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The 30th Legislature
Second Session

Alberta Hansard

Thursday morning, December 2, 2021

Day 136

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Second Session

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New Democrat: 24

Independent: 2

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Turton

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Legislative Assembly of Alberta

9 a.m.

Thursday, December 2, 2021

[The Deputy Speaker in the chair]

The Deputy Speaker: Good morning, everyone.

Prayers

The Deputy Speaker: Lord, the God of righteousness and truth, grant to our Queen and 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 ideals but, laying aside all private interests and prejudices, keep in mind the responsibility to seek to improve the condition of all. So may Your kingdom come and Your name be hallowed. Amen.

Please be seated.

Orders of the Day

Government Bills and Orders

Third Reading

Bill 87

Electoral Divisions (Calgary-Bhullar-McCall) Amendment Act, 2021

The Deputy Speaker: The hon. Minister of Municipal Affairs.

Mr. McIver: Thank you, Madam Speaker. It's my complete honour and privilege to rise this morning and move on behalf of the Minister of Environment and Parks third reading of Bill 87, the Electoral Divisions (Calgary-Bhullar-McCall) Amendment Act, 2021, and to pay tribute to and remember a good friend and trusted colleague.

As everyone in this Chamber already knows, Manmeet Bhullar served as the MLA for Calgary-Greenway from March 2008 until his untimely, tragic passing in November 2015. As we also all know, ever since then the hashtag #nicetomanmeetyou has been meaningful to so many people.

When I first met Manmeet, I was on city council. He called my office and asked if he could make an appointment to see me. When he arrived, I have to admit I was just slightly taken aback by the towering, bearded young man that entered my office. He had that trademark gleam in his eye when he smiled. He explained to me that the Sikh community had asked several times to have the Sikh faith recognized by the city of Calgary. He explained that Christian holidays were observed and that the menorah lighting was hosted by city hall each year and that several other faiths were in some way honoured yet not the Sikh tradition. That was the first time but not at all the last time that I witnessed Manmeet Singh Bhullar serving his community and bringing people from different backgrounds together. I took that request to the mayor's office, who had authority over these things, and I am grateful that Mayor Bronconnier agreed to declare the first-ever Sikh Awareness Week in Calgary. From that day on Meeta and I were friends.

Soon after, Manmeet invited me to the Vaisakhi parade at the Dashmesh Cultural Centre with over 30,000 of his closest friends in attendance, and I suddenly had a whole bunch of new friends myself, many of whom are still friends to this day. I was amazed at how such a young person was already a leader in his community and how the many seniors to whom he paid great respect obviously had great respect for him in return. He did his best to teach me the key aspects of the Sikh faith, and I was grateful to learn this from

him. Manmeet invited me to attend a meeting of young people who he was speaking in front of. He spoke of service to others, or seva. He implored the group to respect the rule of law as that is what would protect them and those they love as they grew up and made a living and started families of their own, and they listened to Manmeet.

Madam Speaker, Manmeet dedicated his life to public service and really was a man of the people. This led him to seek public office, and I'm proud to say that I door-knocked with him in 2008 on the way to his first becoming an MLA. The party that broke out after the results were announced was legendary. A mechanical shop was completely emptied out, and hundreds and hundreds of people showed up to celebrate. Lots of food, lots of drink, bhangra music so loud I had to go outside to stop my ears from ringing more than once. Everyone was just so proud of him.

During his time in the Legislature Manmeet served as the Minister of Service Alberta, Minister of Infrastructure, minister of human services, where he brought an incredible compassion and touch to the Children's Services ministry, which was part of human services at that time. He was a passionate advocate for the people of Calgary and Alberta. He worked tirelessly to stand up for those he represented no matter who they were or where they came from. All he wanted to do was help people, all people. He was a fierce defender of the underdog and would not stand for bullying. He was a champion of inclusiveness and kindness, and his passion to help others did not go unnoticed.

Among the many awards Manmeet received for his public service, he received the Alberta centennial medal, the centennial medallion, the Athabasca University leadership award. During his time in this place and as an MLA and minister he fought to protect homeowners, advocated for vulnerable Albertans, defended visible minorities, and supported important capital projects across our province. Madam Speaker, it goes without saying that Manmeet was what all of us strive to be, a true public servant.

As tragic as it was, it was no surprise to learn that Manmeet was taken from us doing what he loved, helping others. He stopped to help someone in the ditch in a winter storm. A truck slid on the same ice, and we lost a friend. It was a terrible day. That was the only time I ever saw members from all parties in this place truly together in support of one another in such a sincere and complete way. I'm sure we can all agree that if that's what it takes to get us together, we can live without being quite that close, because nobody wants to live through that ever again.

Madam Speaker, Manmeet's legacy lives on through the Manmeet Singh Bhullar Foundation, which was founded by his parents, Baljinder Singh and Sukhvinder Kaur; his wife, Namrita; and his two siblings, Tarjinder and Appy. This foundation continues Manmeet's work by advocating for young people, championing inclusion, building communities, giving a voice to everyone in our society, and helping Sikh and Hindu minorities in Afghanistan. We are hopeful that with the passing of this bill we'll be able to do our part in remembering the incredible legacy of this incredible person. We can only imagine how much he would have accomplished if he had more time here.

If passed, the Calgary-McCall riding will become Calgary-Bhullar-McCall to honour Manmeet's service and contributions not only to the community that he represented but to the entire world. Madam Speaker, it goes without saying, but I encourage all members of this House to vote in favour of the bill. For those of us who knew him and worked with him, I think we can all agree he was truly one of a kind and someone we all looked up to, both by stature and by virtue of the way he conducted himself. No wonder such a young person has a park, a school, a charitable foundation, and soon a riding named in his honour. When he passed, I remember

saying that he was the heart of our caucus, and I think we can all still hear that huge heart beat today. Alberta lost a great man with his passing, but we will never forget the legacy he left behind. Thank you, Meeta.

The Deputy Speaker: Any members wishing to speak? The hon. Minister of Culture.

Mr. Orr: Thank you, Madam Speaker. I consider it a real privilege to have had the opportunity to get to know Manmeet although, while he was with us in a very cursory kind of way – we were elected the same year, 2015. At the time politics – we weren't the same party, so I can't say that I worked directly with him, but I saw him in the House. Truly a gracious individual, and I felt like I got to know him even more after he passed away. I've never quite figured out in life whether we are as humans material beings with a spiritual nature or spiritual beings with a material body, but I know that in both of those ways Manmeet was truly a giant of a person, truly an incredible individual, the public service he gave, the charitable work he did even overseas. Not just here but everywhere he went, he made an impression.

I feel kind of a bit of a connection with him, not only because we were elected at the same time, but it's always impacted me that he passed through my riding. In fact, when he was hit by that truck, it was in my riding, so I've always felt a connection. That piece of the highway on the southern edge, there, of my riding is always a dangerous piece. Yet he was a true Canadian, not afraid of the weather, willing to get out and help people in whatever situation. Icy, snow, blowing: one of those really bad November days, yet he just with enthusiasm and optimism got out there to help somebody on the side of the road who needed some help. And then we know what happened from there.

9:10

I feel like he's one of those guys who not only passed through my riding but, for a very short time, passed through my life. You know, we were elected on – what? – May 5, I think. Six months, seven months later he's gone. Who would have ever known? Who would have ever imagined? Life is fleeting. The moments in the relationships we have are fleeting. We need to take advantage of every one of them.

While I say that he was a true Canadian, I also mean that even though he was of immigrant parents, he was a true Canadian here, and I really have to say that I have come to appreciate with profound respect and friendship the East Indian community that he was a part of and represented and worked for. I have found true friendship, true respect, true honour in that community, and he was the one who in many ways began to introduce me to that. Since then I've had many opportunities to be at events and to connect with the Indian community. Great people. I appreciate their faith, their values, their contribution to society, and he was a true leading example of all of that.

My tribute to him and to his community. Thank you.

The Deputy Speaker: The hon. associate minister of mental health.

Mr. Ellis: Well, thank you very much, Madam Speaker. Like my good friend the Minister of Transportation – I think he took a moment to write everything down, and I certainly appreciate that. I thought about doing that, but, for me, I really wanted to speak from the heart on this and reflect back on Manmeet and my time with him. Of course, we are speaking of Bill 87, Electoral Divisions (Calgary-Bhullar-McCall) Amendment Act, 2021.

I guess, Madam Speaker, let me just reflect back to the early days, 2011. In 2011 I displayed some interest in getting into politics, and

I met Mr. Bhullar. He had an opportunity to sit down with me. I think he was at that time probably even a cabinet minister, and he says: you know, I like you; I want to support you. I tell you, I learned so much from him. I learned about politics from Manmeet, and my good friend the Minister of Municipal Affairs is correct. He could bring out 30,000 people with the drop of a hat. And we stayed friends.

I was certainly humbled and honoured to have been elected with him in 2015 as well, so I got to know him more. I learned about his time in human services, and for a man that did not have any children, boy, did he love kids. I think it broke his heart that he couldn't do more to help those children. He would read every report, and he would see the tragedies that occur to children. I remember talking to his wife, and she would tell me about how he couldn't sleep – right? – because he just wanted to help those kids. I remember talking to Manmeet afterwards, and he just said that that was one of his regrets, you know, that he just wished that he could have done more in the time that he had in that particular portfolio.

You know, to tell you about the man, the myth, the legend that is Manmeet, I remember a time in estimates, one of our first estimates. I know my good friend from Culture would have been brand new at that particular time. The person with the most experience in the Chamber, quite frankly, was Manmeet Singh Bhullar, and I remember – I'm not trying to disparage; I'm just telling the facts. The minister at that time was just slamming the PCs, slamming the PCs, slamming the PCs. I remember texting Manmeet, and he was late, right? If you know Manmeet, he's always late, right? He's always late. I'm, like, I say, "Hey, like, man, I need some help here," because I was really kind of by myself, at least from the PC side. I just remember Manmeet was probably 15, 20 minutes late, and I remember him walking through that door, and you could hear a pin drop. I remember all the people who were, say, in the department, the people that were in the audience, everybody in that room paused and stopped. He came and he sat down next to me, and then when it was time for him to speak, he talked about being humble. He talked about humility and the importance of that for all members in this Chamber, because if you're arrogant, the only direction will be down.

I remember when the federal Liberals won, and Manmeet's good friend Harjit Sajjan – forgive me if I pronounced that incorrectly – was appointed the defence minister. Manmeet was so proud. He just thought Harjit was the biggest – I don't know if I can say the word, but he was the toughest guy that he had known. To think that a member from the Sikh community was the defence minister, boy, he was glowing at that time. Again, just somebody that was so proud of the achievements. People don't know this, but Manmeet was, if I'm not mistaken – I stand to be corrected – actually the first, you know, visible minority wearing a turban who was ever elected and appointed into cabinet. Kudos to that man for being a leader and a trailblazer, shall I say, and, I tell you, again, just a man who, you know – it just goes without words what he achieved.

A lot of people don't know this, but prior to his passing – I'll never forget this. We probably hadn't had lunch in quite some time. Out of nowhere he sits there and he says to me – I guess I can't use my name, but, you know, he says, "Hey, you, let's go for lunch." "Yeah. Sure. Let's go for lunch." So we go. If you don't know, Manmeet was a vegetarian. He says to me: "We've got to do something here. We need to take a leadership role. We need to talk to our good friends in the Wildrose Party, and we really need to come together." We agreed on that. We talked about strategy and tactics and stuff like that.

Then he said – I want to use my name, but I can't use my name. He says, "I've got to go away." I said, "Where are you going?" He

says, “I’m going to Afghanistan.” I said, “Why are you going to Afghanistan?” Right? He says, “You know, we’re afforded very little time in this Chamber.” And he says: “I’m elected. I want to make a difference, and I’m going to go and help Sikh refugees and save their lives.” Like, on his own dime he went to Afghanistan, helped refugees who were Sikh, helped them, freed them, or whatever the case may be, and he comes back. I was the last person other than his wife to have spoken to him before he got on that plane. Then he gets on the plane.

I know he talked to his wife and they talked about coming to Edmonton. My good friend here from Municipal Affairs is correct. There was that day that we were sitting right across the aisle, and it was very kind of the former Justice minister to ask to speak to me. She told me of the horrific news.

