



Province of Alberta

The 29th Legislature  
Fourth Session

# Alberta Hansard

Thursday morning, May 31, 2018

Day 36

The Honourable Robert E. Wanner, Speaker

**Legislative Assembly of Alberta  
The 29th Legislature**

Fourth Session

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Jabbour, Deborah C., Peace River (NDP), Deputy Speaker and Chair of Committees  
Sweet, Heather, Edmonton-Manning (NDP), Deputy Chair of Committees

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Anderson, Wayne, Highwood (UCP)  
Babcock, Erin D., Stony Plain (NDP)  
Barnes, Drew, Cypress-Medicine Hat (UCP)  
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Coolahan, Craig, Calgary-Klein (NDP)  
Cooper, Nathan, Olds-Didsbury-Three Hills (UCP)  
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New Democratic: 54 United Conservative: 25 Alberta Party: 3 Alberta Liberal: 1 Progressive Conservative: 1 Independent Conservative: 1 Vacant: 2

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## Legislative Assembly of Alberta

9 a.m.

Thursday, May 31, 2018

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** Good morning. As we draw near to the conclusion of our work for this legislative session, let us continue to focus on our shared goal, to make life better for Albertans.

Please be seated.

### Orders of the Day

#### Government Bills and Orders

##### Committee of the Whole

[Ms Jabbour in the chair]

**The Chair:** I'd like to call the Committee of the Whole to order.

#### Bill 18

##### Statutes Amendment Act, 2018

**The Chair:** Questions, comments, or amendments with respect to this bill? Grande Prairie-Smoky.

**Mr. Loewen:** Thank you, Madam Chair. Yeah, it's my pleasure to rise here this morning and talk about Bill 18, Statutes Amendment Act, 2018. I guess it's intended to be just kind of like a bit of a cleanup of some of the other acts and that sort of thing. When I look through and see what's included in it, I see there are parts that deal with the A Better Deal for Consumers and Businesses Act, the Alberta Corporate Tax Act, the Alberta Human Rights Act, An Act to Strengthen Municipal Government, the Auditor General Act, the Conflicts of Interest Act, the Consumer Protection Act, the Election Act. So there are lots of different parts of this bill. Again, I guess it's not supposed to be too technical in nature other than to clean up some of the administrative parts of these acts. I see the Electronic Transactions Act, the Employment Standards Code, the Financial Administration Act.

Again, it covers a lot of different things, but most of it seems to be fairly straightforward. I guess that, you know, overall, it's something that we can support on this side of the House as most of these changes are minor. But we did notice the need to add the Election Commissioner to the Public Sector Compensation Transparency Act.

I don't know if you recall, Madam Chair, that we had quite a discussion over the Election Commissioner and, of course, how much he's getting paid. On this side of the House we asked that the Election Commissioner's wages be disclosed and brought forward immediately so that the public could see how much this person was going to be paid. Of course, the government didn't support that. They ridiculed that and thought, "Okay; you're picking on this person" and all these different things that they accused us of at that time.

But, obviously, Madam Chair, here we have this stuck into Bill 18. Now, I guess the government has realized that maybe they should actually disclose the salary of the Election Commissioner. So all those allegations that were brought to us from the government when we brought this up earlier: obviously, the government is, I guess, backtracking on this a bit. Like I say, they accused us of singling out this person. Well, now, of course, they brought forward a bill where they are singling out this person to have their wages

disclosed. This is something that we wanted all along. We'd like to have it happen immediately and not wait. That was something that we argued for, and of course we spent a lot of time in this House discussing that.

You know, when we talked about the Election Commissioner and, of course, his role, we covered a lot of different topics on that. What we realized is that the government created this new position of Election Commissioner, and we know that the job that the Election Commissioner is supposed to do is already being done. There are already investigations being done on any kind of financial complaints that come in under the elections finance act and how people are spending money for elections and for nominations and that sort of thing. We realize that this person is just going to be doing the same job that was already being done. The government thinks this is something new that the Election Commissioner is going to be doing, but of course we all know that this is a job that has been done for years in Alberta and was already being taken care of.

Of course, we also know that the person that they've chosen to have this position is somebody that actually sued the government in the past. So here we have somebody that has sued the government and lost the lawsuit because they had no grounds for the lawsuit. It was for wrongful dismissal, but there was nobody dismissed. It was just a contract not renewed. But this government, of course, has chosen to hire this person back.

We just talked about somebody yesterday that quit their job and then was immediately rehired by the government and is working and living outside the province and being paid, you know, a five-figure salary or a six-figure salary to do who knows what for this government.

