and the importance of these institutions to our society, our province in the way of, you know, contributing to the economy and by contributing to the quality of life of the people of our province.

Why I had to say this is that we have seen since this government took office that the path they moved on, the public tax dollars they actually lavishly spent and wasted on the corporate handouts, without tying any outcomes to those actions, has hurt Albertans and the Alberta economy. The UCP government in past budgets has cut major funding to postsecondary education. I think that they're not able to recognize education and the government's deficits and are still moving on their very popular ideas that anything that comes to public services: they are burdens on the current government.

I've been involved in politics at a very young age and followed a lot of friends' political debates around the globe, and I remember that during the early '90s or late '80s it was being debated, the failing of the social bloc in eastern Europe and how the powerful economies and countries and corporations banded together and offered new ways, and new policies would provide people with services and also help the economy to grow.

When I look at the G-20 meeting that just happened, not probably a month ago even – like, I think that was at the end of the month of October, last month – the G-20 countries, who share approximately more than 80 per cent of the world's GDP, after three days of meetings came to the conclusion that the biggest problem in these days to governments are corporations' unpaid taxes. The corporations are not willing to pay taxes on their profits, not on their income but taxes on their profits. Corporations keep moving their money to tax havens. The profits they make: they're not being seen coming back to society or contributing in any way to the vibrancy of society.

10:40

The G-20 meeting was concluded with the decision that corporations must pay at least a 15 per cent tax on their profits. The huge corporations and their avoidance of taxes on profits are creating a huge imbalance in our society and putting our governments and government divisions in trouble. That is impacting their ability to fund public services.

We have seen in Alberta that the corporate tax was under 15 per cent. What is being recommended by the G-20 countries is 12 per cent. The government came in, and the government said that they will reduce the corporate tax from 12 to 8 per cent in the next four years. They reduced it by 1 per cent in their very first year, in 2019. We've seen companies like EnCana, companies like Husky Energy – the companies just, you know, took the advantage, like, \$230 million for one company that was already wrapping up their operations in Alberta and moving to another country. The company took \$254 million in tax profits and announced their next project in another jurisdiction.

[Mr. Reid in the chair]

What we see in this bill is just another kind of administrative exercise that doesn't really help bring all that lost money back into

the economy. The government is not investing in postsecondary education, the education that is imperative to create talent and creativity, as my colleague said, and that is imperative to a vibrant economy. With the lack of all those things, I'm struggling. I don't think I can support this bill at this time.

With that, I also conclude my remarks on this bill. Thank you, Mr. Speaker.

**The Acting Speaker:** Thank you.

Any other members wishing to speak?

Seeing none, I'm prepared to ask the question.

[Motion carried; Bill 74 read a third time]

## Government Bills and Orders Second Reading

### Bill 84 Business Corporations Amendment Act, 2021

[Debate adjourned November 23: Mr. Deol speaking]

**The Acting Speaker:** The hon. Member for Edmonton-Meadows.

**Mr. Deol:** Give me one second. Thank you, Mr. Speaker. Thank you for the opportunity. It's my pleasure to rise in the House once again and add my comments to Bill 84 on behalf of my constituents in Edmonton-Meadows.

[The Speaker in the chair]

Bill 84. I spoke to this bill. I believe I was just speaking to this bill yesterday. This bill makes some changes to corporations, societies, basically private operations, and some of those changes are in line of and required by the changing conditions of this study, the minor conditions changing into what kind of information you need. Definitely, when this bill was – this bill actually needed some updates. There are many, many other means of communication these days, and that requires to be updated in the legislation accordingly. One of the substantial changes that we're discussing in this . . .

**The Speaker:** Hon. members, before the Assembly is Bill 84, Business Corporations Amendment Act, 2021, at second reading. Are there others? I see the hon. Member for Edmonton-Manning.

**Ms Sweet:** Well, thank you, Mr. Speaker. It's an honour to rise this morning to speak to Bill 84, an opportunity that I have not had yet. I do have some thoughts and some questions around the bill, and, of course, given that we're in second reading, my hope is that someone will take some notes or maybe be willing to entertain some interjections in regard to some questions that I have, specifically when it comes to how this relates to the director's obligation about loyalty and fiduciary responsibilities, and of course that is specific to the new waiver system that the government is introducing under this piece of legislation. I have some concerns, some thoughts around the new proposed idea and just how it relates to other pieces of legislation that currently exist within Alberta when it comes to the leveraging of capital and investment in the province.

Now, we know that there are many regulations and statutory responsibilities within Alberta that relate specifically to securities acts and that those securities acts govern the ability to do investment. They protect shareholders and investors in regard to being able to move assets and ensure that when companies are looking at expansion or looking at being able to sell stock, be publicly traded, there are certain mechanisms in place to ensure that

those who are invested in those companies also are protected and their financial securities are respected and in place.

Now, what we've seen under Bill 84, the Business Corporations Amendment Act, 2021, which is under the Minister of Service Alberta, are some changes being made to opportunity waivers, which would allow an individual who may be a director of a company to sit on more than one board. Now, this is unique. It doesn't exist in any other jurisdiction in Canada. We've seen it exist in the United States in some of the different states and how they have implemented this system, and we've also seen that there have been some struggles in relation to how it's been incorporated and worked on and allowed to occur in the United States.

Now, what we've heard from the government so far in regard to this specific part of the legislation is that many of the rules and regulations will be determined under the regs of the legislation. I think in fairness to individuals that may be invested in some of these companies, the government needs to be a little bit more open and transparent when it comes to what those regulations will look like.