9:20

You know, I guess at that point, Madam Speaker, my instincts in policing kind of kicked in, and I realized that we were in a situation and we had to deal with it. With my good friend, when he was the acting leader of the PC Party, I think we got the team together. My good friend from Calgary-Fish Creek, I know, as well, was with us, and we were able to deal with this as a family, a small, collective group of nine family members. The respect and family that came across from our friends from the Wildrose and our friends from the NDP – let’s be real, right? We all realized what had happened and that we’d lost a family member. We can agree to disagree on policy, and that’s totally fine, but I can tell you that it hit all of us in this Chamber really hard. The love and respect and warmth – I can tell you that if I had to say one thing, the passing of our friend certainly brought us all as politicians closer together as family members.

I can tell you that from there, you know, the group of us, the small group of PCs that we were, I think, we hopped on a plane and we went down to see the family. I remember talking to Manmeet’s dad, and I remember crying in front of Manmeet’s dad – this is bringing back lots of memories – and saying, “I wish I could have done more” and “I did all that I could.” I remember talking to chiefs of police, and I remember trying to make sure that the family was respected and all that sort of stuff. It was very emotional. It was tough on all of us, and I think all of us in this Chamber grew as people. I think we all grew as human beings.

But Manmeet’s legacy is not just this. This is something that I know the family wanted. Manmeet’s legacy, in my opinion, is his humanity, his ability to bring communities together. It wasn’t just Sikh. I remember him bringing together people from the African community, people from the Ismaili community. It didn’t matter what your culture was. Somehow everyone gravitated to Manmeet to realize that: hey, it’s possible; I can be elected in this province, in this country as well. He gave hope to people that may have not thought that there was any hope. He does live on in all of us: he lives on in the people of east Calgary and he lives on in all of Calgary and he lives on in Alberta.

With that, I say: I love you, Manmeet. I, like everybody else, miss you, Manmeet. I encourage everyone to support this bill.

Thank you.

The Deputy Speaker: The hon. Minister of Community and Social Services.

Mr. Luan: Thank you, Madam Speaker, and thank you to my colleagues for sharing memories of who I call a good friend and a former colleague. Some of you know that both Manmeet and I served together during the 2012 term under a PC government. Actually, prior to me becoming involved in politics, when I worked for city hall as a social worker, he and I worked together. Manmeet

at that time was a youth leader in northeast Calgary. Some of you may know that that’s an area of our city with lots of ethnic minority folks staying there, with high social needs. When we were talking about crime prevention, he got a group mentoring each other, wanting to set good role models and have proposals to see how we could approach that. He and I connected on that. That was the first time I realized that this was a young man with so much passion, so much heart to support others.

Little did I know that later, you know, when we were both involved in politics – both he and I were elected in the 2012 term, and we served the whole time there. Let me just share a couple of my fond memories about working together with him on the political front.

Manmeet has a large family. Sometimes he joked that he can pull out 30 of his cousins in five minutes. I always joked to him. I said: Manmeet, you know, if we want to succeed, I want your support. There were numerous times that he went to my community, joint barbecues, joint community events, and pulled people together. From that point of view, I respected him big time. He knows how to connect with people.

Listen to this. While he was very active in politics, he never lost his sense of humility, authenticity, and the call of being a servant in leadership. I can give you an example. When he was serving as the human services minister at that time, child protection was one of the areas in his mandate. I saw him. He and I were together, meeting with East Indian communities. He was the first to say: “There is a taboo in our community. If others point this out to us, we’ll become very defensive, protective. We won’t accept that there is an issue, a need to protect children from sexual abuse.” But he said: “I am one of you. I can speak from my heart. I know that child abuse occurs, no different in other communities than in ours, but we choose not to talk about it, and that’s not right. I will be the first one to role model that we need to embrace this. We need to help kids who need help. We need to openly talk about what the support services available there are.”

Let me tell you this. I worked in my social work field for – by that time it was over 25 years. I have never seen a local community leader dealing with such a sensitive issue in such an open, transparent, authentic way. I can tell you that by him leading by example, he helped to open up a very difficult subject in that taboo kind of convention in our community, and he enabled so many other people to reach out for support. To this day I still feel so strongly how much he moved me, the moments I was with him, that we’re talking about now.

That goes to my last point that I want to say. For those of us who are politicians here in a time that I see our political polarization, you know, not each one of our own fault – but that’s where it is today – when I think of Manmeet, when I think of being a politician, when I think of what Manmeet has given to us, given to me, a spirit, how do we balance all of those things? One thing strikes very highly in my mind. Manmeet never lost his sense of humility. He never lost his sense of purpose. He never lost his sense of being a servant leader in a community. Yes, politics is a tool, but at the end of the day we want to help people’s lives get better. We may have different approaches how to get there, but we will do everything possible within our means to accomplish that goal.

Madam Speaker, I think that was one of the spirits that Manmeet left with me. When the tragedy happened – I’ve been reflecting on that over and over. I along with many of my PC colleagues attended the service for him, the memory of his legacy. For Manmeet, what he has done for our community, for myself, and for others is an example and a spirit that we’re here to serve for the betterment of people that we represent. That will stay a long time in my mind.

When we think of using this opportunity to rename the constituency that he devoted his life and time to, serving us so well, I think it's so appropriate, and I urge all members of this House to support this bill and show our spirit for serving the people of the beautiful province of Alberta. Manmeet, my friend, rest in peace. Rest assured that your spirit lives with us, and we'll continue to extend the legacy that you left for us.

Thank you, Madam Speaker.

9:30

The Deputy Speaker: The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Madam Speaker, and thanks to my hon. colleagues. I, too, stand in support of this bill at third reading. I, too, stand in support of Manmeet Bhullar. When we look at how some of the other constituencies are named around Alberta, whether it's after some of our great builders and our great leaders like Klein, Decore, Lougheed, Notley, or the families that built this great province, Manmeet Bhullar absolutely was that kind of leader, was that kind of person, and deserves this kind of recognition.

I had the opportunity to serve with him after the 2012 election. Madam Speaker and colleagues, there are four things that specifically stick out in my mind about how great this man was. Number one, he had a tremendous presence in here. He had the ability to be listened to, to succinctly state his side of the argument and get his points across, and he always seemed to do it with great care for Albertans, our families, and our communities.

Madam Speaker, I remember the day he stood up in here after the NDP was elected and had ended the 10 per cent flat tax across the board. He spoke with great concern about how this was going to cause lower tax revenues, inferior public programs, revenue problems because of what it would do to people's incentive and what it would do to people moving their economy. I remember that speech like it was yesterday, and I've been in here almost 10 years. He just had the ability to say what needed to be said and to say it intelligently and succinctly.

Secondly, Madam Speaker, he came to Medicine Hat one time. We have a strong Southeast Asian community, that has a couple of events every year. One year they invited Manmeet Bhullar to be the special guest. To this day it is one of the best speeches I've ever heard from a politician. It was laced with humour, humility, unity for all the different beliefs in Alberta, and it was delivered with so much warmth and love for Alberta. I was so grateful for that.

Madam Speaker, I had a personal experience – I got to know him fairly well. We would bump into each other in the hallways. I was Wildrose opposition, and of course he was a Progressive Conservative minister. We'd bump into each other in the hallway. He'd always have concerns about Alberta, about our economy, about what families needed, and he would always listen. We'd share ideas. I was so grateful for that.

When he was Infrastructure minister, I was Infrastructure critic. I did a report on how Alberta could build on time and on budget. My goodness, about two weeks after I published the report, I got a phone call from Manmeet asking for a meeting to go over the report, so about a week later he and I spent an hour and a half or two hours going over the report in detail. I was so grateful that he liked four of my 10 recommendations and wanted input on the other six. I remember it to this day, the great discussion that we had and how we left there knowing that our meeting was worth while and was going to help Alberta. Manmeet, I was so grateful for that day.

Fourth and maybe most important – and I put it last for the reason that it was the most important – I heard later what a humanitarian person he was, about all the help he'd given with his money and his

time to help refugees in Afghanistan and India, to help people in Alberta, and he did it deliberately and quietly. Madam Speaker, that's what a great public servant does.

Madam Speaker, I rise to offer my support for Manmeet, for his family, and for this change in legislation. I will be voting in favour. God bless Manmeet.

Thank you very much.

The Deputy Speaker: The hon. Associate Minister of Status of Women.

Ms Issik: Thank you, Madam Speaker. I rise today to say a few words about my friend Manmeet Bhullar and in support of this bill, because this bill honours his name. The first time I met Manmeet, I had a summer student working in the office, and he said: "You know, there's this guy. I think he should get involved. I think you want to meet him." So he brought him by one day, and here he comes, six-foot 12, it seemed like – he was a kid then – walking through the door, and you just knew, the minute you ever met that man, the minute he walked through that door, that it was, like: "This is somebody. This is somebody who's going to make this world a better place." I got to know him, worked a lot in politics with him. He was very, very effective in politics. He was able to bring people together like nobody I've ever seen, and he was also able to bring people into the political process like nobody I've ever seen.

He did more for diversity in politics than anybody, I think, that's ever walked through this Chamber. He made people feel like they belonged. He made people feel like they could contribute, and he helped them. That's what most people remember about Manmeet, how many people he helped. When you needed help, Manmeet never said no. He never said, "I can't" or "I don't have time." He would make time, and he would move his whole schedule around if he had to make sure that he could help somebody.

We've heard a lot of tributes today to him, memories. I remember the first time I met him. I also remember the last time I spoke to him. I don't know how that works, but somehow you have these conversations with people throughout your life, and there are certain conversations that stick in your head. The last time I talked to Manmeet was one night, and we talked about racism and his views on racism and how we could actually work to change the channel on it. He did that throughout his whole life, whether he was working with his youth group, whether he was just being a kid in high school. He did it in politics all of the time. He did it in his community. His efforts towards diversity and inclusion really changed the channel in this whole province, I believe.

I remember the terrible day when we lost him, which is why I've been sitting here with Kleenex for the last couple of days. As many have said, he died doing what he did best, which was helping people, and I am so proud to have been able to know him. I'm so proud that this bill is going through this House at this time. I think it's fitting, and I think that we need to not only remember his name but remember all that he did for this province and for the people of this province.

Thank you, Madam Speaker.

The Deputy Speaker: The hon. Member for Chestermere-Strathmore.

Mrs. Aheer: Thank you very much, Madam Speaker. Today is, actually, my son's 25th birthday, and I was thinking about that as I was walking over here, how lucky I am to be able to touch him, to go home to him tonight to hug him. You just hold them all a little closer. I remember sitting right here when we found out about Manmeet, and the first thing you want to do is just rush home and hug and touch and hold your own children.

As I was walking over here this morning, I remembered – I don't know if those of you who are sitting in here remember – how he used to rush in here. He would have an event in Calgary. He would then drive here for the evening session, step in for the evening session, then run and go do an event, then go back home to Calgary to go see his family – he was usually working on foundation stuff – and then he would be back on Thursday and, I remember, covered somebody else's shift.

Do you remember when we were sitting over here? We could just see him running in, and he was eating on the run. He would be back in the opposition chamber, you know, had piles of stuff that he was working on. I remember that the associate minister of mental health was talking about how he had helped out all of these families. He personally moved and saw to the movement of families out of one country and into the other. Not only did he help them across the border, but he actually settled them into new places. You don't get to meet people like that very often in your life, Madam Speaker.

9:40

We sat across from each other here on the opposition side, and I remember, you know, the pictures of his family that he would keep. I remember being in his family house after he passed away. His family lives in my riding. I went there. In our culture we put sheets all over the floor so that people can sit together and mourn and cry. There was just so much food. There was crying, but it was almost like we were walking into a small celebration because there were so many great things to talk about, as hard as it was. I remember sitting with his dad and just holding his hands. In our culture we call him my paaji. He's my older brother. So bhainaji and paaji in the family. I'm so honored to be able to stand here and speak on behalf of your beautiful, beautiful son.

I remember holding his hands and just looking into his eyes and asking him what he needed at that moment, and even in his grief he put his hand on my face. He's known me since I was a little girl. Do you remember this? You were there. He put his hand on my face. He grabbed my face like this, like they do in our culture, and he looked me in the face. He goes: "You make sure that you do what he expected you to do. You lead with honour. You make sure that you protect the children, and you come visit me and have tea." That's what he said. So, of course, I did. We went over for tea many times and over the years have proudly been able to have meetings with him about constituency issues and other things. They are a strong, resilient, and amazing family.