On and on this government is doing things like this, that I think have Albertans wondering how they are spending their money and what benefit they're getting for that money that's being spent. What isn't happening, though, with Bill 18: you know, obviously, the salary is going to be disclosed, but we still don't know exactly the details of this deal, and we probably won't know, I guess, till after the next election. I think it's important. If this person's job is so important in elections, why can't we find out all these details before the next election? Why do we have to find out after the next election the details of this person's deal, you know, all the different things that should be disclosed to the people of Alberta? Why don't we have that?

I guess it's good that the government will at least admit their mistakes, in this situation anyways, realize that "Okay; we do need to disclose this person's salary," and have brought this forward. I mean, we could have taken care of this a lot easier, you know, a couple of weeks ago, when we had this opportunity in the House. But, of course, at that point the government would have had to admit that and support an amendment that we brought forward. I guess that maybe they can't bring themselves to do that even when it's right or even when they have to admit it's right afterwards by bringing in the same legislation at a later date.

Madam Chair, I think, again, overall, there are not a lot of big changes in here. It covers a lot of different legislation. We hope this is a good cleanup for what the government has done in some of these acts. Of course, there are lots of other things that we would love to see changed in some of the bills that the government has passed. Over and over again they prefer not to accept our advice or our amendments. We see over and over again how much trouble that gets the government into, and when the government gets into trouble, of course it costs taxpayers money. We see that over and over again with electricity, for instance, where the government keeps changing things and trying to patch up their mistakes of the past, and each time it costs Albertans money.

I'll leave it at that, Madam Chair, on Bill 18, the Statutes Amendment Act, 2018, and thank you for your time this morning.

**The Chair:** Any other members wishing to speak to the bill? The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, Madam Chair. I rise today to speak to Bill 18, the Statutes Amendment Act, 2018. In this House we have often met over the last three years to talk about how we can make our government better. I can remember that in 2015-2016 we addressed several bills that have helped us to try to ensure that the government, that serves the people of Alberta, does so in an open and transparent way.

One of the issues that we've talked about in the past was the need for transparency when it comes to a sunshine list. Governments in the past in this province have had problems with hiring people and placing them on contracts where it is nothing more than, really, political pork-barrelling or political patronage. We've come to the decision in this House that as a part of having good government, we need to ensure that people's wages that reach a fairly substantial level have to be placed on a sunshine list.

Now, why do I talk about that with Bill 18? This bill is primarily a housekeeping bill, where government departments like the Solicitor General and Labour and Municipal Affairs and Service Alberta are just doing some housekeeping rules and housekeeping amendments to make the government run a little more efficiently in these departments.

**9:10**

There's at least one part of this bill that needs to be discussed and brought to the people's attention and to this Legislature's attention, and that's with regard to the salary of the Election Commissioner. Madam Chair, we understand that this is a new position that's just been brought forward, and there's been a great deal of discussion in this past session over who that should have been and whether we even had need for the Election Commissioner. We've had a Chief Electoral Officer. We've had a system of government and a process for ensuring that elections were done fairly and wisely and that people followed the rules, so there has been discussion and question as to whether there was even a need for an Election Commissioner. Well, we've made the decision to have one, and we've had the discussion about whether we've made a wise choice in offering a particular gentleman that position.

But that's not really what I want to talk about today. What I really want to talk about is the whole process of transparency when it comes to the salary of the Election Commissioner. We broadly support these changes in this piece of legislation, in Bill 18, because most of it is just housekeeping, but we do want to bring to notice that in adding an Election Commissioner to the Public Sector Compensation Transparency Act, we suggested the need to publicly disclose the salary of the Election Commissioner. We brought that into this House.

On May 1 the MLA for Barrhead-Morinville-Westlock proposed an amendment, an amendment that would have required the disclosure of the Election Commissioner's salary, and the government voted that amendment down. The government MLAs voted against it, and they asked: why is it necessary to single out this particular legislative officer for their salary? Well, the reality is, Madam Chair, that we have already agreed as a House on the need for a sunshine list and the need for transparency when it comes to salaries. This had been overlooked by the government, so we felt the need to make sure that this was a part of the process when we were debating the bill. The MLA for Barrhead-Morinville-

Westlock proposed this amendment, yet it was turned down by the government.

Now we know, actually, that the amendment was a very necessary amendment, because the Government House Leader admitted on May 8 that he provided some inaccurate information to the House about the public disclosure of this officer's salary, and he admitted that legislative changes would be needed to make that happen.

Often, Madam Chair, we're wondering if this House is an effective House, and the people of Alberta sometimes wonder if the government or the opposition are actually doing their jobs effectively here. I think that what we're seeing with this particular bill is that the opposition has actually done its job effectively. We brought forward a concern, and in bringing forward that concern, we have encouraged the government, through the amendment that was rejected, for the salary to be brought forward and to be made transparent and open.