10:50

Again, I think there needs to be a clear message from this government when it comes to the loyalty to companies and that fiduciary responsibility that many of these directors carry when they sit on these boards. We want to make sure that it's clear that corporations pursuing an opportunity waiver would need to include these details in their unanimous shareholder agreements and also as part of their articles of incorporation.

It's not clear in this piece of legislation that that would be a requirement that needs to happen. I would assume, because I'm going to be generous with the government, that that is a conversation that has occurred; however, when we look at the press release that the government put out in regard to this specific section, we don't actually have a what-we-heard document that's been presented in the past by the government on some of these pieces of legislation. In fact, we haven't heard from the government exactly who is asking for this to happen, why this piece within the legislation has been something that is a necessity, and how it relates – and this is where I would be interested to hear from the Minister of Finance at some point – to the overall structure of our Securities Act.

The reason for that is that we know that Alberta used to have unique securities that allowed for unique investment, unique opportunities for corporations, unique, innovative ideas of being able to invest and work within the securities system in the act as it existed previously. But what has happened since the '90s is that the provinces have come to align themselves to create a securities system that is more aligned to the other jurisdictions in the country. Of course, the reason that we do that is because we want to ensure that there is a fluidity of capital and assets that are able to move between different jurisdictions that are not necessarily being hindered by different rules that exist within those securities acts. We have federal responsibilities that we must adhere to, but then we also have those provincial rules that we must also adhere to. So the conversation has happened between our partners in B.C. and Saskatchewan and Manitoba to ensure that those rules are aligned so that there isn't a hindrance in the investment.

Now, because the government, under Service Alberta, has introduced this change, my question would be: has this conversation occurred with our partners in other provinces, does it align with the rules that are existing within the Securities Act, or is this now going to be something where we see a piece of legislation that allows an opportunity for a director to sit on a different board to open up some liabilities when it comes to capital investment that may not

necessarily align with the financial rules that exist in our province under securities acts and then across the other jurisdictions?

If that's the case, then what I'm going to be hoping that the Finance minister will be able to explain to us is: are those rules and those regulations then going to have to be changed under legislation? Is this opening up an issue around our capacity to be fair trading partners and to also allow companies that are invested in other jurisdictions to continue to have the same ability to do business in Alberta the way that I believe the minister is trying to intend this to happen?

To have a unique piece of legislation that allows this to occur in only one province may create inequality or instability, I would say, in how companies would be able to be in other jurisdictions across the country. We know, as we're seeing clearly even in Alberta now, that there are companies such as an Ontario-based company like Rogers looking to move to Alberta to take over a company that is an Alberta-based company. With this change would that create a barrier for that being able to occur? Will that increase the opportunity for this to occur? We don't see that because the regulations haven't been established.

When a government starts looking at creating a business structure under one ministry without a clear message from the minister that is ultimately responsible for all of the financial legislations and laws that exist in the province, there's a gap of information that is existing that, I think, needs to be clarified. My hope is that as we move into Committee of the Whole, maybe the Minister of Finance or even the Minister of Service Alberta can clarify how this is going to align with those financial rules under the statutes to ensure that this isn't actually going to become a hindrance to the very thing that the government is actually trying to do. So, you know, that's the biggest piece that I think I have a concern with within this piece of legislation.

Again, I mean, if the ministers are able to clarify that information and make sure that it makes sense, that by changing this, we're not creating barriers for investment, I'd be open to hearing about that. I think that is the fundamental message that we're hearing from the government right now, that the government believes that by doing this, it's going to update the Business Corporations Act enough that investment is just going to flow into Alberta.

Now, the interesting piece about this, that I do also want to highlight, is that we've seen some other significant changes from the government in relation to captive insurance and businesses being able to create their own insurance programs – again, hearing from the Minister of Finance – for the purpose of supporting business to be able to address the hard insurance market that exists currently and supporting businesses to continue to operate within Alberta. We're seeing a group of legislations that are continuously being shifted, and I'm not sure they're necessarily aligning with each other.

We know that when you open up one piece of legislation, you make a change over here, and then you open up another piece of legislation and you make a change over here, sometimes you actually end up creating more barriers than you do opportunity because they start conflicting with each other when you start making these different changes. So we just want to ensure that the changes that we're seeing in this particular sitting are not going to actually create more instability in the market, because the questions start to rise within the investors' community about: well, there are a lot of changes happening right now that create a lot of liability to companies, and if they take on those liabilities, will that ultimately off-set the stability of the investment?

So, in relation to those two things, I again would hope that I could hear from one of the ministers as to how they would address it.

Now, in regard to actual investment and the ability to, you know, have the capital being invested in Alberta, in business, I think there's a ton of potential there. I know there is because I hear about it all the time, but what I hear is that these two changes specifically are not going to actually encourage more investment.

What I'm hearing is that there is a gate that exists currently to access the government by those people that want to actually do the investment, that have the capital, who are looking to create new industry, who are looking to start new business, who want to invest in our agrifood sector, for example, or our tech sector, for another example. They approach the government to say: "We would like to do this. We need access to land. We need some regulatory options looked at." Whatever the issue is, they get put on a list of things that need to be determined and discussed, then it sits somewhere, and two years later they're still waiting to hear back from the government as to whether or not their project has been approved.