There are so many things that I could say, but one thing I would like to say is that the cremation centre in the northeast was one of Manmeet's really important things. Again, it's in our culture. There's this symbol of Sikhism and the om symbol in there for Hinduism as well in order to be able to honour Southeast Asian families and the way that we mourn. It was such an important day. Also, I mean, there are so many important things. There's a school where children, the thing that he dedicated his life to most, are learning now under his name.

I just wanted to thank you, Madam Speaker and everyone in this House, for this opportunity to speak, to be able to honour this beautiful, beautiful human. In his humility and his strength there was just this huggable teddy bear of a human being who never ever, ever passed up an opportunity to chat and give you all the energy that you needed to continue on with your day. Much love to the family and to my brother Manmeet.

Thank you so much.

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

Mr. Shandro: Thank you, Madam Speaker. I'm pleased to rise today to speak to this bill, in particular because it gives me an opportunity, like my colleagues before me, to say a little bit about the former member of this Assembly after whom we are proposing to rename an electoral division, the former Member for Calgary-Montrose and then Calgary-Greenway, Manmeet Singh Bhullar.

It's been six years since we've lost Manmeet, or Meeta to those who were close to him. I didn't have the privilege of serving in this Chamber with Meeta, but a number of us did, and I hope they consider themselves lucky for the opportunity. I knew him outside of this Chamber, and it's my honour to rise today and say a few words about him. I want to specifically thank and acknowledge a friend who helped me with some of what I'm about to say, Mr. Andy Hayher.

Manmeet, Madam Speaker, embodied every quality you could ever want in an elected official and a community leader. When you speak to friends of Manmeet, each story you hear will have a similar theme: them before him. He would always put his own interests behind those of his family, his friends, his constituents, and the broader community. His dedication to his family, his friends, his community was born from his deep ties to his faith, the Sikh faith, a faith which is founded upon the concept of seva, or selfless service.

In fact, it was Meeta who introduced me to the concept of seva. I remember a meeting that he had organized to help Afghan Sikhs escape from persecution, and someone at the meeting had asked him: "Why are you spending your money? Why are you travelling across the globe? Why are you spending so much of your day on things that you'll never get credit for?" He looked at the fellow incredulously and said, in the most Manmeet way possible, "Seva, bro." Meeta was the embodiment of this concept of selfless service.

There was no constituent issue that was too small for him. His constituency office was near a park where seniors would get together in the summer in the evenings and sit on the grass and talk or play seep, which is a Punjabi card game. Manmeet would routinely join them because he wanted to make sure that they felt heard, that they felt respected. It's that level of care and compassion that he had for every constituent and every member of his community that led to him being a favourite son of northeast Calgary. His impact on his community, specifically northeast Calgary, is everlasting.

He grew up there. He attended Lester B. Pearson high school, played for their football team and, Madam Speaker, played for my team as well. Thank goodness I was older than him and never had to face off against him at the line of scrimmage. From there he went on to attend the University of Windsor for university and law school. This is where his dedication to service bares clear. He stopped attending law school to enter public life and to run as an MLA. Think about that for a second. He gave up what would have been a successful career to enter into politics and serve his community.

His maiden speech in this Chamber is something I would encourage all of my colleagues to read. In fact, the world would be a better place, in particular in this day and age, if we all read those words. It's filled with stories of constituents who inspired him and why. One story in particular involved him being on the doorstep of a constituent who told Manmeet of a difficulty that she was overcoming. He said to her:

"You know, I applaud you. I applaud you for being so strong."

I'm going to continue quoting his maiden speech. He continued:

She said to me: "You know, most days I don't feel strong. Most days I actually feel quite weak, and some mornings I wake up thinking I don't know if I can carry on with this." I wasn't quite

sure what to say, but as I looked in her eyes, I could see [her] tears.

The answer was that she is stronger than most of us because in spite of fear, she acts. In spite of being terribly afraid, she acted.

Madam Speaker, Manmeet was one who acted.

Manmeet, for anyone who would ever be in the same room as him, was a presence not only in physical stature but with his care and his compassion. A friend characterized his stature as, quote, the broadest of shoulders to carry the burdens of so many. End quote. I mentioned his passion to help Afghan Sikhs who were seeking refuge from the heavy hand of the Taliban. His work, along with the work of the Manmeet Singh Bhullar Foundation, which my colleague the hon. Minister of Municipal Affairs mentioned, has seen dozens of Afghan Sikh families arrive in Canada and India.

His commitment to save is also what took him from us. He left us doing what he always did, helping others. Manmeet Singh Bhullar left a lasting impression on every person who met him. A great son, a great husband, a great friend of many, and a great Albertan: Meeta, I'm proud to put my vote towards this small gesture of remembering your selfless service to your province.

Thank you, Madam Speaker.

The Deputy Speaker: Are there any other members that wish to join the debate?

Seeing none, I will ask the question.

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

The Deputy Speaker: The hon. Associate Minister of Mental Health and Addictions.

Mr. Ellis: I wish to request that the division on third reading of Bill 87 be deferred to this afternoon pursuant to Standing Order 32.1(1)(a).

[Motion carried]

The Deputy Speaker: Hon. members, I wish to advise the Assembly that the division on third reading of Bill 87 has been deferred to Deferred Divisions this afternoon during daily Routine according to Standing Order 32.1.

9:50 Government Bills and Orders Committee of the Whole

[Mr. Hanson in the chair]

The Acting Chair: Good morning, members. I'd like to call Committee of the Whole to order.

Bill 84 Business Corporations Amendment Act, 2021

The Acting Chair: Are there any members wishing to speak? I'll recognize the Member for Edmonton-Glenora.

Ms Hoffman: Thank you very much, Mr. Chair. I'm happy to take an opportunity to engage in debate on Bill 84, Business Corporations Amendment Act, 2021. We are here, of course, considering amendments to this legislation, and I would say that upon reading this, it seems like the most substantial section is with regard to the changes around opportunity waivers, which are in section 5 of the bill, which is section 16.1(1) through (3) of the act itself as an addition.

Specifically, I want to say that opportunity waivers aren't something that we've discussed much prior to this bill in the province of Alberta in general and in this Legislature specifically, and that's one of the reasons why I think it would be really wise for us to have an in-depth discussion around the interjurisdictional comparison given that this is something that I don't think is prominent in Canadian legislation. One of the first things that I always asked at Leg. Review was about interjurisdictional comparisons, because often good ideas brought forward by the public service or otherwise are based on things that we've seen in other parts of the country or even the world that have resulted in increased outcomes or productivity or savings. Knowing what the experience has been of other jurisdictions who have opportunity waivers, I think, would be of benefit to this Assembly, to all members, and to ensuring that we have greater clarity as we continue to move forward with this legislation.

Generally I think that it is a good idea for us to engage in this discussion, and I think generally it probably has merit. I just would like to specifically have that interjurisdictional analysis so that we can have a higher degree of confidence about what the implications look like in actual practice. That would be one of my main requests, through you, Mr. Chair, to the Assembly and specifically to the sponsoring minister, the minister responsible for Service Alberta. I'd love greater clarity around the opportunity waiver piece and the interjurisdictional comparison as it relates to the drafting of 16.1(1) through (3).

Subsection (3): "Subject to the regulations, a waiver may be modified or revoked." A waiver can be granted, but through regulation there is the process, as this would read, to be able to revoke that waiver, which makes me think that this is probably one of the types of bills where as the bill is being drafted, either the same drafters or other drafters are working on the regulations because, of course, they need to be tied closely together. If we want to think about the impacts of implementation, knowing how the actual technical pieces of the bill will be engaged, I think, is important for us to consider.

I have to say that one of the things that would be super helpful is if in this place we could have the Minister of Service Alberta or a designate go through and detail some of the interjurisdictional comparisons and then also talk to us about the actual wording of the drafting of the regulation. One of my questions, through you, Mr. Chair, to the minister, would be if the minister would be willing to bring the regulations pertaining to section 5 – and it's only a very small piece, you know, less than half of one page of a 40-page bill, so I'm not asking for the regulations for the entire bill – before this Assembly prior to them being enacted. I think that that would give us and, in turn, Albertans, who we all represent, greater clarity about the actual impacts of the opportunity waiver piece.

Generally I think that there probably are significant merits, but without having access to the actual regulations themselves, I worry about what kinds of liabilities might be embedded that we just haven't been informed of yet in this place or in this province when it comes to this new addition. The interjurisdictional comparison as well as the sharing of the actual regulations that relate to section 5 of the bill, or 16.1 of the existing, where it will be embedded within the act, would be helpful. That really is the primary focus of my nervousness.

Generally I think this is probably a good bill. I would also like to know about demand, about what kind of engagement there was around opportunity waivers. Some of the consultation we've had with folks in industry: it seems that there's enthusiasm, but I would like to know that it's not just the few conversations that we've been able to initiate in the time between when this bill was introduced and when we're debating it here today in committee that drove that.

I imagine that the government had more robust engagement with stakeholder groups, and I'd love to have more openness about some of the feedback that was heard through those consultations and who some of the validators would be for this legislation.

Also, I would like to know if there's been an assessment about what the anticipated demand would be. Looking at what interest there might be through corporations in the province to engage in this, I think, would be also helpful. "What's the scope of the problem we're trying to solve, essentially?" is one of the other main questions that I often would ask in Leg. Review. I imagine that the minister and others have asked that same question. I think those pieces would be my general feedback on this bill at this stage, and I imagine that we will have some potential tweaks like we regularly do when we come to this place and try to contribute to the democratic process, taking something that's been presented and adding additional angles for consideration and for investigation and for potential amendment as we look at the impacts of bills like this.

Again, what's the scope of the problem that we're anticipating to resolve? What's the anticipated demand based on the opportunity waivers? What's the interjurisdictional comparison? Which other countries, provinces, states have enacted similar sections to what's identified in section 5? And would the minister be willing to bring those regulations before the Assembly prior to their enactment just for everyone's full understanding and confidence in how this is actually going to change the way that business corporations act in terms of opportunity waivers?

Thank you very much, Mr. Chair.

The Acting Chair: Thank you.

Any other members wishing to speak to Bill 84? I see the Minister of Service Alberta.

Mr. Glubish: Thank you, Mr. Chair, and thank you to the Member for Edmonton-Glenora for those comments and questions. I'll try to get to those in a moment.

But first I thought I would start by taking the opportunity to answer a few other questions asked by some of her colleagues in debate earlier this week. First of all, the Member for Edmonton-Beverly-Clareview had raised some questions earlier about a director's ability to join boards across multiple jurisdictions. I want to just clarify that there is nothing in corporate law that prevents an individual from sitting on multiple boards of directors. This ability to sit on multiple boards is available regardless of whether or not corporations have corporate opportunity waivers in place. The inclusion of corporate opportunity waivers in a corporation's articles of incorporation or in a unanimous shareholders' agreement would allow for corporations, by granting a waiver, to specify in advance very specific cases in which a director and the organization that they are from can act on a specific corporate opportunity that otherwise they would have been prevented from doing.

Again, coming back to what I shared in a lot of my opening comments, in case someone is joining us just now, the whole point of the corporate opportunity waiver is to make it easier for Alberta corporations to attract investment, especially from outside of Alberta, that otherwise would not come to Alberta and would not come to that Alberta corporation. We know that there are some types of investors, in many cases private equity funds or venture capital funds, who have domain expertise in a certain industry or certain industries, who, by the virtue of the structure of their fund, the whole point of their operation is to invest in multiple projects and companies in similar industries.

10:00

The idea here is to say to an Alberta company that if you want to use this corporate opportunity waiver as a way to attract that investment from a fund that otherwise wouldn't invest in you if there wasn't a waiver, then here's a tool that you can use that will help you to attract more capital and reach your fullest potential, and by the way here are, you know, some guardrails and some checks and balances to make sure that this is being used in a safe way that respects the rights of your shareholders, in essence a tool that creates a win-win.

That's what this tool will accomplish. It does not preclude someone from sitting on boards of multiple corporations, and it does not impact the ability to sit across boards of organizations in different provinces or different jurisdictions. I know the member had raised the question of if you had a company in Ontario and a company in Alberta. Yes, an individual could be a director of both simultaneously. If the Alberta corporation did have a corporate opportunity waiver framework embedded in their articles or in their unanimous shareholders agreement, that would not stop someone from serving on both boards.