This Bill 18, the Statutes Amendment Act, 2018, is doing that, and we're glad to see that the government is actually following through with our concern and recognizing our concern. Of course, it still won't affect Albertans by letting them know before the next election what this individual will be making. That will not become apparent to Albertans until after the next election. But having said that, we can support this bill. The government has come late to the game in understanding the need for this, but we applaud them for finally understanding and recognizing the importance of this, so this bill will have our support.

Thank you, Madam Chair.

**The Chair:** Any other members wishing to speak to the bill? Grande Prairie-Smoky.

**Mr. Loewen:** Thank you very much, Madam Chair. Yeah, I just wanted to add a few things here, too, that maybe I didn't cover quite clearly enough in my previous comments. I talked about, you know, including the Election Commissioner's salary in this bill, and I talked about that we had proposed an amendment to require the disclosure of the Election Commissioner's salary. Of course, the government MLAs voted against this. We brought that forward. In fact, it was the MLA for Barrhead-Morinville-Westlock that proposed that amendment on May 1. Again, they talked about all the different reasons why that shouldn't happen and why we'd be singling out this person and that sort of thing. Then, of course, on May 8 the Government House Leader admitted that he provided inaccurate information to the House about the public disclosure for this officer's salary, and he admitted that the legislative changes wouldn't be needed to make that happen. Of course, that's what's happened in this Bill 18. I guess they tried to kind of bury it with a bunch of other kinds of housekeeping things and add it in there.

We know that this Election Commissioner position is a position that was just created by this government. We know that the job was being done previously, but this government felt that we needed an extra person or an extra officer or whatever to do this job. Of course, also on this side of the House, we're all for having transparency and accountability and democracy. We agree a hundred per cent with that thought process, where elections need to be fair and there needs to be people looking into different complaints and allegations. Of course, we did have that, and we do have that presently even before this position was created.

Now, we also know that there was a very expensive job listing that was done. It was done through the Christmas holidays. I think it's fairly apparent that the government had a candidate in mind for this. There were other very well qualified people that applied for this job. This person may well be qualified, too, but of course, as I

mentioned before, this person has a history of suing the government, and I think that's a little alarming. I know that in my business if I have an opportunity to hire somebody and I have a couple of qualified people and one of them has previously sued me wrongfully and another hasn't, I think I know which one I'm going to take. I wouldn't be taking the one that had made a wrongful lawsuit against me.

**Mr. Hanson:** Suing the employer?

**Mr. Loewen:** Yeah. You know, suing your employer is something I think you would want to think twice about. Of course, with this government, I guess, it maybe doesn't matter to them. But it matters to me, and I think it matters to Albertans when we hire people that have sued the government in the past and wrongfully.

Now, if transparency and clarity are what this government wants, then obviously this is a step in the right direction, to have this person put on the sunshine list and everything. But it is funny that this government fought so hard against having this person's wages brought out into the sunshine because the government has claimed that this person was hired to take the dark money out of politics, quote. So a person is hired to take the dark money out of politics, and this government seems to have a problem and seems to have really had to be dragged, kicking and screaming, to the point where they're going to make this person's wages come onto the sunshine list. We have the dark money on one side, and we have the sunshine list on the other. Like I say, some of these things you just can't make up, the stuff that goes on in this Legislature.

Madam Chair, I think Bill 18, I mean, like I say, a lot of it is just housekeeping. A lot of it is just cleaning up things and trying to get things, you know, kind of a little easier to understand in some of this legislation. That's fine, and I think it's great that we finally got the government to the point to bring the dark money out of politics fellow onto the sunshine list. I think that's a great addition there. It's too bad. Like I say, we could have done this back on May 1. We had an opportunity to have that amendment passed in this Legislature, and of course the government voted against it and fought it kicking and screaming all the way. Then all of a sudden here we are almost a month later, and we're at the same point we were a month ago. We, obviously, could have had this solved a long time ago.

**Mr. Nixon:** They do that a lot, don't they?

**Mr. Loewen:** They sure do this a lot, actually. Like I say, we see it over and over again, where this government passes legislation and then spends an incredible amount of time doing damage control afterwards. They tend to have this problem with going on and not being able to see the results of their actions until it's too late. Albertans have already suffered, there have already been costs incurred, and then this government decides: oh, I think we need to do something to fix this. Unfortunately, a lot of times they end up having to pass three or four or five sets of legislation in order to solve the problem they caused with their initial legislation.