11:00

I would encourage cabinet, specifically, to look at their agenda items when they are having their meetings and determining whether or not some of these businesses that are currently waiting for cabinet approval are actually just being hindered by the delay in process through cabinet and not necessarily because they're looking to be able to have access to captive insurance or these waivers. In fact, what they're waiting for is cabinet to just get it on the agenda and actually just get the process done and have it approved so that they can put the capital out there and do what they want to do. I'm hearing from the individuals that I'm speaking to that two years later they're still waiting for cabinet to approve the very project that they've put forward and – fun fact – not even asking for government support in the sense of financial assistance. They have the capital. It's just a matter of it getting put through the agenda on cabinet.

There is a delay there that has nothing to do with red tape reduction or the business corporation amendments, captive insurance, any of those things. In fact, it's just a matter of waiting to get put on the cabinet agenda. Some of the delay is not necessarily due to regulation or legislation. It's just a matter of getting through the government bureaucracy that currently exists right now. For some reason we have a gate that is preventing those very businesses getting access to the approval process that they need.

I get it. I mean, we've seen it this week alone. This government is so fixated on talking about oil and gas that they've just completely ignored all the other potential for capital investment in this province. There's so much potential. But the struggle is that if you're not an oil and gas company, for some reason you can't get listened to here.

Changes are fine if that's what the government wants to do, but I think continuously trying to change legislation, to say that this is about encouragement of investment and trying to rationalize: well, if we do this change and we do this . . .

**The Speaker:** The Member for Edmonton-North West has the call.

**Mr. Eggen:** Thank you, Mr. Speaker. I appreciate the opportunity to speak to Bill 84. Quite frankly, I was helped to understand this bill a bit more by the previous speaker, Edmonton-Manning. You know, just to pull back a little bit, to look for context, I guess one of the things that I'm always on the lookout for is to ensure that we are building legislation in this House generally that is substantive or, at the very least, provides some practical usefulness and utility. I know that if – no one can see the future, but let's try anyway – we try to look to the future and see that, well, this government a year hence says, "Well, you know, we had, like, 10 pieces of business

reform legislation that helped this government to move at the speed of business," but looking for that as a talking point rather than an actual substantive legislation that helps business to thrive in this province, then we want to make sure that we're differentiating between that, using the Legislature as a way to build talking points as opposed to help to make Alberta a better place for everybody, really, and for business in this context.

As far as I can tell, the main part of this bill at this point is this whole issue around opportunity waivers, right? I do have some better understanding of opportunity waivers here now from the last 24 hours of debate. You know, I do want to perhaps just focus on that a little bit. The thing with changing and opening this issue around opportunity waivers is that it really depends a lot, Mr. Speaker, on the regulations that you attach to this change. Honestly, I can't feel comfortable saying yea or nay to this Bill 84 generally until we see what the regulations look like specifically, right?

[Mr. Milliken in the chair]

There's not a lot of precedence for this either. You know, that's the thing. I only see some few other jurisdictions in North America that have made this kind of change, and I don't know how long that has been in effect, even, in those states, places like Maryland and Delaware and the eastern seaboard in the United States. To get some clarity on those changes on opportunity waivers, I think, is the most helpful thing that we could get forward as well.

Otherwise, there are, it seems like, in Bill 84 some changes, amendments to the Business Corporations Act, besides the opportunity waivers to the Cooperatives Act, the Societies Act, Unclaimed Personal Property and Vested Property Act as well – okay? – which seem fine at this moment. The one area, though, I just wanted to – I guess the opportunity waivers, section 5: it allows for a corporation to indicate while incorporating or at a unanimous shareholder agreement that they allow for waivers on different types of corporate opportunities, investments and directorships being held by more than one corporation. Again, I'm just using my own experience and memory on these things, that, you know, one of the most difficult things that happened in the economies in the 1980s and early 1990s is that you had a lot of corporate takeovers and amalgamation of different companies into larger units and then having people make money off those mergers but not necessarily actually generating new income.

I'm just concerned that they have rules around directors directing and having a controlling interest of companies in multiple corporations for a reason. They have these rules because, of course, you know, the corporate merger phenomenon that we saw in the past created a lot of fragility in the economy, and you ended up with this sort of predatory thing, right? You saw – maybe I learned this from the movies. What was that movie with Michael Douglas in it? You have those predatory sort of corporate takeovers that resulted in the collapse of different markets both in the United States and in Canada.

You know, if you open and allow people to have a directorship or controlling interest in, let's say, a business that's long established but needs some capital investment in exchange for controlling interest of that company – I mean, this goes back to the good old battle days, where you had mergers resulting in monopolies. Then, of course, there are all of the problems that are associated with those things.

Just to make sure that we're not building, taking down a defence line that is created for a reason in our Alberta Securities Act, the Canada Business Corporations Act as well – I mean, these rules were put in place for a reason. They're not just there for red tape or whatever. They actually do provide a function and safety for not



just businesses but also for Canadians and Albertans generally, too. That's another question I have. Like, if you are making these changes and putting in these changes for opportunity waivers – I mean, all security law has to be working together in different jurisdictions. You can't just have one different version of that here in Alberta when, of course, we're part of nine other provinces and three territories in a national structure of security as well. That's another question I do want to ask the sponsor of this bill, Service Alberta, if they have done their homework to ensure that Bill 84 does in fact concur with the rules that are established in other provinces and nationally as well. If you don't do that, then, I mean, it's just a moot point; you're just making up laws that otherwise are not going to be functional, right? So, yeah, that's one of my questions as well.

11:10

Again, I'm wondering about this idea of waiving a requirement for audited financial statements of privately-held, non-distributing corporations. Any time you see that, not being able to review audited statements of an entity or especially a corporation that's being traded or otherwise – they have audited standards for a reason in these transactions, and if there is any good reason for that, I would like to know. Otherwise, my initial reaction is to, you know, be constructively critical and somewhat inquisitive about that one.