Another thing that the member had asked about was, I guess, the lag time for a board member to be able to join another board. It would be the case that a corporation that does not currently have corporate opportunity waivers in place would need to amend their articles or their unanimous shareholders agreement to permit that. Again, that's only a process that would be needed if they wanted to issue a waiver, which is more applicable in allowing for pursuing an opportunity. That does not preclude serving on the board of other organizations. There would not be a lag time. Someone who serves on an Alberta corporation's board: they would not have to wait for a corporate opportunity waiver to be in place in order to serve on that Ontario board, for example.

Next I'll move to some questions that the Member for Calgary-Mountain View had asked about recourse for individual shareholders or other corporations if they feel there has been a conflict of interest. I know that she had sort of said, like: should there be some kind of mechanism to deal with this kind of a dispute instead of the courts? Well, what I would just point out is that today, in the absence of corporate opportunity waivers, if there is a conflict of interest that has arisen, then, of course, the first line of defence would be to have a conversation between the interested parties, and if that cannot be resolved, then, yeah, that's what the courts are there for.

That's the way it works today, and I'm pleased to say that that would continue to be the case once we implement corporate opportunity waivers. We're not in this bill bringing forward any kind of change to resolving a dispute. We are simply providing a tool, providing checks and balances, providing guardrails to make sure it's used correctly, safely, and in circumstances that create a win-win. If there is a dispute that arises out of using this tool, then that's what the courts will be there for in the same way that they are there today to deal with any conflict of interest.

The Member for Edmonton-West Henday asked about timelines, and this ties a little bit to, I think, some of the comments from the Member for Edmonton-Glenora around the supporting regulations. We know that the devil is always in the details, and the supporting regulations are those details, Mr. Chair. That work is still under way and is extremely important, and I believe that that should take about four to six months to complete. We will complete that while continuing to collaborate with the experts and industry folks that we've been talking to in the development of this legislation.

Again, tying this in to some of the comments from the Member for Edmonton-Glenora, asking a little bit about, you know, who we talked to, we talked to hundreds of experts and professionals who would be impacted by this. That includes academics who specialize in this kind of law, in this kind of business, to corporate securities lawyers, tax lawyers, accountants who specialize in structuring corporate affairs, as well as different businesses that would have an interest in these kinds of tools. Thanks to that extensive consultation with folks who have some very deep expertise in this space, that has led us to this point of bringing forward this legislation, and we will continue to work with that community as we work towards finalizing the regulations.

What I can share on those regulations is that, again, the whole point is that it comes back down to why. Again, that comes into the Member for Edmonton-Glenora's question about: what problem are we trying to solve? Well, at the end of the day we want to make sure that Alberta is the most attractive jurisdiction in Canada to do business, to start a business, to incorporate, to attract capital, to grow, to create jobs, to grow and diversify Alberta's economy. These are all important things.

The changes that we're bringing forward here, the introduction of corporate opportunity waivers, for example, is something that will make Alberta even more attractive than it already is. In order to do that well, we need to make sure that this is a tool that will be used correctly and in a case that will help Alberta corporations to be more successful than they would have been without having access to this tool. That is good news because it will help them to attract more investment here, which will help them to grow, which is good for their shareholders, and it's good for their new investors who would be making investment as a result of these waivers.

The key check and balance in this is to make sure that it must be embedded in the articles of incorporation or the unanimous shareholders agreement. As I've said a few times in this House before, the reason why that's important is to make sure that all of the existing shareholders of a corporation that is considering implementing a corporate opportunity waiver would have a chance to have a say in whether or not that happens, have a chance to weigh in on why it should happen or why it shouldn't. At the end of the day everyone who is a shareholder will have a say in that important decision.

Again, if it is being used correctly for the purposes that will help that corporation to grow and to reach its fullest potential, then those shareholders can choose to move forward with it. If they have doubts about that, then they don't have to move forward with it. That is a big part of where the focus will be to ensure that the regulations are clear and provide clear direction and guidelines so that this will be used in a way that respects existing shareholders and allows the corporation to grow.

In terms of an interjurisdictional comparison I know that was something that the Member for Edmonton-Glenora brought up. I would just say that, yes, we know that Alberta would be the first in Canada to do this. I think that's a good thing for all the reasons that we've talked about before about helping Alberta corporations to attract capital that otherwise would not have come here, making us more competitive. We do know that we are not the first to do this in the world and certainly not in North America. We know that the state of Delaware does this, and the states of Georgia, Maryland, and Washington do this.

As a part of the work that we have done to get to this point and the work that we continue to do to develop and flesh out the supporting regulations, we, of course, are paying very close attention to the frameworks in those four states and the experience that they have had with this tool. That will inform our approach to making sure that our made-in-Alberta approach is in the best

interest of Albertans and Alberta businesses and the shareholders of those businesses. It's a good question, right? We want to say: has this been used anywhere, and what can we learn about how it's been used? Absolutely. I want to ensure, through you, Mr. Chair, to the Member for Edmonton-Glenora, that we are taking very close looks at that, and that is a guiding part of our overall process on implementing this.

10:10

In terms of anticipated demand, look, I can't tell you whether one company or a thousand companies are going to use this. But I think, again, the key thing here is our government has always said that we want to leave no stone unturned when it comes to making Alberta the most attractive destination to start a business, grow a business, to invest, to create jobs, to grow and diversify our economy. This is one step that I can take as the Minister of Service Alberta, with legislation I'm responsible for, to make Alberta even more attractive and to provide a new tool to Alberta corporations that will help them to reach their fullest potential and be more successful. That, in my mind, is a noble pursuit, is worth doing, and I'm really excited about the opportunities ahead. I hope that as we continue this debate, we ultimately get to a point where all members in this Chamber can feel comfortable supporting this legislation.

With that, Mr. Chair, I think I've addressed the majority of the comments and questions that have been raised so far. Maybe there was just one more that I forgot to mention. That is that there were some comments from the Member for Edmonton-Meadows the other day, who had raised some questions about some specific business situations that he was aware of. I believe they were from his constituency. I just want to clarify that none of those situations he outlined fall under the scope of the amendments that we have proposed here. I hope that these clarifications are helpful to all members in this Chamber, and I look forward to continuing debate.

The Acting Chair: Thank you.

Any other members wishing to speak to Bill 84? The Member for Edmonton-Ellerslie.

Member Loyola: Thank you very much, Mr. Chair. I want to specifically thank the Minister of Service Alberta for addressing all of those questions on behalf of members on this side of the House. Although I don't have more questions, I was just hoping that I could kind of contextualize this just to get certain things on the record. As the Minister of Service Alberta well stated, from what I read there are three states within the United States of America that have implemented corporate opportunity waivers. One of them is indeed, as the minister stated, the state of Delaware. As I was doing research on this particular piece, the context in which we need to put all of the responsibility and importance regarding this debate really comes down to fiduciary responsibilities and fiduciary duties when it comes to within corporate law.

The main focus is whether managers when acting on behalf of a corporation are really doing so for the corporation, or are they doing it in their self-interest? I'm not suggesting by any means that I'm against this bill because I think that, as the minister well highlighted, this is going to create opportunity here in the province of Alberta, specifically for diversifying our economy. As the minister well knows, we are in tremendous support of diversifying Alberta's economy and being able to create great, good, mortgage-paying jobs for Albertans now and well into the future. I think that this is an incredibly useful tool.

The caveat is that now we're introducing another element that can complicate the nature of corporate law. Where before we were

focusing on the self-interests, perhaps, of an individual and the relationship to the corporation, now we're adding an additional level of complexity whereby now that possibly self-interested individual not only will be focusing on one corporation but now will perhaps even be focusing on another. As rightly stated, it's important that these are covered within the regulations.

Just as a reminder, I just wanted to offer a couple of definitions when it comes to fiduciary duties. I'll try to be quick, Mr. Chair. Within that, we have the duty of care that requires a fiduciary to use his or her informed business judgment in the role of overseeing the company and making business decisions, also the duty of candour that requires a fiduciary to disclose material information that may negatively affect the business – this typically involves interactions between board members, shareholders, management of a company – and the duty of loyalty that requires a fiduciary to act in the best interest of a party owed such duty. This prohibits a fiduciary from putting their personal financial interests ahead of a party that is owed such a duty.

This is the importance of what we're discussing here and how it really is going to impact not only the economy but corporate law within our jurisdiction. As we all know, Alberta is a leader within Canada, so I'm glad that we're taking a leading role on this.

I will be tabling this article later on during the day, Mr. Chair. There's an article by the law firm of Troutman Pepper within the state of Delaware that is called *The Importance of Well-crafted Corporate Opportunity Waivers in Private Equity and Venture Capital Investments*. They offer just a little bit of some takeaways from court decisions that have already transpired within the jurisdiction of Delaware that we can learn from. I just wanted to get these on the record so that when it does come to the regulations, the minister has this information. I'm sure that he has. I'm really glad to hear that the minister has done an extensive consultation, including academics, associations, a number of stakeholders within corporate law, of course, and the industry, most importantly, when it comes to this issue.

In this article from Troutman Pepper, as I said, they stress the importance of well-crafted corporate opportunity waivers in the transaction documents governing the investments, and what they focus on are nondisclosure agreements, the stockholder agreements. The minister did mention that stockholders will have an opportunity to actually have a say. What that say looks like – is it a vote that takes place at an annual general meeting? – we don't know. These are things for consideration of the corporation itself. We'll have to see how those actually transpire and what will be decided in regulation and then how that will potentially impact in a court of law.

As the Minister of Service Alberta has already rightly identified, the most important aspect within the information provided in this takeaway is the target's certificate of incorporation, which is already being actually addressed in the legislation, which makes me very happy because this is one thing that we already can determine won't be an issue if there would be an issue between corporations actually going into a court of law.

I will quote this from the article.

Notably, corporate opportunity waivers in certificates of incorporation must be carefully drafted to avoid being declared invalid.

It says, for example, that a given company, a corporation, would have to

renounce, in its certificate of incorporation or by action of its board of directors, any interest or expectancy of the corporation in, or in being offered an opportunity to participate in, specified business opportunities or specified classes or categories of business opportunities that are presented to the corporation or I

or more of its officers, directors or stockholders. The Court of Chancery made clear in its decision that it did not resolve whether broad corporate opportunity waivers are enforceable, or whether those provisions must address specific business opportunities or a defined class or category of opportunities.

I'm glad that we can have this debate here in the House and that we can put this on the record. The article continues by stating that one of the other options – and this is something for the minister to consider – is

using limited liability companies as investment vehicles and adopting broad corporate opportunity waivers in the applicable limited liability company agreement.

10:20

The article then goes to talk about confidentiality carve-outs to ensure that any confidentiality obligations in governing transaction documents permit disclosure of company information to the fund, its partners, agents and other affiliates.

It then goes on to state:

To help avoid a finding or pleading-stage inference of misappropriation... firms should designate different representatives to the boards of competing businesses.

Now, I don't know if this is something that can actually be put into regulation or not. Maybe this is something more in terms of contracts between businesses, but it's something that definitely should be considered.

Then the final point that it makes is to prevent prohibited disclosures.

Firms should implement screens intended to prevent the disclosure of one company's confidential business information to a competitor

in which there is an investment.

I think that we can learn a lot by studying other jurisdictions. As the minister stated, there are academics that are focused on this that are being consulted. That makes me happy. Knowing everything that the minister has shared in the House, I think that as long as when drafting the regulations, those resources, those individuals, those interested parties all come together, we can create a great opportunity here in the province of Alberta by including this particular tool.

With that, I will close, Mr. Chair.

The Acting Chair: Thank you.

Are there any other members wishing to speak to Bill 84 in Committee of the Whole?

Seeing none, are you ready for the question on Bill 84, Business Corporations Amendment Act, 2021?

[The clauses of Bill 84 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Acting Chair: Any opposed? That is also carried.

Ms Gray: I move that we rise and report Bill 84.

The Acting Chair: Thank you.

[Motion carried]

[Mr. Hanson in the chair]

Mr. Hunter: Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 84.

The Acting Speaker: Thank you.

Having heard the report, does the Chamber concur? All those in favour, please say aye.

Hon. Members: Aye.