9:20

A lot of that legislation that they pass has to do with an ideology that they seem to want to force. A lot of times it's like, you know, trying to force a round peg into a square hole. I mean, it just doesn't work, but they keep pounding away at it and pounding away at it and think it's going to fit, but it never fits, Madam Chair. This government tends to, like I say, keep pounding away on these things. All the time it just costs more money. It costs more stress and more aggravation. It drives investment out of Alberta. A lot of these things drive investment out of Alberta.

We sit in a situation here, for instance, with a pipeline where we have a government that's messed around with the system and created so much trouble and so much uncertainty that in the end they had to buy the pipeline. Of course, there were other ways. There was a company that was more than willing to spend the money to build the pipeline. They've been trying to build the pipeline for years, but have had nothing but obstructions and roadblocks put in the way. The government keeps moving the goalposts. In the end what has to happen? Well, the government has got to come and buy it out when really all they needed to do was facilitate the company to do the job that it wanted to do.

Madam Chair, we see this over and over again. I think Bill 18 is a classic example. They had an opportunity to bring the Election Commissioner's compensation to the sunshine list over a month ago. They fought it. They fought it. We spent hours in this Legislature debating that very thing, and now we sit here today with an amendment to do the exact same thing that we tried to do almost a month ago.

Madam Chair, I think it's just another situation where this government – we wish they would listen to us once in a while. We're sitting here on this side of the House. We're trying to do our best. We're trying to look at their legislation and trying to make amendments that are positive and that'll help the things that are going on here in Alberta and help Albertans. Again, I guess that maybe this government doesn't want to admit that we have good ideas over here. Maybe they don't want to take our advice for whatever reason, but I think they need to sit and look at what our ideas are and what our recommendations are and what our amendments are and view them with an open mind, an open mind that we do have good ideas on this side of the House. They have good ideas on their side of the House, too, and sometimes we agree with them completely, and we facilitate things and pass things through as fast as possible.

Other times, like I say, they have to be dragged kicking and screaming to the end, and that's where we're at here today with that part of Bill 18 with the Election Commissioner's . . .

**Mr. Nixon:** It's like the huge amendment to Bill 10.

**Mr. Loewen:** Yeah. We just had a situation in the last two days here where we had a bill brought forward before this House. I think it was a four-page bill. The government defends the bill. We come up with ideas, amendments. We discuss the different issues with this bill, and the government, you know, calls us fearmongerers and all these sorts of things. Then, of course, what happens? All of a sudden a three-page amendment shows up, a three-page amendment to a four-page bill. [interjection] We see these things all the time.

In fact, I hear the minister muttering over there on the other side about this. You know, we gave them plenty of opportunity to listen to us and to listen to our ideas and what we've said, and of course the government, in fact, the minister himself, would just steadfastly . . .

**Mr. Strankman:** Stonewall.

**Mr. Loewen:** . . . stonewall, stop, wouldn't accept any sort of discussion or advice on that.

He had everything under control. He had it all sorted out. There was no way that he could have done anything wrong. Of course, how do you come up with a three-page amendment to a four-page bill when there's nothing wrong? I remember at the time we were discussing that the government's website didn't match up with the government's points.

**The Chair:** Hon. member, are you speaking to Bill 18?

**Mr. Loewen:** Yes. Bill 18.

**The Chair:** Please continue.

**Mr. Loewen:** Thank you very much.

I know the government doesn't want to hear about any of these other bills, but again what it does is it shows a pattern. Bill 18 shows this pattern again, where the government doesn't want to take our advice. They swear up and down that everything is perfect and that they couldn't have made a mistake. They've done all the consultation in the world, and they've got it all under control. Of course, we sit here weeks later with a situation where the government all of a sudden has to backtrack and say: "Okay. I guess you were right. I guess we have to do something different here."

Madam Chair, I'll leave it at that on Bill 18. Thank you for your time today.

**The Chair:** Any other questions, comments, or amendments? Drayton Valley-Devon.

**Mr. Smith:** Thank you, Madam Chair. I thought that I probably needed to stand up and talk a little bit more about just how this Legislature is supposed to work and should work. I actually believe that to a degree we see that Bill 18 is highlighting how a Legislature actually should work. We could highlight that the hon. Member for Barrhead-Morinville-Westlock proposed an amendment on May 1 and that the House was told by the government that disclosing the salary was singling out a particular legislative office. Yet in their denial of our point and the voting down of our amendment, they clearly made a statement that they didn't believe that there was any credibility in the points that we were trying to make in this House. It is a little bit interesting – I guess that's the word I would use – to see now in Bill 18 that they have recognized the validity of our points, the validity of our suggestions, and they have now brought it forward in a housekeeping bill.