Another one is just being able to not pass over having actual shareholder meetings for certain transactions or certain foundational interactions about a company's future. I mean, having shareholder meetings are, again, a law for certain critical decisions that you make in any given publicly traded company, so to be able to override those things makes me feel a little bit concerned. It at least deserves more explanation. As an investor myself, in a very modest way, I look for those things to be clarified as well. [interjection] I see maybe someone who is going to clarify them for me.

**Mr. Jones:** Thank you, to the member opposite. I can assure you that from what I've heard from the minister, consultation will continue in developing the regulations. The member opposite is correct; it's important that we get that right.

The legislation permits corporate opportunity waivers; it doesn't mandate them. Like captive insurance, for example, some corporations will see value in adding these tools, and it's another competitive advantage that Alberta can offer. Waivers are very specific, and directors are not absolved of their fiduciary duties that fall outside of the waiver, which was also brought up. As such, a director who chooses to pursue an opportunity related to a waiver is not violating their duty of care to the organization. On the audited financial statements for many organizations, particularly smaller ones, they're very expensive and unnecessary, and many of these organizations would choose, for example, a review engagement.

Thank you.

**Mr. Eggen:** Okay. That helps a little bit. I appreciate it. It just begs the question again in my mind, which is very firmly attached to the public's mind, which is then: why did we have those regulations in the first place? Were they just made up to be undone at a later date, or did they actually protect interests so that you don't have collusion and monopolies and otherwise a lack of transparency for transactions? Of course, business transactions are what they are and are very integral to our economy and so forth, but you have to make sure you're protecting the public interests as well, right? For tax reasons it feels like a lot of this has to do with land deals. I've got a feeling. Of course, land development is very much in the public interest even though it's maybe through a private enterprise.

Again, I just need a little more. Asking on behalf of Albertans: why is this something that, number one, we should do at this juncture in our history? Number two, why has no one else in Canada or even in North America, for that matter, thought to change these laws? And number three, is it, in fact, good business and in the public interest as well? With those questions, I respectfully will listen to the debate and see if we can answer some of those questions.

Thanks a lot.

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

I see the hon. Member for Red Deer-South has risen.

**Mr. Stephan:** Thank you, Mr. Speaker. I'm grateful for the opportunity to stand and speak in favour of the Business Corporations Amendment Act, 2021. I hope it's not inappropriate; I've actually brought a copy of my own personal Business Corporations Act. Prior to becoming an MLA, I worked with the Business Corporations Act directly and personally. It's marked up, and I'm grateful for this act, which is similar to other corporate legislations throughout our country. There are a lot of similarities.

Mr. Speaker, I had the unique opportunity when I worked at Felesky Flynn in Calgary – it's a tax law firm. At that time unlimited liability corporations, or ULCs, were important devices that were used for certain inbound investment from the United States, and at that point in time Nova Scotia, uniquely, was the only jurisdiction in Canada that contemplated the use of a ULC. In order to help support the Business Corporations Act and to draw more of that activity to Alberta, if you look in today's Business Corporations Act, there is a part 2.1, special rules respecting unlimited liability corporations, which amended the act to include the provision of unlimited liability companies, or ULCs, to attract the formation of businesses and related activity in Alberta. Discussion of ULCs is found in sections 15.1 to 15.9 of the act.

I view this amendment to the Business Corporations Act, really, as an effort to facilitate and to improve our act in like manner, to attract investment and to make Alberta the most competitive jurisdiction to start and grow a business. Mr. Speaker, these amendments to our corporate act, our legislation complement us having the most competitive tax rate in the country. At the time that we had those amendments providing for unlimited liability companies, Alberta enjoyed the lowest corporate tax rate coincidentally at the same time. That was before the NDP came into occupation and increased the corporate tax rate.

**Mr. Sabir:** Point of order.

**The Acting Speaker:** I see the hon. Member for Calgary-McCall on a point of order.

#### **Point of Order Language Creating Disorder**

**Mr. Sabir:** I think 23(h), (i), and (j). The member has used this term, NDP occupation, a few times now. A couple of things I want to comment about it. Being a privileged person living in Canada, I do not believe the member knows what occupation looks like at all. He has not seen that. He has not witnessed that. Saying that about a government democratically elected by Albertans is shameful. It's, again, beneath any member of this House to refer to the government that Albertans elected in 2015 after 44 years of successive Conservative governments – we said many things about those governments. We never used anything like that they had occupied Alberta for 44 years. I think it's clearly a point of order. I object to the use of such terms against any democratically elected government.

11:20

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

I see the deputy government whip has risen to respond.

**Mr. Rutherford:** Thank you, Mr. Speaker. This is clearly a matter of debate. The leeway given to the opposition time and time again has shown that. For the member to stand up and to be offended by this while consistently accusing this government of killing people throughout a pandemic or corruption or voter fraud or whatever they try to accuse us of is really rich. If this member is offended by that, then I suggest he look at his own words and what he has said in *Hansard* and takes that back and apologizes for it.

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

To add extra to? I believe that the hon. Member for Taber-Warner has more to add.

**Mr. Hunter:** Mr. Speaker, I wanted to just point out the definition as I just looked it up. It says a job or profession. If the hon. member is concerned about us describing their job or profession when they were in office, I think that that is maybe concerning for him and for the Albertans that elected him. It is a description of a job or a profession, occupation. I think that the hon. member has described their job or profession when they were in office . . .