The Acting Speaker: Any opposed? Thank you. That is carried.

Government Bills and Orders

Third Reading

(continued)

Bill 84

Business Corporations Amendment Act, 2021

The Acting Speaker: I recognize the Minister of Service Alberta.

Mr. Glubish: Thank you, Mr. Speaker. I think we've had some great debate on this bill in the Chamber over the last number of days, and I want to thank all members for their contributions and their thoughtful questions and comments. You know, I've done my best to try and answer those questions respectfully and to provide clarification and context on why this bill is so important for Alberta and for our economy and for Alberta businesses, and I'm hopeful that folks are seeing the merits in this bill. I'm looking forward to continuing this debate in third reading.

I just want to reiterate for those who may be joining us now as we begin third reading. Why is this bill so important? This is to ensure that Alberta is the most attractive destination of choice for businesses to incorporate, to invest, to create jobs, to expand, to grow, and ultimately to contribute to growing and diversifying our economy, Mr. Speaker.

Our government has done a number of things to make Alberta more and more attractive. I firmly believe that Alberta is the best place to be, but I wanted to take action as the Minister of Service Alberta, with legislation I'm responsible for, to make it even more so, Mr. Speaker. I think we've talked at length about, you know, a lot of the reasons why the tools that would be delivered through this legislation will help businesses that have incorporated in Alberta to be even more successful and to have more tools to help them reach their fullest potential, and I'm really excited about what these changes will help to accomplish, to unlock that economic potential for Albertans and Alberta businesses.

My hope is that as we continue this debate here in third reading, we can get to a point where all members of this Chamber will feel very comfortable supporting this bill so we can get it across the finish line, send a strong message to Alberta businesses and to investors all around the world that Alberta is the best place to be, the best place to put your capital to work.

With that, Mr. Speaker, I just want to say that I'm pleased to move third reading of Bill 84, the Business Corporations Amendment Act, 2021.

Thank you.

The Acting Speaker: Thank you very much, Minister.

Any other members wishing to speak at third reading? The Member for Edmonton-City Centre.

Mr. Shepherd: Thank you, Mr. Speaker. I appreciate the opportunity to rise and speak to Bill 84. My position on this, I think, has been fairly ably stated by my colleagues who've spoken to this bill. We are certainly in favour of trying to find ways that we can, I guess, open the opportunities for more people to be involved in business in the province of Alberta and open to how a business opportunity waiver can help do so.

Certainly, I have the opportunity as a representative of Edmonton's downtown and some surrounding communities. Having spent some time talking with many who work in particular in the innovation and tech sectors, I have indeed seen the importance of having good people who can participate on the boards of these corporations, who can act as advisers, who can offer oversight, help to attract investment. I have seen how there are some individuals in the province of Alberta who have a particular expertise in that, and them having the ability, I guess, to participate within multiple corporations or situations could indeed be a benefit.

Now, I think, as has been discussed, it's important that there be very carefully thought-out regulation on this. I appreciate that the minister has attended the debate, and he has offered some answers to some of the questions. Indeed, from what I have seen of this minister, certainly, I would have more trust in him perhaps than I would have in some of his colleagues, from what I have seen so far, in the drafting of those regulations. Certainly, I would see that there are some opportunities here, and I think that I can support this bill. What I would like to take a few minutes to address, though, as we are talking about this bill – the minister was talking about his intent with this bill and broader with, I think, a lot of the actions of this government, the intent being to help Alberta become the most attractive jurisdiction to do business.

Now, I recognize, Mr. Speaker, that the directors of a corporation, the presidents of a corporation, the CEOs, the folks that are at the top of running a corporation are indeed essential in a business operating well. Indeed, they are often the ones – well, they are the ones – who are founding a corporation, who are bringing that investment here. But we also need to recognize that for a business to be successful, you need many, many people under that who are doing the work of actually making that corporation run: providing the services they provide, helping to produce the products they produce, doing the research, or creating the innovation. They are the ones who make that, from the person who works there as a janitor to the person all the way up who works in the office of the CEO to the researchers and everyone else in between.

The fact is that this is an appropriate focus for government in some respects, but on so many other fronts this government is undermining all of the other elements that are necessary to make a successful jurisdiction for businesses – having access to trained staff, educated individuals, Mr. Speaker – when this government is cutting hundreds of millions from our postsecondaries in the province of Alberta and driving up the cost of tuition, making it far more difficult for students in the province of Alberta to get the kinds of skills that make them good employees for the kinds of corporations that the minister is trying to incent through Bill 84.

10:30

But even, Mr. Speaker, if they are able to get that education or if we are able to attract people from other jurisdictions with that education – because I recognize, again, in the tech sector in particular, that as we are still working to grow our expertise here, we sometimes do need to bring in people from other jurisdictions to fill some of these important and niche positions. When we have a government that is actively undermining our health care system, pushing through a toxic, backwards curriculum in our education system, that undermines the purpose of what the minister is trying to do here in Bill 84.

Again, we can slash corporate taxes, we can offer more opportunities for more individuals to participate in different corporations, but those things are not going to overcome the many other ways in which this government is undermining and destabilizing some of the most important things in our province that attract qualified people and

retain qualified people in our province, that create qualified, educated, trained people in our province.

Successful corporations, when they're looking to make investments, are also looking for stability, and we have not had that under this government. They are looking for a government that they can say is looking forward and making stable, intelligent plans for the future, that they will have stability and be able to count on rational decision-making, and throughout the pandemic, Mr. Speaker, we've clearly seen that that has not been the case with this government. Let me tell you, in my conversations with business leaders here in my constituency at multiple levels I have heard about their frustration with the constantly shifting rules as this government lurched from one end of the spectrum to the other out of more concern for their political interest than considering what was best for the public good in terms of health and indeed our economy.

We also have to consider what other messages this government is continuing to send with the kinds of decisions it makes around spending \$30 million a year on their embarrassment of a war room, the embarrassment of the Allan inquiry, and such a ridiculous use of the powers of government, Mr. Speaker. Corporations are watching that, too. Corporate leaders, people who are looking to invest in the province of Alberta, who may want to participate in multiple businesses that contribute to this province: they are looking at what this government chooses to do and what they choose to prioritize and where they choose to put their investment.

Again, this kind of behaviour from the government undermines the kinds of initiatives that the minister is putting forward in Bill 84 and what they are intended to do in terms of a goal that I agree with, making Alberta one of the most attractive jurisdictions to do business.

I hope this is something that the government will continue to consider. I mean, certainly, it has been reflected quite clearly, I think, in the polling numbers and many other ways in the province of Alberta that many, including business leaders, are not happy with many of the directions this government is choosing to go. Again, having no disagreement with what the minister is putting forward in Bill 84, again with the caveat that it will be very important to see what is in the regulations to make sure that they are set up right, make sure that we handle things like conflicts of interest, make sure that we are ensuring protections to support good corporate governance, this bill alone is not going to do the work that this government has said they were elected to do, that they campaigned on, or that this minister says he wants to accomplish.

So while we all may support Bill 84, I certainly hope that this government will take to heart, I think, the very clear message that is being sent by so many in the province of Alberta, including business leaders, in reconsidering many of their other decisions.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, Member, for the very creative way that you brought things back around to the bill at hand during your debate.

I recognize the Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity just to spend a few moments on Bill 84. I'd like to start by thanking the minister for listening to and addressing many of the questions posed during Committee of the Whole. I did of course listen very carefully to the minister's responses to some of those questions, and I appreciate some of the considerations there. One piece of this that I want to highlight a bit, just perhaps more as a caution rather than a factor that would cause me to vote against the bill, is that like so many other things, this type of bill can go well or go sour depending on a number of factors.

One of the things that the minister indicated when they had an opportunity to speak was to suggest that it's quite common for people to sit on multiple different boards and that that's not unusual and that this bill doesn't change that, and I agree. I've seen that many times, and I certainly know people that have sat on multiple boards. But the situation here is slightly different than the usual circumstance of sitting on multiple boards because in this particular circumstance we're not talking about multiple boards of corporations that have a variety of interests but, rather, corporations that are explicitly in competition with each other for the same product or service.

That's a very important distinction here, that if you are sitting on a board of one company that sells cereal and a different company that provides financial services, the likelihood of there being a conflict between those two types of services is very, very small. However, if you're sitting on two boards that provide essentially exactly the same service and the purpose of having a corporate opportunity waiver is to allow you to be in two places at once on the same actual product or service delivery, that has some positives and some negatives.

I know that I have had an opportunity to research this question and happened to come across the Harvard Law School Forum on Corporate Governance, an article which I will submit later in the House today. In their article Corporate Opportunity Waivers in Private Equity and Venture Capital Investments one of the things that they explicitly suggest to their people who are establishing these things is that you ensure that you are appointing different members of your corporation to competing boards, that the same individual – now, the same company can be involved in both – is not on both boards because of the issue of dual fiduciary responsibilities. This is the type of thing that we would hope to see in regulation that prevents one individual from sitting on both.

I think it's important to do that because if you actually have two corporations that are competing against each other, at some point a decision needs to be made by one board or the other to do something which would be a deficit to the other, and if you have the same individual sitting on both boards, then at some point they are conflicting against their own responsibilities and therefore are in violation of other laws. It could simply be resolved by having some clear demarcations in the regulations. I'm hoping that the minister will, you know, bring that forward when they bring forward the regulations.

Of course, the same thing is also true with regard to the issue of disclosures, particularly prohibited disclosures between two corporate entities. If you have the same individual sitting on two separate boards, then it's impossible to prevent prohibited disclosures because the same person cannot unknow what they know. It's very important that this type of information be considered and be written into the regulations associated with this act.

10:40

I want to just spend the last few minutes speaking about thoughts about where corporate opportunity waivers are positive and where they could potentially be a negative. That's an important piece in terms of thinking through the regulations that will need to go with this. In situations where we have many, dozens, in fact, start-up companies and sort of nascent industries – we often see in technology, for example – having corporate opportunity waivers makes a significant amount of sense. We have many, many, many companies all vying to do things in a new area. People don't know a lot about which ones are going to be successful, which ones are not, where the best learning will occur, and where it will not. There's some value in having it for one corporation and having their hands in many different activities in order to keep track of it and to

be able to follow the lessons of the market and to make appropriate and good decisions as they move forward.

But because it's a new field of work and an industry that is just in the stage of self-definition, then what we see is that the wide range of competition is positive and helps to prevent there being any kind of serious reduction of competition just by sheer virtue of the number of companies that are doing the work. In these kinds of situations corporate opportunity waivers seem to make a lot of sense. It makes sure that we have investment into a growing area and so on. I know from the minister's comments that this is one of the primary reasons why we would want to do this, to encourage that kind of inflow of capital.

Situations where these kinds of waivers are not particularly good are where we have very few or a limited number of companies who are in competition with each other. Essentially, if you allow corporate opportunity waivers to occur where only one or two companies – I guess it would have to be two or three companies in competition with each other. Having a single entity be on the board of both or maybe even all three of the only companies that are engaged in a particular product development or service delivery, then you have a problem of essentially establishing an oligarchy of some nature determining, making decisions about the business activities without actual competition occurring.

You know, we already have a significant number of laws that prevent collusion between companies for price setting, for example. I understand that. But if you only have a limited number of companies and you have people from the same corporations sitting on all the boards of all the companies involved in a particular area, then it doesn't even have to be price collusion; you simply have the same entity being responsible for all of the decisions in a very small area of commerce. As a result, the consequence is that you are doing indirectly that which you cannot do directly. That's a problem. I know it's one of the things that we hear about in the House all the time, and I think it's important that we pay some attention to that.

The danger as well is that we start to allow corporations to begin to avoid some of the very essential pressures that are put on them by society. I've spoken to this before, that I'm very much in favour of ESG, or environmental, social, governance, factors being brought into corporations because I believe that we are people who do have values, and therefore our values should be expressed in our businesses even though businesses themselves, of course, do not have values, neither here nor there, neither good nor bad, intrinsically in and of themselves. We as people should ensure that these corporations express the values that we hold commonly in society as best we can.

[The Deputy Speaker in the chair]

The danger here is that if you're allowing one entity to have ultimate control over a variety of corporations in a very small set, then you get to a place where you diminish the effect of ESG on those corporations because they don't have to worry that their competition is going to respond to the demands of society.