Madam Chair, I've never truly really understood why it has to be this way. I guess, from my perspective as a former educator and talking about the process of passing legislation and bringing forward points and having debate in the House, the opposition shouldn't just be opposing for the sake of opposing and the government should be actually listening to the position and the points of the opposition. In theory, I guess, that sounds great, but one of the realities that I've found after having been here for three years now is that often egos get involved and sometimes the government isn't prepared to actually listen to some reasonable amendments. Many of the amendments that we've done through this House over the last three years coming from the opposition have been sincerely placed before this House, would have made bills substantially better.

Here's an example of one that fits that bill: expecting the Election Commissioner to actually have his salary brought before the people of Alberta and placed on a sunshine list, where we would know how much this individual is being paid. It doesn't take a particular individual and just make them sort of in the spotlight. We've done this for many, many, many people that receive a salary from this Legislature and from the taxpayers of Alberta. So the response that we received to that amendment was obviously incorrect from the side of the government, and they've recognized that now. While we would have appreciated if they had supported the amendment and had listened to the wisdom of the opposition on this issue, I guess we're happy that eventually they took it back to their caucus and the minister began to realize that maybe there were a few things that could be changed in this piece of legislation that would make it better, that the opposition idea of placing the Election Commissioner's salary so that it would be open and transparent to

the people of Alberta is actually, really a very good idea and consistent with what we have done for other legislative officers in this province.

I guess I would like to take just a second or two to address the fact that it would have been nice if this would have happened before the next election. It's our understanding that the details of their agreement with the Election Commissioner will not be made transparent and will not be available to the people of Alberta until after the next election, so we've got some concerns about that. But, you know, the government has at least taken a partial step and has agreed that we and the people of Alberta will eventually know what the details of that salary are. Therefore, I would just once again say that we will support this piece of legislation.

**9:30**

We understand that the government is a little late to admit their mistake, but they have admitted it, they have moved forward, and they have listened to the opposition. I guess, at the end of the day, we would argue that that shows you the strength of our parliamentary democracy, where the opposition is capable of bringing forward ideas and an NDP government is capable of actually listening once in a while.

Thank you very much for the time. I rest my comments.

**The Chair:** Any other comments? Calgary-Hays.

**Mr. McIver:** Well, thank you, Madam Chair. It's my pleasure to stand and speak on Bill 18, the Statutes Amendment Act, 2018. You know what? For the most part, it's a good act. Traditionally statutes amendment acts usually are. Every government does it, so this government is not unique. It's not a bad thing that they're doing; actually, it's required. Sometimes you've just got to do some housekeeping, clean up some things that need to be corrected. Sometimes it's not due to the government's doing. Sometimes it's spelling errors and little minor things. Any government can make mistakes. This one would, and any other previous or past ones would, so that's not unusual.

I understand that this has to be done, but this one is interesting. Usually these things go by without being discussed much because of the fact that they're largely housekeeping. But the government, in between doing the normal housekeeping, has chosen to sneak a couple of things in that they're probably a little embarrassed about, hoping that it'll go by the boards without being talked about because it's a statutes amendment act. But because of that, I think it's right and proper that I should stand up and talk about those things, Madam Chair.

We had a lot of discussion in this House about one section of the Statutes Amendment Act, about the Election Commissioner. The government was – what's the word? – sanctimonious or kind of high and mighty in their attitude when it was suggested that they publicly disclose the Election Commissioner's salary. They spoke as if it was a personal affront to the commissioner. Of course, they actually changed their story mid-debate back then. They talked about how it was a personal affront, and then later on they said: well, we'll disclose it later. So it couldn't be both. It was either a personal affront, or they just hadn't gotten around to it yet. They couldn't quite bring themselves at that point to admit the Official Opposition was correct in suggesting that the commissioner's salary needed to be disclosed and, in fact, went so far as to say: it's already in legislation, and it will be disclosed. Then a minister had to come back and admit he was wrong and say that it wasn't in there.

Okay. You know what? I guess the point, Madam Chair, that I would say is that if the government would realize that when we're

speaking on this side of the House, most of the time we're the best friends they've got, if they would listen to some of the suggestions that we have and solve the things that we try to help them solve at the earliest possible stage, then they wouldn't have to come back and kind of eat crow and do what they're doing with some of the sections of this act and admit that they maybe should have listened in the first place. But here we are. Here we are.

To that extent, I'm pleased that the government is – they tried to sneak it through by putting it in the Statutes Amendment Act, but essentially they've admitted they were wrong, and they're correcting their mistake. I congratulate them for that because that's always a positive thing when mistakes can be corrected, and I think that'll be to Albertans' benefit to have that mistake corrected. Again, it would have been easier to do it when the Official Opposition first suggested it, before we were told that we were wrong and that we were picking on people and that we were mean-spirited. Here it is, and the government is doing the exact same thing that we suggested, though they accused us of having ill intent when we were suggesting the same thing ever so recently.