**Ms Ganley:** That's absurd.

**Mr. Hunter:** . . . and I think that the member – and the hon. member who is heckling right now while I'm actually describing this, obviously, you know, her conscience is a little pricked, but I don't think that this is a point of order, Mr. Speaker.

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

I am prepared to rule on this one, and I'm going to. I hesitate to, obviously, pick and choose words that are used or allowable within this honourable Assembly. I do, however, recognize that though many words have various definitions, as I think we've already seen, words do have meaning, and they do have consequences. One of my roles as the Speaker of this House is to ensure that decorum is kept so that we can have an effective debate. Again I want to underline, however, though, that I am hesitant to pick and choose words that are specifically allowable or parliamentary, things of that nature. At this stage I do not find that there is a point of order. However, I would just caution members to be cognizant of the words that they use as, of course, we can see simply even as exemplified by this attempt to call a point of order, words do have an effect on decorum.

If the hon. Member for Red Deer-South could please continue.

#### Debate Continued

**Mr. Stephan:** Thank you, Mr. Speaker. Perhaps I'll add a bit more context to my description of the NDP occupation. You know, businesses and employees . . .

**Mr. Sabir:** Point of order.

**The Acting Speaker:** The hon. Member for Calgary-McCall, with what I assume would likely be somewhat similar to the previous point of order if I was to guess.

#### Point of Order Language Creating Disorder

**Mr. Sabir:** No, it will be different as well.

I think, again, by any definition – and the Member for Taber-Warner was reading the definition that “occupation” means a job or a profession, and the same Google search also tells him right underneath that: the action, state, or period of occupying or being occupied by military forces. That's the definition of occupation. The Member for Red Deer-South has said many wild things and . . .

**The Acting Speaker:** Hon. member, I hesitate to interrupt. However, of course, as we all know, you cannot use a point of order to simply join debate. As of right now you have yet to cite a standing order under which you have stood with regard to a point of order. I will, however, give you the opportunity to do so should you so choose.

**Mr. Sabir:** Standing Order 23(h), (i), and (j), saying things that will create disorder in the House. As I said earlier – the Minister of Justice may want to get up and argue this – we have seen what occupation looks like. As I said earlier, calling a democratically elected government that was elected by the people of Alberta, calling it the occupation by government is against every democratic tradition of this country, this House, and it should not be used.

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

I see the hon. Minister of Justice has risen to debate this point of order.

**Mr. Madu:** Thank you, Mr. Speaker. Let me be clear. This is really a ridiculous waste of the time of this Assembly. There is nothing in the standing orders that remotely suggests that this is a point of order. In my view, that member is trying to participate in the debate and obstruct the proceedings of this Assembly. It is shameful. There is absolutely nothing here that the Member for Red Deer-South has said. All that he's trying to do is to put before this Assembly the performance record of the previous government.

By the way, in reference to their business-killing tax that they imposed on Albertans, Mr. Speaker, those are facts. You know, they increased the taxes by 20 per cent in the four years that they were in office. Under this government it has come down from 12 to 8 per cent. Those are facts.

Mr. Speaker, this is not a point of order. The hon. Member for Calgary-McCall, being a member of the legal profession, should know better.

**The Acting Speaker:** Thank you.

**Mr. Hunter:** Mr. Speaker, in terms of the point of order, the hon. member has described a definition of occupation, but he has described the second definition of occupation. I've described the first definition of occupation as described in a dictionary. There are two different definitions, as described in the . . . [interjection]. The hon. member – honestly, if she wants to come up and debate this, she can rather than heckling me.

Obviously, Mr. Speaker, the reality is that there are two definitions for the term “occupation.” For the members to assume that this hon. Member for Red Deer-South is saying something that they've asserted is absurd. This is the reason why this is a matter of debate and not a point of order.

**The Acting Speaker:** At some point I'm going to choose to rule. I do, however, believe that probably the last individual who I will take on this will likely be the hon. Member for Edmonton-Manning.

**Ms Sweet:** Well, thank you, Mr. Speaker. I appreciate being recognized because we recognized two government members. I just want to clarify that the whole intention – the reason that it's a point of order is because it is the intention of the word that is being used

and how it is being used that is creating disorder in this Chamber. When we hear “NDP occupation,” that is a similar definition, that we have historically heard – and today we should be very sensitive to Holodomor; I’d just like everybody to think about that, please; today is not a day to be using the word “occupation” in the context that it’s being used – to “Nazi occupation.” To infer NDP occupation and not an occupation such as a teacher are very, very different intentions of the word that is being used, so of course it creates disorder in this Chamber. I would encourage all members of the House to think about the intention of the word and how it is being phrased, to not be used to create disorder in this House.

**The Acting Speaker:** Thank you.

No. I have heard enough.

I am prepared to rule. I still hesitate to find a point of order with regard to a word with multiple meanings. I do also hesitate to impute motives on members. That said, I think it is very clear that the word within the context of this debate, for the purposes of just even right now – and I will not necessarily hold myself to a precedent in the future on this. I would ask the hon. Member for Red Deer-South to choose perhaps a different word with regard to it going forward. I consider the matter closed.

The hon. Member for Red Deer-South, with about 11 and a half minutes remaining.

### Debate Continued

**Mr. Stephan:** Sure. Thank you, Mr. Speaker. I understand why the socialist members opposite are very defensive and insecure. Let me help provide some context. Of course, I use that word, that adjective, in the context of them increasing the corporate tax rate by 20 per cent.