As such, they can ensure the social pressures to make sure that we are taking care of the environment, that we are being fair and judicious in our treatment of people of different backgrounds, whether it be race, religion, creed, culture, or that we are ensuring the highest standard of governance for the benefit of all. Any opportunity that gives a corporation a chance to avoid any of those kinds of pressures is one which I simply couldn't support. As a result, I think that we need to have some aspect in the regulations that ensures that this is being used when there is lots of competition but is not available when there is not a lot of competition.

My final comment is just to reinforce what was said by the Member for Edmonton-City Centre, and that is that while we seek to increase investment in the province of Alberta, something all of us could support, we need to remember that the decisions around investment in a province like Alberta are not solely about dollars. They never are for corporations. This has been repeatedly stated by almost all the major corporations in North America, who have said that there are a variety of factors. One of the most significant of the factors is the style of living that is possible in a jurisdiction. They want to grow in a place where the people who come to work for them will feel quite satisfied in terms of the opportunities that are available not only to them as an employee but as a citizen of the geography and the location.

This will also be true of their family members, who have no direct association with the corporation. What we hear when we ask people, "What does that mean?": it means that they want to be able to come to a place where they believe there are opportunities for family members who have no interest in the business in which they are engaged. They may be involved in some kind of commerce, but they may have a spouse or a child who is interested in the arts, or a spouse or a child who is interested in health care, or a spouse or a child who is interested in outdoor recreational activities, all of these kinds of things. So what they are looking for is a well-rounded society.

This constant attempt by the government that we've seen to reduce all questions to the simple matter of, "How much money is being made by a corporation?" is not a good basis on which to actually attract interest. Instead, what we should be doing is making sure that the society in which we live is one which reflects the values that we have of equality for all, opportunity for all, and a place where the benefits of living in a good society flow not to just the few but to the many. I think this government has really been acting dramatically against that: the constant attacks on health care, the constant attacks on universities, which makes absolutely no sense if they have any understanding at all of how inventions are made and new ideas are created, which are the core of almost any business. It is just beyond me that they would attack our institutions of higher learning in the dramatic and really repugnant way that they have been doing so.

I think it really is important that if the government truly cares about investment in this province, they simply cannot have us defined as a jurisdiction which has nothing going for it other than the potential for excessive wealth.

10:50

The Deputy Speaker: Are there any other speakers to Bill 84 in third reading? The hon. Member for Calgary-*Buffalo*.

Member Ceci: Thank you very much, Madam Speaker. I will just briefly address some of the things in this bill, Bill 84, the Business Corporations Amendment Act, 2021, but first I'd like to channel, I guess, my colleague from Edmonton-Rutherford and provide a real-life example of what he was just talking about, that businesses and investments don't solely come because of something like this, Bill 84.

Back in the mid '90s, when I'd been newly elected to city council, the council of the day and the mayor of the day and the economic development agency of the day had been reaching out to CP Rail because CP Rail had made it known that they were looking to establish a new head office somewhere in Canada. Of course, Calgary was part of that attempt to, you know, be a suitor of CP Rail and attract them to Calgary. The second-highest number of head offices in Canada are in Calgary, after Toronto.

The mayor had to go down, and when he came back and was successful with all of those agencies, the economic development agency and others, to attract CP Rail's head office and their

hundreds and hundreds of workers who came with that head office to Calgary, located on 9th Avenue S.W. and about 2nd Street S.W., what the mayor reported to us and to citizens was that it wasn't just the number of head offices that they wanted to be a part of, that it wasn't just the attractive business environment for CP Rail and their presence and having their intermodal yard there, having their shops in Ogden. It wasn't just those things that attracted them.

It was the kinds of things that my colleagues have been talking about. It was the total environment in Alberta, the total environment in Calgary, so the presence of good hospitals, good schools. This was before the General hospital was blown up, of course, by the PCs in '97. It was hospitals, schools, educational opportunities, things for their young families or for families to engage in that were the attractor that sealed the deal. That was my experience of hearing why CP Rail moved thousands of kilometres and uprooted their corporate place in Montreal and located it in Calgary.

I must say that when I listen to the Minister of Service Alberta, I wonder if the work he is trying to do isn't being disrupted by the work of other ministers and ministries in this province. My colleague from Edmonton-City Centre has got great recall on a number of things that this government has done that have given it a black eye relative to the rest of Canada around things like the fourth wave of COVID, entirely predictable and something that could have been better addressed had the government taken earlier steps and action on it. We know that it was the worst response in Canada of any province. Those are the kinds of things that extend far and wide, beyond perhaps, I would suggest, Bill 84 and the changes in the Business Corporations Amendment Act. Those are the things that people remember. I've heard and people probably here in this room have heard from relatives and friends from across Canada, and they query those things: you know, what is going on in Alberta?

Madam Speaker, I just wanted to underline some of the things that my colleagues were saying. I think the fact that the minister has taken some steps to make Alberta more attractive to private equity funds and large capital investment firms in the sense that those firms can now come into Alberta and invest, knowing that they can be a part of other investments and not have to worry about getting permission from their original companies to sit on boards, for example, is a good thing.

Thank you very much, Madam Speaker.

The Deputy Speaker: Any other members wishing to join the debate?

Seeing none, would the hon. minister like to close the debate?
The hon. Minister of Service Alberta.

Mr. Glubish: I'll waive.

The Deputy Speaker: All right.

[Motion carried; Bill 84 read a third time]

Government Bills and Orders Committee of the Whole (continued)

[Mr. Hanson in the chair]

The Acting Chair: I'd like to call the committee to order.

Bill 78 Alberta Housing Amendment Act, 2021

The Acting Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much, Mr. Chair. I'm pleased to rise in Committee of the Whole to speak to Bill 78, the Alberta Housing Amendment Act, 2021. I have not had the opportunity to speak to this bill up until this point, so I'd like to start with just a few general comments, and then I will be introducing an amendment.

Looking at the Alberta Housing Amendment Act and thinking about affordable housing within our province, I have to think about my own community that I represent, Edmonton-Mill Woods, a community that has in most neighbourhoods between 5 per cent to 10 per cent affordable housing, something that is relatively unique. When Mill Woods was built in the early '70s, it was designed with all community needs in mind, including the need to have affordable housing. The affordable housing that exists in the Mill Woods area: a lot of it was built in the '70s and somewhat in the '80s.

When I look at Bill 78 and I think about my Mill Woods community, I do not see how Bill 78 is going to improve the lives and the situation for those who are part of what is currently a housing emergency given that across Alberta there are 24,000 households waiting for affordable housing supports, given the calls that I get to my constituency office from people who are looking for support and looking to move into an affordable housing situation, given the stats, the number of people in Mill Woods who are paying more than 30 per cent of their income on housing. Bill 78, which is going to, in part, sell off affordable housing stock to private interests and introduce profit-motivated private operators when it comes to our public housing – I'm incredibly concerned.

The policy around this is critical. Houselessness is on the rise, the wait-lists for affordable housing are on the rise, and advocates and those who work in these areas say that they've never seen it as bad as it is now. Certainly, my constituency office is getting a lot of correspondence. People are worried about rent and paying their mortgages. People are worried about being on a wait-list when they need support now. Looking at Bill 78, knowing that safe and adequate housing has a positive benefit for not just the people it helps but for all of our communities, I'm particularly concerned because in Bill 78 it does not include requirements that when the government sells off affordable housing stock, those profits will be reinvested back into affordable housing within our province and will remain within the Alberta Social Housing Corporation instead of going to general revenue.

With those opening comments, I would like to introduce an amendment.

11:00

The Acting Chair: We'll wait till we get the original copy, and then you can hear it. Any members wishing a copy of the amendment, please raise your hands so the pages can direct it to you.

This will be referred to as amendment A1. Go ahead.

Ms Gray: Thank you very much, Mr. Chair. On behalf of the MLA for Edmonton-Riverview I move that Bill 78, Alberta Housing Amendment Act, 2021, be amended in section 8(a) by adding the following immediately after the proposed subsection (2.1):

(2.2) Despite section 29, the Lieutenant Governor in Council may not order the transfer from the Corporation of any money paid in accordance with subsection (2.1)(b).

Mr. Chair, this amendment is actually fairly straightforward and is completely consistent with what the government and the minister have said regarding any funds from the sale of affordable housing remaining within the affordable housing corporation being used to support Albertans and to continue to try and work to relieve the housing emergency that we have. The UCP have said that any money gained from the sale will be used for housing, but nothing

in the bill requires it. The bill should at the very least do what the UCP have said that they will be doing, because this is too important.

The sale, in our view, introduces a great deal of risk, and there is a deficit in trust with this government, a serious one and one that has been earned over the past several years of their governance, to the point that Albertans are concerned that when this government says, “We promise that it will happen, X, Y, or Z,” that won’t be the result. Given the deficit in trust, given that this is what the government has said their intention is, it is my genuine hope that this is an amendment that can be supported by all members in this House. It simply codifies what the government has said that they would do, and it makes sure that any selling of affordable housing will be reinvested in housing. I think that by supporting this amendment, it will show that the UCP’s commitment to affordable housing is real.

That being said, of course, I would certainly like to see further amendments as well because what a real affordable housing amendment act should be doing is ensuring that there is more supply, more stock, that there’s a strong public housing system to support all Albertans, that moves us closer to having affordable, livable housing for all in our communities and that addresses the challenges we currently face. Again, Mr. Chair, I have to emphasize that 24,000 Albertan households, which include children in many cases, are on wait-lists right now looking for support, are in a situation where they may not have stable, affordable, livable housing. They should, because it is a benefit to all of us when our community members are in safe, livable housing.

Now, in my area of Mill Woods I mentioned that 5 per cent to 10 per cent is the affordable housing ratio. That’s higher than a lot of neighbourhoods in Edmonton but certainly not the highest. There are some pockets where there’s a significant number, but I think having neighbourhoods where there is a mix of housing is positive. In Mill Woods, however, the housing, having been built in the ’70s and ’80s in many cases, is in states of disrepair. That was one of the reasons why I was so supportive under the NDP government of more than a billion dollars being invested in the deferred maintenance that had accumulated in our affordable housing stock and making sure that every unit that we have is in that safe, livable state so that it can be used going forward rather than having affordable housing stock in disrepair.

I’m concerned that without having this amendment to ensure that the money absolutely stays within the need to support affordable housing rather than going into general revenue, the sum impact of Bill 78 could be incredibly negative when it comes to solving the affordable housing challenges that we have in our province. I hope that I have framed this amendment well. Again, I will emphasize that it simply puts into law what the government has already said it is interested in doing. I think that’s incredibly important so that Albertans will know what is happening when Bill 78 is passed, because right now there’s very much a concern and a feeling that without scrutiny on this government, without looking over their shoulders, potentially dollars gained from selling public housing to profit-minded private hands could be moved into general revenue.

Government says that won’t happen. Accepting this amendment and changing the law will ensure that and will give Albertans the confidence to know that at the very least, although Bill 78 is not doing enough to address houselessness and the wait-lists that have accumulated, any sales will be reinvested into the affordable housing sector. I know that my colleagues have a lot to say on this particular bill as well, so having introduced this amendment on behalf of my colleague the MLA for Edmonton-Riverview, I will cede the rest of my time and encourage all members to support this amendment.

Thank you, Mr. Chair.

The Acting Chair: Thank you.

Any other members wishing to speak to amendment A1? I’ll recognize the Minister of Seniors and Housing.

Ms Pon: Good morning, Mr. Chair. Thank you so much. I’m pleased to be here today in the Committee of the Whole as it discusses Bill 78, the Alberta Housing Amendment Act, 2021. Thank you to the member opposite for bringing some concerns. I would like to just share with you some highlights in answer to you.

This is a very important bill. We all know that, and in both parties we just want to do something for Albertans and help those people on the wait-list and house Albertans. This bill will allow the Alberta government to better serve those Albertans that are in housing need. This is laying out a groundwork to improve and expand Alberta’s affordable housing system to address the growing demand and improve the access for those most in need. It will ensure that the housing system remains sustainable into the future. That’s why it’s the 10-year plan strategy. We must partner with more types of housing providers, attract outside investments, encourage innovations, and also deliver more value for government spending. These changes will increase the opportunity for partnership, ensure the appropriate oversight for the new venture, and improve the governance and also the capacity in the affordable housing sector.