So here we are with this act. Again, unfortunately, it's a pattern. You know, there have been other bills this session with the same pattern, where you've got a four-page bill with a three-page amendment after a minister stands up and says that that bill is just fine and that, really, nothing has to change much. Then an amendment comes that's almost the size of the bill, and you know that perhaps that was another – and I only raise it as a comparison, Madam Chair, because it's just an indication that when the Official Opposition is making suggestions, perhaps the government should listen carefully because, again, when we're making many of these suggestions, we're the best friends the government has got because we can stop them from the type of embarrassment that they're having this morning with this bill.

**Mr. Nixon:** Just like the Municipal Affairs minister. He's got a three-page amendment.

**Mr. McIver:** Indeed. Certainly, you're right. My colleague is reminding me that it was Bill 10 where a four-page bill had a three-page amendment, though the government protested that it was all fine. Again, that would have been another opportunity like this one this morning where had the government listened to the Official Opposition, taken our suggestion, recognized that we're often the best friends they have by making these suggestions, then their lives would actually be easier.

I would say that I'm overall in support of this bill. I think this is a learning opportunity for the government that when the Official Opposition makes suggestions, they probably should consider them carefully on behalf of Albertans. If those suggestions are to Albertans' benefit – there are parts of this bill the government could have avoided by listening to the Official Opposition at an earlier point. But at this point I think the government will find that we're happy for the corrections at whatever point they happen, and it appears it might even be now.

Thank you, Madam Chair, for this opportunity to speak to Bill 18.

**The Chair:** Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Madam Chair, for the opportunity to rise today to talk about Bill 18, and thank you to the hon. opposition whip for his enlightening comments on this piece of legislation that's before us this morning. I would like to start off by saying that, clearly, we in general support this bill. It makes minor changes, as the hon. Member for Calgary-Hays pointed out, most of them of a housekeeping nature, which, of course, needs to be dealt with from

time to time by any government. Our concern, though, falls to the fact that we continue to see this government over and over and over having to make changes in legislation, sometimes changes to other legislation, to fix mistakes that they made in previous legislation.

This example of Bill 18 and what is happening right now in the House is a prime example of that. On May 1 the MLA for Barrhead-Morinville-Westlock proposed an amendment that would have required the disclosure of the Election Commissioner's salary, and government MLAs voted against it at the time. At that time, Madam Chair, they asked why it was necessary to single out a particular legislative officer. In fact, that's what the government asked at that time. However, we know that that amendment did turn out to be necessary because the Government House Leader then admitted seven days later, on May 8, that he in fact provided inaccurate information to this Assembly about public disclosure for the officer's salary. He admitted that legislative changes would be needed to make that happen.

So here we are. We passed another piece of legislation that we debated in this House, Motion 16, I believe, at the time. I could be off on the number, Madam Chair. The Member for Barrhead-Morinville-Westlock provided an opportunity to be able to address the issue. The government automatically refused to address the issue in their headlong approach, just running to make sure that, for whatever reason, they could continue to keep their secret deal or their secret salary with the commissioner a secret. And now here we are with the bill that's before us today, and they're doing exactly what the Member for Barrhead-Morinville-Westlock put forward at that time, seven days later.

Now the reason, Madam Chair, that this continues to become a problem is because this is the behaviour of this NDP cabinet on almost every piece of legislation that we've debated this spring sitting and beyond. We continue to have to come and try to make this legislation better. The government doesn't listen. They call us names; they call us fearmongerers; they say that we're wrong. Then they come back to the Assembly and try to gain our support to do that. Well, in general we support it because, obviously, it was our idea, but the concern then is: how do we know Bill 18 has got it right now, a hundred per cent? The minister has not stood up and spoken to this legislation. He has not explained it, not answered questions of the opposition on this issue.

9:40

Again, we know that it was on May 1 that the minister gave to this House misleading information. He came back and corrected it seven days later. We know that we saw not yesterday but a few days before that the Minister of Finance, in answer to a question from the Member for Olds-Didsbury-Three Hills, implied for a government employee a situation that he worked with the Ethics Commissioner on an exemption around the Lobbyists Act. Then yesterday we find out that the Finance minister told a reporter that they did get one from the Ethics Commissioner. And 10 minutes later they came into question period and said: oh, in fact, that's not true. A very similar example to this.