11:30

I can tell you that individuals in my constituency felt a deep oppression during their tenure. They lost tens of thousands of private-sector jobs during their tenure. Mr. Speaker, they were so incompetent. They were so bad, and I don’t think they really appreciate or feel any remorse for the destruction that they caused. You know, it’s fine to talk about numbers and statistics, but their destructive economic policies cost people jobs and created great family stress to individuals and families, which they have no remorse for. I’ve never seen them have any remorse.

Mr. Speaker, when I got elected to the Assembly, you know, I must confess that my feelings towards the opposition did soften, and the reason why is that they couldn’t hurt Albertans anymore. They were put in their corner. They were shuttered away from Albertans so they couldn’t cause harm with their socialist, dysfunctional economic policies that hurt our competitiveness. While I practised as a tax lawyer, something that I’d love to talk about was the competitiveness of Alberta as a jurisdiction to invest and to grow a business.

Moving back again towards the main bill, after enduring the chatter from the socialists on the other side, I want to talk again more about the substantive bill. I know that when I practised in downtown Calgary, one of the most attractive jurisdictions to form a business that was a U.S. resident corporation was Delaware. In a 2020 article titled *Leveraging Corporate Law: A Broader Account of Delaware’s Competition* – let me read a quote from it. I think it’s instructive. Delaware is widely known for providing the U.S. corporate law that governs most large publicly traded companies.

However, the economic . . . imperatives prompting this have also led Delaware to explore opportunities in related though distinct

fields . . . effectively leveraging their corporate law advantage to expand and diversify the state’s revenue streams.

Mr. Speaker, the proposed changes to the act support an overarching mandate to restore and to make Alberta the most competitive jurisdiction to start and grow a business. We ran on increasing jobs and strengthening the economy. We needed to reverse the destructive oppression of the prior government. I can tell you that meeting with families who had suffered profound human loss because of lost economic opportunities under this prior NDP government – and we just talked about the advanced education. You know, the best thing that we can do as a government is to provide opportunities for our young adults when they graduate, and I can tell you that under the oppression of the prior NDP socialist government they decreased opportunities.

Mr. Speaker, let’s talk about the corporate opportunity waiver in section 16.1 of the act. I’m going to read an article from the *Financial Post* titled *Alberta Looks to Cut Red Tape for Growth Capital with Proposed ‘Corporate Opportunity Waivers’*. This is an article on November 22 by Stephanie Hughes, and I’m just going to read a quote from it.

Alberta growth companies could see their pool of potential investors widen if proposed amendments to Alberta’s Business Corporations Act allowing for so-called “corporate opportunity waivers” is passed.

Under proposed amendments tabled on Monday, the waivers would allow private corporations to set their own rules regarding when directors could invest in other companies and take part in projects in related industries, a measure some jurisdictions . . .

which, incidentally, includes Delaware,

. . . in the U.S. have implemented to boost venture capital and private equity investment.

Mr. Speaker, the article quotes Bryce Tingle, a professor of corporate law at Calgary’s Faculty of Law, and I articulated with Morgan Tingle, who is also a corporate lawyer and a personal friend, as I was going through my law career in Calgary articling process. This scholar, this academic who has real-world, practical experience in this subject matter, who is a subject matter expert, says:

“In the United States, there’s real competition between jurisdiction for the corporations . . . Companies apparently choose where they want to incorporate based on this list of legal competition. That has never emerged in Canada, for whatever reason. Canadian jurisdiction spent most of their time refining very gently on the margins and following one another.”

Mr. Speaker, in the real world, having been a business owner and working with and being inspired by successful businesses in all walks of life, for whom I have a deep personal admiration because they provide jobs for families and individuals in my community – but government needs to strive to excel and be the very best that they can be. That is the culture we want. That is the culture, in fact, in seeking to reduce red tape and to be the best that we can. This is not a mandatory corporate waiver.

I’ve had the opportunity to draft many shareholders’ agreements, and every shareholders’ agreement is usually a bit different. It’s tailored to the specific needs and circumstances of the business and its shareholders. The corporate opportunity waiver, providing that opportunity when the context will help in furthering the prospects for raising capital by the corporation: this is an important option to increase our competitive advantage.

Mr. Speaker, because Alberta businesses and families are plundered so constantly, unfortunately, by our federal government, it’s incumbent on us often to seek to be the best that we can, to organically try and draw capital investment to our province. The corporate opportunity waiver, having the most competitive

corporate law jurisdiction that is innovative and creative, will help in furtherance of that.

Mr. Speaker, of course, not in all circumstances will a corporate waiver be necessary. Most private businesses that I had the opportunity to work with throughout central Alberta, often private corporations, don't need a corporate opportunity waiver, but it doesn't mean that that tool shouldn't be there. For example, in shareholders' agreements sometimes shareholders have the opportunity to consider whether or not they want to have what's called a shotgun clause. A shotgun clause says that a shareholder can go to another and say, "I will buy your shares for a certain price," and the other shareholder will either need to sell for that price or buy the shares from the offer for that price. That's one way to resolve shareholder disputes when there isn't apparently a logjam to do that.

Now, not all shareholders want to have a shotgun clause. Indeed, it's almost a provision, Mr. Speaker, of last resort, but in appropriate circumstances that can be very useful to help with the survival of a corporation and also to bring about an ultimate resolution to a shareholder dispute. Likewise, we want to provide this tool for a shotgun clause.

Mr. Speaker, how much time do I have?

**The Acting Speaker:** One minute.

11:40

**Mr. Stephan:** All right. Well, Mr. Speaker, I actually have some other changes to the Business Corporations Act that I will certainly, during the process of this bill, have the opportunity to speak to and will take the opportunity to speak to. I encourage the members opposite to embrace this legislation, to support it because it will bless and prosper and create more jobs for all businesses and families. I believe that in good faith that is what we all want, you know.