These changes have drastically been needed as in the affordable housing sector there have not been any substantial changes in almost 20 years. Even with the substantial investments in the system the wait-lists have continued to grow. The purpose of legislative changes are related to six of the Affordable Housing Review Panel recommendations and will, one, enable the Alberta Social Housing Corporation to enter into joint venture and partnership; two, include new definitions of affordable housing provider and accommodation that will enable some more types of partnerships; four, provide accountability mechanisms for nonhousing management body providers; five, enable the shift to a competency-based housing management body board; and then, last but not least, six, simplify the administration.

Bill 78. I have been following the debates and the criticism and have heard the concerns related to this bill, and I would like to directly address them today. First of all, our government is not abandoning our commitments to affordable housing. In fact, with our housing strategy Stronger Foundations and our support for Bill 78, the government has committed to strengthening the affordable housing sector for the next 10 years and is committed to serve an additional 25,000 households. Bill 78 is strengthening our government’s commitment to affordable housing by assisting in paving the path forward for the next 10 years.

11:10

Bill 78 also clearly defines what is considered affordable housing and who is an affordable housing provider. This will enable us to expand affordable housing by designating housing – the provider in a unit at affordable housing rates as defined in the legislation. By doing this, we can confidently ensure that process policies are in place, as a government follow recommendations from the review panel to shift from an owner and operator of housing to a funder and regulator of affordable housing.

The government will continue to own and operate affordable housing in situations where it’s found to be in the public interest. These recommendations have come from all kinds of housing providers, from the nonprofits and for-profits as well as the housing expertise of over – throughout 160 engagement meetings and sessions and also 120 written submissions, and there were also surveys that were open to the general public. By shifting government’s role to a funder and a regulator, we can remove red

tape and work closely with various housing providers to create a more innovative housing model that will better house Albertans in need.

Well, let's talk about partnership. There has been a lot of alarmism from the members opposite as to how this partnership will work. Bill 78 will expand who's a government partner to provide more affordable housing. This partner will be defined as an affordable housing provider and will be able to offer affordable units to those in need. Bringing more partners in to provide housing means more options for Albertans. We will work closely with these partners so that they can bring their innovation and innovative solutions to the table to better house Albertans who need a home.

Well, not only will we work closely with our housing providers to create more partnerships; we will be tapping into the local expertise in communities and working with the municipalities to do the community housing needs assessments, and we already started. We believe that not one size fits all. These community housing needs assessments are being done by municipalities and will drive our housing developments and focused investment for the next 10 years, and it will result in new projects being community driven and with a focus for a better community result. These housing needs assessments will complement any housing strategy or work the municipalities have previously done and will build upon that, which is also maximizing every federal dollar.

I want to set the record straight. Alberta's government is not leaving any federal funding on the table. We signed an agreement with the federal government in the spring to maximize the federal funding, and Bill 78 will help to ensure that every dollar that is made available to Albertans will be spent on new, innovative projects.

Another point I would like to take some time to discuss is regarding the asset management strategy. The members opposite have been fearmongering both in and outside of social media, the House as regarding our government's plan to sell selective assets that actually currently are not being used in the affordable housing sector. I just want to be very clear. The assets that we are selling are currently not being used to their fullest effect. These assets are old, outdated, and are currently units unable to be used to house Albertans. By selling these assets and following the recommendations from the review panel to reinvest these funds back into the affordable housing system, the net number of affordable housing units will increase. No one will be displaced and lose their home due to a sale.

Our government believes in reducing red tape and keeping processes effective and efficient. Putting into legislation that the proceeds from the sales need to be invested back into the housing would be just redundant as we have publicly committed to that on several occasions. From accepting the recommendations to put it in within the strategy itself, we have a stronger commitment to ensure this process happens. We will follow the budgetary process that is currently in place to reinvest this fund back into affordable housing. This is something I want to be very clear about. Any potential sales will be done through an open and transparent process. There will be no backdoor deals.

Another aspect of the asset management strategy is the transferring of units. These units will stay designated as affordable housing, and units are transferred to a designated affordable housing provider. As some have previously mentioned and as Bill 78 has defined "affordable housing" and "affordable housing provider," these units will be kept affordable. By transferring these units to community providers, they can leverage the access of the transfer to build more new affordable housing projects.

Well, let's talk about competency-based boards. We are asking the housing management body to appoint people to their board that

have certain education, experience, or background to help strengthen the board and the very important work they are doing. These are things such as accounting, real estate, property management, and those kinds of skills and expertise. This is no different than what any other board or nonprofit organization would do, looking for special skills. I understand that in some of our smaller rural communities it might be sometimes difficult to find people with these qualifications, and in those circumstances we will be flexible and work with them on an appointment.

In conclusion, Mr. Chair, as I have clearly laid out, these amendments to Bill 78 assure our government's commitment to overhauling the affordable housing system so we can bring more partners to the table and better house those in need by taking a collaborative approach instead of a historical, top-down approach, as can be seen with the competency-based boards.

To summarize, Mr. Chair, after lengthy consultation from the housing review panel to my department's work and with our department and different levels of government, we have done our due diligence with Bill 78 to ensure that these amendments meet the purpose to better house Albertans in core housing need. Bill 78 paves the path for our government's 10-year housing strategy. Stronger Foundations reaffirms our commitment to affordable housing. It will set the table and bring more partners to it so that we can expand the tool box for housing models that are being used to house Albertans in need.

We will work closely with all levels of government to maximize federal dollars while we're doing municipal needs assessments, so further projects will be community driven and a focus for better community results. Our assessment management strategy will make the best use of the government's own assets while assisting our community partners to increase the net number of affordable housing units across the province. Competency-based boards will assist in strengthening the day-to-day operations of our housing management bodies.

I'm very proud of this Bill 78, Mr. Chair, and the hard work that went into it and how it better houses Albertans in need. I am asking all the members of the Legislature to support this bill.

Thank you.

The Acting Chair: Are any other members wishing to speak to amendment A1? The hon. Member for Edmonton-McClung.

11:20

Mr. Dach: Thank you very much, Mr. Chair. I will speak to amendment A1. I appreciated the minister's lengthy discourse on the bill itself, which, of course, will afford the opportunity for the opposition and Albertans in general to use it as a yardstick against which to judge the performance of the minister and the government in actually improving the housing stock and the provision of affordable housing in the province to meet the needs of 24,000 households who are right now in line for affordable housing.

However, only briefly did the minister touch on the amendment at hand, perhaps because the focus of Bill 78, in fact, as was mentioned by the minister numerous times, is to seek out partners, to look for synergies, to look for working arrangements. Of course, these really mean to do what she wishes and that her government wishes to do, which is to basically privatize affordable housing in the province by incorporating the private sector wherever she possibly can. Of course, that means in many instances selling off property.

Now, the minister did say, of course, that where the public interest could be shown to be served, indeed the public housing would be maintained public, but the emphasis, the direction, the weight of the bill certainly calls for an amendment to ensure that

that direction to privatize affordable housing is couched in a reminder that the public need for affordable housing has to be paramount when considering a policy around affordable housing. It must be noted, of course, that the private sector is motivated by the profit motive. We know that. To expect that the private sector will be accountable to the principles that are required by government in providing affordable housing to Albertans is something that I think is inappropriate to rely upon.

Now, over the decades, Mr. Chair, the provision of affordable housing throughout Canada has been one that's been affected by the boom-and-bust cycle of various governments, including the federal government, and it's one that has caused unnecessary, undue, and horrific hardship to low-income Canadians and Albertans who would look to their government to assist in their housing and accommodations in a way that ensures that all families have a stable, clean, modern, well-equipped, properly constructed home to raise their family in.

What's happened over the course of time, as we all know, if we reflect upon decades where – the example was given by the Member for Edmonton-Mill Woods in the '70s – we had one of those surges during a boom period in the late '70s, early '80s of housing and of federal and of provincial money involved in Alberta and other provinces but particularly because of the wave of folks moving to Alberta and housing that needed to be provided, there was a wave of federal and provincial money in the late '70s and early '80s, tax incentives, to provide affordable housing. Yet once that wave was over, then there was a dearth. We were in a desert for decades.

I can attest to that because during my tenure for six years in the '90s as a board member for one year as chair of the city of Edmonton nonprofit housing corporation HomeEd, there was not a single dime going to affordable housing from the provincial or federal governments in the '90s under austerity federal governments, under the Paul Martin austerity governments in particular, not a dime to build or refurbish affordable housing. It indeed was a sorry state of affairs, one that continues today with the waiting lists. I know HomeEd had huge waiting lists and still does. Even though they were able to acquire some buildings subsequently in the 2000s, the need is still very huge.

While the minister likes to tout, Mr. Chair, about the mixed-market model for affordable housing, it's not something that only the private sector is able to provide. HomeEd has been doing that for years, where there is, in a particular building or complex owned by HomeEd, a public body wholly owned by the city of Edmonton, a mixed-market model. It's been in place successfully for many, many years. The public sector is perfectly capable of managing the mixed-market models within their housing portfolio of affordable housing. It's not something that is the purview of the private sector. It's something that's already in place right now and is very well managed by HomeEd, in particular, that I'm familiar with.

I know that a reminder needs to be given to governments when we talk about constructing and maintaining our stock of affordable housing, that we should avoid these boom-and-bust cycles for constructing affordable housing. One way to do that, Mr. Chair, is to incorporate and adopt the amendment to Bill 78 put forward by the Member for Edmonton-Mill Woods, the amendment before us. That is an amendment which would require that the sale of public housing units, affordable housing units owned by the provincial government, the assets or the revenue generated from those sales would have to be earmarked and dedicated towards a fund that goes towards additional refurbishing or purchase of new affordable housing.

This is something that the minister seems to resist, saying: "Don't worry. Trust us. We'll put that money into affordable housing because we say we will." Tell you what: for decades that hasn't

been the case, historically, federally or provincially, when affordable housing fell off the map during times of austerity. This would serve as a very good reminder, having that capital there from the sale of affordable housing that is dedicated by legislation, via this amendment that we hope will pass on this side of the House, as a reminder to the provincial government that affordable housing isn't something that you come to and then drift away from over time. It's something that we have to focus on all the time and actually adopt as an end goal the elimination of the waiting list.

There's no excuse in this province to have families waiting for housing that is something that we would deem is an acceptable place to live for Alberta families. There are some really terrible situations where, in particular, I have constituents, amongst others, who are disabled, using a wheelchair, and are in units that are not built to accommodate a wheelchair. One of the things that this amendment could do in terms of dedicating money would be to, hopefully, have a focus on refurbishing units that would be making them wheelchair accessible so that we have individuals who are using wheelchairs or other mobility equipment that can be accommodated in a unit they're in. There's a absolute lack of accessible units. This is something that is really a difficult thing for somebody who's in a wheelchair or using a mobility item, where the doorways are too narrow and the bathroom and showering and/or bathing is extremely difficult.

The dedicated funds that would require that the revenue from sales of affordable housing units go towards affordable housing I think would be a reminder to government that there's an ongoing need for investment and reinvestment in the affordable housing stock. Certainly, when a person or a corporation, government owns a portfolio of real estate, whether it be affordable housing or otherwise – but, of course, we're dealing with affordable housing right now – there will be an aging out of some buildings. Some buildings and locations may be best sold. That's not an unusual situation. But the sale of those units should not result in a surge in general revenues to the province; they should result in a fund growing to replace the units as any corporation would want to do if indeed they are looking at long-term survival of their real estate portfolio. The regeneration of new units, the refurbishment of old ones should come from the sale of those that are deemed not to be worthy of the repairs or for other reasons, due to location or what have you, not the right spot for affordable housing.

11:30

It is sometimes better to actually sell the building, but what you do with that money should be dedicating it to affordable housing. This legislation, the bill itself, doesn't guarantee that, and we, frankly, don't trust the government to do that. So we say to the government: put your money where your mouth is and dedicate the funds from the sale of these assets to a fund which can only be spent on refurbishing or building new affordable housing.

The number of people that are waiting in this province is an astounding figure: 24,000 households looking for housing. It's probably what consumes the most time of all of our constituency assistants in our offices. The stories are heart-rending when you know that there are families in absolute, dire need of higher quality housing, housing that is suitable for them. They're living in basement suites or shelters or housing first situations, or they're in accommodations that are simply across the city from where their family is, and it's really difficult for family to assist with them if they happen to be in need.