Now, I understand, Madam Chair, that the government, the NDP, don't want to hear that, but that is what the NDP government continues to do. It is shameful. It is shameful behaviour by this government, and they will not stand up and answer for it. In fact, they'll use procedural points of order and all that stuff and try to hide from Albertans their behaviour. It's extremely disappointing. We see that exact same behaviour with the core of this portion of Bill 18 which we debate today. They continually have to come and change their mistakes.

This is a government that is becoming known across Alberta, certainly, but across the country and probably the world as the

government of mistakes. A government that has to continue to change their own mistakes over and over and over is not healthy. It's very, very apparent in Bill 18 that this NDP government has still not learned their lesson. They still have not learned their lesson. Their cabinet will continue, just like they did in this bill, to stand up in this House, provide inaccurate information, and then not address the fact that they have to change it. We saw it with Bill 10 yesterday, a similar example, where the minister would not stand up and acknowledge or even answer any questions about the fact that he had to change his entire piece of legislation. He had to change his entire bill with an amendment to his own legislation a few days after he called the opposition fearmongers.

Of course, Madam Chair, it's not surprising that the NDP have become known as the party of fear, the anger machine, without a doubt, and have just resorted to simply calling the opposition names. That's how they've handled this legislation. It's extraordinary that we continue to see this behaviour from this government.

Now, Madam Chair, we know that the amendment was necessary because the Government House Leader, as I said, admitted on May 8 that he provided inaccurate information to this House about the public disclosure of this officer's salary. He admitted then that legislative changes would be needed to make that happen, which is what we're dealing with now in Bill 18. So in seven short days we went from, "The opposition is fearmongering; the opposition doesn't know what they're talking about; they're wrong" to "Oh, oh; I've got to try to get this done at the end of the spring sitting because it turns out that the opposition was right and I was wrong; it turns out that yet again I came to this Assembly" – "I" being the Government House Leader in this case – "and provided inaccurate information, and now I need to get this legislation fixed."

How many times, Madam Chair, is this government going to have to come to this Assembly to get their mistakes fixed? You know, it's going to happen. As the Member for Calgary-Hays said, nobody can be a hundred per cent perfect. Nobody can get everything right, particularly when you're dealing with this much legislation. But you can't get it wrong every time. If you want to be the government of Alberta, you cannot continue to get it wrong every time. The people we represent are being hurt because of your mistakes. They're being hurt because of this government's mistakes and inability to get it right.

I can think of no other example of a government that has to have every bill that they bring to this Legislature changed by themselves. They have to bring their own amendments over and over and over to fix their legislation. They continue to show up in this place not ready to go to work. They continue to show up in this place not ready to get their job done for the people of Alberta. Bill 18 is a prime example of that, again trying to fix a mistake. Trying to fix a mistake. It's shocking that it continues to happen.

Now, I'd like to further note that this change for public disclosure still won't have the effect of letting Albertans know the details of the secret deal with the Election Commissioner until after the next election. But I suppose we're not surprised by that given that this government has only brought in time allocation twice in their time inside this Chamber. Once was for Bill 6, the biggest debacle this government ever had, an absolutely brutal attack on rural Alberta. They finally brought in time allocation because they realized they had made a mistake, and they wanted to get out of it. Instead of doing the right thing, which was to vote against the legislation and actually talk to people, they brought in time allocation to try to get around it politically.

The second time they did that was a couple of years later and just a few weeks ago – and it's directly related to this bill – and that was around the motion associated with the Election Commissioner.

They're now trying to fix the mistake that they made during that motion in this bill. During that motion they brought in time allocation because they were so frustrated and scared of Albertans understanding what they were doing in regard to the Election Commissioner.

It's no different than with Bill 6. The only other time that they brought in time allocation was when they were under enormous political pressure because of their behaviour on Bill 6. Then they came under political pressure again under the secret deal with the Election Commissioner, where they would not tell – they will not tell – Albertans that salary. Why not? It's very interesting. Even now, as they go to fix that problem with Bill 18, they still have managed to rig up the system in such a way that they won't have to disclose how much they're paying the Election Commissioner until after the next general election.

What is the main role of that Election Commissioner? It is, of course, to deal with things associated with the election, which is important. But it's a little bit interesting that the details of that secret deal would not be made public until after the election, and it's directly related to this bill. I think it's very shocking and disappointing that the government continues to not stand up and address that issue. They continue to try to hide from that issue.