With that, Mr. Speaker, knowing that my time is almost up, I will cede the floor. Thank you.

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

Are there any members wishing to join debate?

Seeing none, there is an opportunity to close should he so choose, but I believe that's waived.

[Motion carried; Bill 84 read a second time]

### Bill 80

#### Red Tape Reduction Implementation Act, 2021 (No. 2)

Ms. Renaud moved that the motion for second reading of Bill 80, Red Tape Reduction Implementation Act, 2021 (No. 2), be amended by deleting all of the words after "that" and substituting the following:

Bill 80, Red Tape Reduction Implementation Act, 2021 (No. 2), be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

[Adjourned debate on the amendment November 23: Ms Sigurdson]

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

**Ms Ganley:** Thank you very much, Mr. Speaker. Might I just ask: we're on an amendment?

**The Acting Speaker:** We are on REF1. Thank you for that.

**Ms Ganley:** Perfect. Thank you very much.

I'm pleased to rise to speak to this bill. The amendment refers the bill to a committee, which I think is an excellent plan because there are many things in these bills. These red tape reduction bills sort of come forward periodically, and they're interesting. I think that this bill is particularly illuminating, and I am in a particularly good place to speak to some of the changes. The first set of changes in this bill are made to the Health Care Insurance Act. What's so interesting about this is that these are health care premiums. They're taking the ability to levy health care premiums and moving it from one act to another act. The reason it's interesting is because there are basically no changes. I have, in fact – because, of course, as is the case with, oh, probably close to 80 per cent of the province now, no one really trusts this government.

Being a representative of the people, I have gone through and read the entire thing and compared it to what exists currently in legislation. It is actually notable for its lack of changes. Normally even when you're sort of moving provisions or rewriting or renumbering provisions, redoing an act, there will be changes, changes to update the language because the language that we use to draft and the language that we use to indicate certain things changes over time, some of it stylistic; some of it is for clarity. There has been a move towards plain-language drafting over the last few years. Some of it is because there have been court decisions, and those court decisions make it clear that maybe other language would be better; it's been interpreted in different ways than the Legislature would have wanted.

Often when you move things, there are sort of these little updates made. This is notable for having very few changes. It removes definitions that are already in the act into which the provisions are being inserted. [interjection] Oh, sorry.

**Ms Goehring:** Thank you to the hon. member for the intervention. You know, I love that this member is so engaged and, like the members on this side of the House, reads the legislation.

I think that when it comes to this omnibus piece of legislation and all of the information that is in there, I would like to know – after thoroughly reading the legislation and looking at all of the pieces that it actually intersects with and noting that there's a lack of change in this, perhaps the member could talk about, you know, the importance of being able to refer this to committee and what that would allow. When we talk about omnibus legislation and all of the pieces of legislation that it's intended to impact but when we see something without a lot of change, how does having this referred to a committee actually benefit Albertans? How does it benefit those that are impacted by this legislation? We have Health, we have Environment and Parks, we have Advanced Education, Municipal Affairs, Seniors and Housing.

Thank you.

**Ms Ganley:** Thank you very much, and thank you to the member for that question. Yeah. It does impact on a lot of areas, and I think that's one of the reasons that it's worth sending it to committee to talk about it, specifically because – when I'm talking about the changes not being made, it's just to the Health portion. I'm not even referring to the rest of the act yet. That's what is so interesting about these bills. They are the classic definition of what we call an omnibus bill; that is to say, they make changes to a wide array of different things with sort of no obvious, like, philosophical link linking them together.

Why I think it's important to examine these particular pieces when we're talking about the Health Statutes Amendment Act is again because – not trusting this government, I wanted to read through to see whether it appeared they were making any changes, and they aren't. It's virtually identical. There are a few definitions

that are removed because they're already in the receiving act. Things are obviously renumbered because they're being inserted into another act. In addition, a few previously repealed provisions are removed, so there's a little bit of renumbering as a result of that.

Now, Mr. Speaker, if anyone is listening to this, they're thinking to themselves: why would she be going on at such length about something so boring? That's exactly what's notable about it, the boringness. This literally does nothing. The provisions are perfectly identical, but because they are removed from their own act and put into another act, it allows the government to repeal the first act. Even though the law is identical – there's no change in the law – this government is going to have a tickertape parade and talk about how they repealed the regulation. It's absurd.

It's the most illustrative example of this government's strategy on red tape reduction. It has nothing to do with what businesses actually need. It has nothing to do with making anything easier for anyone here in Alberta. It is literally shuffling deck chairs. Honestly, it's sneaky and it's offensive to see them come before this place and throw themselves a parade about how they've reduced regulation when they have literally taken the provisions and duplicated them in a different place. Mr. Speaker, I actually feel that this bill and this sort of section of the bill are kind of illustrative of this government in general. It's doing nothing. It's talking a big game while doing nothing to address the actual challenges.

Mr. Speaker, it's worth noting that at this time in history, because history and context are things that are important despite what the members opposite have to say, there are a lot of challenges facing us. We are in the midst of a global pandemic. We're just coming off a fourth wave that was entirely caused by government inaction. We are undergoing a transformative moment in our economy. Climate change is at a crisis point. We had record heat. We have had flooding and mudslides and storms. It is extremely problematic.

All of this needs to be weathered, and all of it can be weathered by the people of this province because we are strong, industrious people who can do amazing things when we work together, and this is what this government does with its time. It literally moves provisions from one act to another. [interjection] I'm happy to take a question.