It's just things that we would think, if we weren't on a low income and reliant upon affordable housing, were a no-brainer: "Okay. Well, let's just move closer to where family might be so we could help with those in need." That isn't something that's open for

almost anybody in affordable housing to consider right now because of the lack of opportunities elsewhere and a lack of actual units to move to. Housing management bodies are at a loss as to what to do because indeed they don't have the options. There was some limited amount of money given over to refurbishing units, but it wasn't enough.

I think we will all be judged, Mr. Chair, by how we serve those most in need. That indeed is one of our most fundamental responsibilities, and underpinning that, of course, is the housing need. Now, it's been well established that the first and foremost goal of getting individuals into a place of healing and well-being from a situation of houselessness is to put a roof over their head. Then the other things fall in place, and other services can be provided. That indeed is something that the government doesn't seem to have its focus on.

It is something that they should be reminded of, and they can be reminded of it by insisting in legislation through this amendment that dollars that come from the sale of units that are in the affordable housing stock of the provincial government do not go into general revenue; they go into a fund that is dedicated to refurbish and resupply the available housing stock over time and indeed acts as a constant reminder to the provincial government that affordable housing isn't something that's done on a boom-and-bust economic cycle. It's something that you need to keep front and centre all the time. You need to actually have as an ultimate goal an ongoing standing order, if I might say, to eliminate the waiting list.

Like, it is unconscionable that we have a waiting list for affordable housing in the province of Alberta. There are other innovative ways that we possibly could look at to assist with the housing stock. But the one that's before us right now, of course, is the provision of a legislative demand that profits from the sale of assets go into a fund that would purchase more affordable housing and not go into general revenue.

It would be interesting to hear the minister's response directly to the amendment before the House, and I'd invite her to comment on whether or not she finds the concept of dedication of affordable housing asset revenues from sales of those assets being dedicated into a fund to build more affordable housing, as is the demand of the amendment before us – indeed, I was interested in hearing the overview that the minister provided of Bill 78 while she was addressing the amendment before us, and we certainly will be listening to that in *Hansard* and on video and holding the minister to account over time. It certainly laid out her view as to the direction of affordable housing, but we are, of course, very divergent in our views as to how the housing stock should be administered. Certainly, one element of it is the sale of units.

Now, what the sale of units is going to do – and it didn't really get touched on by the minister – is that it's going to relieve the private sector that she's going to so heavily rely on, that the minister and the government wants to so heavily rely on to provide housing stock and to manage the housing stock. It's going to eliminate the burden of actually undertaking to have in their portfolio a housing stock that needs to be refurbished and needs to have investment to bring it up to proper standards. So the public once again will be relieving the private sector of the cost of the current housing stock, which is in need of repair. The sale of the asset, hopefully, will be guided only by proper analysis in terms of the needs of the housing requirements, not by the desire of a private-sector player to be rid of the responsibility of housing stock that needs repair or is in an uneconomic place, in their view, to actually operate and manage an affordable housing unit or complex.

Mr. Chair, the motivation, of course, will be for the private sector, that the government wants to partner with to privatize affordable housing in this province, to make a profit. There is a model that the

private sector is certainly eager to follow and profit in, but they will do their best to lobby government to ensure that their costs are minimized and their profits are maximized. The goal of providing public affordable housing to the most people in the province possible in a sustainable way, in a way that is managed and overseen by the provincial government, is potentially being watered down by the need for a private corporation to profit from the operation of the sector.

I'm not convinced that, Mr. Chair, the private sector will be able to operate in a way that provides a system of rejuvenation for the housing stock. That, of course, is an ongoing process. I know that the public housing bodies and housing management bodies that operate their own stock of housing right now have been able to manage and operate very well. They do so in a close-to-the-bone operation, but they are constantly starved of dollars in terms of being able to improve the housing stock or to actually buy more units. Without those injections of capital it doesn't happen.

So I don't see where taking out a percentage of the revenue that's already being generated and handing it over to the private sector as a management fee or a profit is going to help in the generation of capital that will refurbish and add to the housing stock over time. Indeed, I think that that's the problem.

The Acting Chair: Any other members wishing to speak to amendment A1? I will recognize the Member for Edmonton-City Centre.

11:40

Mr. Shepherd: Thank you, Mr. Chair. I appreciate the opportunity to rise and speak to this amendment on Bill 78, the amendment being to enshrine in the legislation that any profits realized from the sale or indeed – pardon me – just that the funds that come from these sales of provincially owned affordable housing stock would go back into funding new housing units. A very simple proposition.

Now, the minister rose and spoke broadly to the bill, but of the, you know, 10 to 12 minutes or so that she spoke, she did dedicate a couple of minutes specifically to the amendment. What she said, Mr. Chair, was that putting the requirement into the legislation that the funds from these sales would be put back into funding new affordable housing would be redundant because they already promised that they would do it. That is absolutely ridiculous. There is a profound difference between a promise that a government will do something and a legislative requirement that they do something. Redundancy is when you are doing the same thing twice. This is not the same thing.

We are proposing a legislative requirement that would bind government to ensure that the dollars realized from these sales would be reinvested in public affordable housing. Pardon me; not even public, just affordable housing. Now, of course, it is being done for the public benefit regardless. This is government making that investment. Whether it is owned and operated by the private sector or whether it is owned and operated by government, it is a public good. We are proposing a binding piece in this legislation. The minister is saying: just trust us. That is not redundancy, Mr. Chair; that is a profound difference of opinion. She said that because they have promised this, there is no need for there to be anything that would actually bind them to follow through on that promise, which, again, is patently ridiculous, as evidenced by the minister's own statement, which followed.

In speaking about community housing needs assessments, she went on to say that there has been misinformation about this government leaving federal dollars on the table, that they have not done so. Mr. Chair, I will quote from an article published in the *Edmonton Journal* on March 17 of this year, headlined: City of

Edmonton Receives Federal Funding for 130 Supportive Housing Units, Iveson Urges Province for Operating Dollars. The article states:

Although pleased with the federal government's contribution, Iveson said the city's application to the federal government for another 480 units costing \$68.8 million was "turned down" because of no funding commitment from the province to operate the sites with wraparound health and wellness supports.

Right there is a concrete example of federal dollars being left on the table because of this government's refusal to follow through with support.

Mayor Iveson, before he left office, made multiple requests to this government for \$5.9 million to operate those supportive services at those affordable supportive living sites for those units. This minister spoke at length about her grand commitment to partnership, Mr. Chair, but there has been none from this government to the city of Edmonton for the supportive housing units, which are exactly in line with everything that they claim they are trying to do with this bill.

Then the minister turns and says that there is no need to put a legislative requirement that the dollars that are realized from the sales of public housing units be reinvested into the same because we can simply trust their promise. Again, Mr. Chair, ridiculous. In fact, that article goes on to note that because of this government's refusal to partner with the city of Edmonton to help them realize federal dollars that were on the table, the nonprofit housing provider Homeward Trust "reprioritized its existing budget to find the necessary funds, but the city said this won't be possible for any additional locations."

Again, the claim of the minister is that they are full on for partnerships; they would leave no federal dollars on the table. The truth is that they have refused to partner with the city of Edmonton. They left federal dollars on the table and forced the redirection of other funds that could have been going into other purposes to help solve the problem that the minister says she is trying to help solve with this bill. Instead, they had to be redirected to cover the shortfall where this government refused to step up. That is why I support this amendment, Mr. Chair. This is not a government that has shown that it can be trusted.

Speaking of municipalities, of course, we have heard time and again about this government's breaking of its campaign promises. Another promise, Mr. Chair. This minister has said that the government's word is good enough. They promised in their campaign that they would uphold the big-city charters in the province of Alberta. Once they were in office, they tore them up. But the minister says: you can trust us. This government promised that when they began to tax Albertans to access Kananaskis, there would also be fees introduced for off-highway vehicle use in the McLean Creek area. Those are nowhere to be seen. The government again has utterly failed to follow through on its promise.

We just look at the multiple extensions and delays with the Allan inquiry. Indeed, this Premier's own grassroots guarantee — members of his own party do not trust this Premier. Members of his own caucus do not trust this Premier, Mr. Chair. Albertans have no reason to trust that this minister will follow through on what she is claiming that she is promising. As colleagues have noted, there is a massive deficit of trust for this government, and here is an opportunity for them, with a small change, to earn some of that trust back. If the minister truly intends to actually do what she has said she promises to do, then this change makes no material difference other than actually demonstrating integrity and a willingness to follow through, earning back trust with the people of Alberta. If this government considers that redundant, I think they are badly

misreading the room because, again, to be redundant is to do what has been done already, and this government has not earned this level of trust from Albertans.

To be clear, this is a serious situation, Mr. Chair. Currently the province owns about 26,000 affordable homes. Waiting lists are soaring. We have about 57,000 households that are currently in subsidized housing — that includes rental supplements and various forms of social housing — about 24,000 people on the waiting lists. What we have with this government currently is a promise, a commitment of \$238 million over three years. We have a large scope of problem. We have this investment from the government over three years.

To be clear, Mr. Chair, despite the claims of the minister at multiple times, and other members of this government, that our government did nothing, we had in fact committed a \$1.2 billion investment over four years. That was going into refurbishing affordable housing owned by the government so that we could open up more and get it back in service so that we can get people into those units and, in fact, went into funding sites like the Londonderry affordable housing redevelopment, which the minister was very happy to praise just this week.

11:50

Now, I would note again that this government's commitment is \$238 million over three years. The Londonderry affordable housing redevelopment, which provided 240 affordable housing units, cost \$72 million. So if we break that down, this funding of \$238 million, that would account for about three similar projects; a total of about 720 units at a time when 24,000 people are on the waiting lists. It's a drop in the bucket, Mr. Chair.

Certainly, the funds that this government may realize from the sale of these units, which the minister committed today would be open and transparent — sales will be through an open and transparent process, there will be no backdoor deals, and all of these units will stay designated as affordable housing. Now, of course, we are trusting the minister there, and I have spoken already about concerns with having been put in a position to trust. But even if we trust them, those are dollars that could badly be needed here because, again, that commitment of \$238 million does not go far. Now, I recognize again that the minister is saying that these dollars are going to be invested, that it's going to make use of partnerships. Perhaps there is the belief that this \$238 million is going to be matched by investment by the private sector to multiply the impact that might have. Still that is going to be a far cry from achieving what is needed to clear a wait-list of 24,000.

Nonetheless, if the minister truly intends to make sure that these dollars from these sales are in fact going to go towards accomplishing that goal, again, it is a simple thing to simply support this amendment and put that in writing. Again, given the track record of this government and indeed the track record of even just the comments, as I noted, from this minister in this House this morning, Albertans have good reason to question whether they will actually follow through. Here is that opportunity again to earn back trust from Albertans.

Right here in my constituency, Mr. Chair, we have an incredible diversity of housing. Right here in Edmonton-City Centre I think we probably have the most expensive penthouse suites in the city. Also, within the boundaries of Edmonton-City Centre, as I have seen myself when I have been out door-knocking, there are apartment buildings that I would say are probably close to some of the lowest quality of housing in the city of Edmonton.

Indeed, we know that here in the city of Edmonton we have seen the number of people who are living houseless double in the last

year. Now, that is a whole range of individuals, some of whom are simply facing economic challenges, others who are dealing with substance use, individuals who are dealing with mental health challenges, and indeed, Mr. Chair, I can tell you, people who are on the streets now because of actions by this government, the choices they have made in regard to additional shelter benefits for people that are on income support. I have had people call my office – several – who were being evicted because this government made those changes and took that benefit away from them, leaving them with just over \$500 a month. People who were housed.

Now, I can understand that the government might want to revamp that program, that they might want to decide that they want to put new determinations, that they even maybe just want to change to make sure that they are enforcing current regulations, but to do that with no plan for the individuals who it's going to impact, not making sure that those individuals are going to be able to stay housed . . .

The Acting Chair: Hon. member, sorry to interrupt. It is 11:55, so pursuant to Standing Order 4(3) the committee will now rise and report.

[Mr. Hanson in the chair]

Mr. Hunter: Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 78. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: Does the Assembly concur in the report? Any opposed? That is so ordered.

Ms Issik: I move that the Assembly be adjourned until 1:30 this afternoon.

[Motion carried; the Assembly adjourned at 11:56 a.m.]

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