11:50

**Mr. Madu:** Thank you. Mr. Speaker, I just have a couple of questions for the hon. Member for Calgary-Mountain View. We are talking about, you know, Bill 80, the red tape reduction bill before the floor of this Assembly. The question that I have for the hon. Member for Calgary-Mountain View is whether or not she has forgotten that in the four years that they were in government, this province actually received an F – an F – in making it easier for businesses to function in our province: year 1, an F; year 2, an F; year 3, an F; year 4, an F. Why would she stand before the floor of this Assembly and wonder why this bill is before this House?

**Ms Ganley:** Mr. Speaker, I actually think it's worth noting that I have not forgotten history though evidently the minister has. My hon. colleague from Edmonton-Beverly-Clareview was, in fact, in receipt of a pair of golden scissors from that very same organization for how much easier he made it for businesses. In fact, I am not forgetting history at all.

I think my point with respect to this bill is not about whether we should reduce regulations or not. I think we should all agree that if the regulation is doing something useful like, say, occupational health and safety regulations, we should probably keep those, and if the regulation is simply adding barriers to procedures that would otherwise be easy, then we should remove those. I don't think there's any disagreement about that.

What I'm referencing with respect to this bill is that with respect to the health insurance act provisions they have literally repealed one act and inserted the entire substance of the act – literally the entire substance, like, identical wording – into another act. So the requirements are identical, but now they're going to throw themselves a parade for cutting a regulation. That's not substance, Mr. Speaker; that's lip service at best. It is deceptive to the people of Alberta, and I don't think it's useful or a good use of our time in this place.

One of the questions that I wanted to get on the record – and here's another good reason to refer this to committee. There are changes in here made to the Alberta Human Rights Act. I don't actually have a position. I actually expect that the changes are good, so there you go, an occasionally weird moment of agreement. The human rights tribunal is quite backlogged, has been, started before us. Unfortunately – I mean, we made some headway, but not that much – backlogs have been increasing now, so this is a problem that, shall we say, harkens back a good decade at least. What I believe is that these provisions sort of create practical changes to allow the Human Rights Commission a little more manoeuvrability. Arguably, this could actually be something that is an improvement in terms of red tape.

But I do have a number of questions about this, the first being that the current chief of the commission and tribunals is, in my view, fantastic. Before we take this as too much of a compliment of the current government, it was my appointment, so I obviously think: fantastic. The government has kept that person in the same position. I'm avoiding a name because there are kind of some rules about that. The chief of the commission and tribunals is very, very good. I would be interested to know whether these are changes he requested or not and what his feelings on these changes are because he is someone with a demonstrated . . . [interjection] Oh. Sorry.

**Mr. Carson:** My apologies, Member, but thank you for accepting my intervention. I appreciate the comments on this piece specifically and what we've heard so far in regard to why this should be referred to committee, and I tend to agree with the member.

I just do want to recognize that we are running short on time, but I wanted to hear the member's thoughts specifically on potentially the Income and Employment Supports Act changes. We're seeing that through this bill this government is proposing to remove access to training benefits that were previously allowable. It's extremely frustrating, especially as we've seen this government make changes, whether we're talking about personal automobile insurance, which has been skyrocketing upwards of 20 per cent, if not higher in some cases, for Albertans, energy bills and energy costs for Albertans. Of course, I have to reflect on the changes to AISH and the seniors' benefits and the deindexing of those programs. I just wanted to hear how the member feels this will affect Albertans.

**Ms Ganley:** Thank you very much to the member. One of the interesting things about this bill is that I will not even have time to sort of finish my comments about the bill in the time allotted to me because there are just so many of them. Yes. My one question around the Human Rights Act would be with respect to what the chief of the commission and tribunals thinks about that. Good reason to refer it to committee.

The income supports: I think that's a big concern – right? – because these are people who they're trying to retrain, potentially, for whatever reason they have chosen to do that, and we should be supporting them to do that. These changes are, I think, a significant concern for me because what it does is that it gets rid of the full-

time learner stream of income supports. I mean, that's problematic, right? Like, we are in a moment in our economy where if there's one thing we should definitely be doing, it's supporting people to go back to school. I mean, I went back to school several times, but I didn't have children at the time, so it was really easy. It's a lot harder once you have a family and you have to pay for child care, but those are exactly the sorts of people that we should be supporting to retrain and to go back to work.

I mean, this government tends to take the view that people are trying to game the system. I don't really think that's usually the case. I think that most people: what they want out of life is to be contributing members to society and to contribute to our economy and our democracy and just the beauty that is our province. I don't think it's reasonable to assume that they're attempting to game the system. I think that if we provide people with the necessary supports, they can flourish on their own. It's often the case that if we can provide those supports early, it sort of changes the entire path of a life. Yeah. I think those are incredibly troubling changes.

I think there are a lot of changes in here, and I have a lot more questions, which maybe I'll be forwarding by way of e-mail because I think I am rapidly running out of time here. Yes, those are among the most concerning changes. But I am hopeful, Mr. Speaker, that we can all agree that this bill should be referred to committee for further study because I think there's a lot in here. There's a lot that's worth discussing. Some of it may even be good. I suspect the human rights things are good, but as I've said multiple times now in this House, history makes us mistrustful of this government.

With that, I think, Mr. Speaker, perhaps I'll wait for you to intervene.

**The Acting Speaker:** By my estimation I believe it is now noon, so subsequent to Standing Order 4(2.1) the Assembly stands adjourned until 1:30 today.

[The Assembly adjourned at 12 p.m.]

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