**Mr. McIver:** I feel sorry for the commissioner.

**Mr. Nixon:** It's not fair to the commissioner. It's not fair to Albertans. It's not fair to anybody. But why do they want to? That question has to be asked, particularly when you shine the other light on it, that every piece of election legislation the government has brought forward lately has portions of it that are good but also has other portions of it that are deliberately designed to stack the deck for this government. How do we know that that's not what's taking place here? What reason would there be to hide that fact from Albertans, to hide that number from the people of Alberta? I can think of no reason. Maybe there is a reason, Madam Chair, but the government, then, should address that reason in this place instead of bringing in time allocation and then trying to swoop into another bill, a statute amendment act, to try to fix the mistake they made in the last bill.

Albertans are becoming very, very concerned about the secretive nature of this government. My good friend the hon. Member for Calgary-Hays and some of his colleagues from before, in the last government, would agree with what I am going to say now, and that is that one of our great legacy parties, the PC Party, went down that road a little bit near the end of their time. That's probably one of the reasons why we are sitting on this side of the Assembly. The difference is that it took them 44 years to get there. It took this government less than three.

**Mr. McIver:** Six months.

**Mr. Nixon:** Yeah, probably about six months.

We continue to see this behaviour. It is not appropriate for democracy. It does a disservice to the people of this province. It's problematic that it continues. While we are a while away from an election – and I suspect that in that election Albertans are going to render a very significant judgment on this behaviour that you see in Bill 18, in the portion of Bill 18 that I'm referring to. The reality is that this government will continue for a while and is going to be able to continue to hurt Albertans on a daily basis if they're going to continue this behaviour.

So here we are in committee. The government has an opportunity to be able to stand up and go through why they've had to go through this process, to ask for our support, to explain why on May 1 they said one thing, why on May 8 they said another thing, why they

refuse to deal with it in the bill that they time allocated. Now they have to try to come and fix it in this bill. Sadly, so far – we’ve been talking about this since we got in this morning, so almost an hour – we still haven’t heard from a government member on it. We still haven’t heard from a government member to explain why they’ve chosen to go this route and what the process was that went into that. It becomes just ever more alarming, this behaviour by these cabinet ministers, not wanting to be accountable to Albertans and not wanting to be transparent to Albertans. This is a prime example.

Madam Chair, why did the Government House Leader tell us on May 1 that this was not required and then all the way on May 7 say, “Oh, maybe I did make a mistake” but then still did not deal with it in the motion that we were dealing with and then came back and tried to put it inside a housekeeping piece of legislation? Why is a very reasonable question.

9:50

The second and more important question is why they continue to make sure that the Election Commissioner’s salary will remain a secret, their secret deal. The NDP’s secret deal with the Election Commissioner will not be made public until after the general election. Even when they try to fix their mistake inside this legislation, the NDP still continues to go out of their way to be able to prolong it. They still continue to go out of their way in this legislation. It’s this bill. This is very relevant to this bill. They go out of their way to make sure the Election Commissioner’s salary will not be disclosed till after the general election.

Albertans need to ask themselves why this government has only used time allocation twice, one of them for an obvious historical – it will go down in the history books – political problem. There’s not an NDP pundit, there’s not anybody on any side of the aisle in politics that will say that that was not used at that time, as a political problem in the winter of 2016, to try to deal with Bill 6. That’s how the government chose to deal with it. It’s in the history. But the only other time that they go and do that is on a simple motion associated with an Election Commissioner to, obviously – and, again, it’s proven here in Bill 18 – try to hide their secret deal on the salary with the commissioner.

If I was the commissioner right now, I would be after the government and saying: get this open and transparent to Albertans.

**Mr. McIver:** He deserves to get paid.

**Mr. Nixon:** Of course he deserves to be paid. He deserves to be compensated significantly. It’s a hard job. It’s a tough job. There are a lot of qualifications needed to do this role. But by the government continuing to keep it a secret, they continue to cause that commissioner credibility issues, not by us but by this government, who’s keeping it secret. We’re in Committee of the Whole. Why won’t we fix that? The Minister of Municipal Affairs rewrote his entire bill this week, but we can’t have an amendment from the government to fix their mistake, that they’re continuing to keep this nontransparent process in this legislation?

**Mr. Strankman:** More unaccountability.

**Mr. Nixon:** That’s exactly what it is.

Then I have to ask myself why on behalf of the people that I represent, and so do all of my colleagues. Why? I mean, I would assume that there’s nothing here. I hope there’s not. I hope that it’s simple and that everything is up front.

**Mr. McIver:** They time allocated a bill and then talked more about it.

**Mr. Nixon:** Yeah.

I have no reason to think anything different other than the fact that the government continues repeatedly to take steps to try to keep it hidden. It’s no different than Mr. Heaney and the situation that we were talking about yesterday. They announced to the press that he has left as chief of staff and that he’s gone back to his province, and then in only, like, 72 hours, I believe it was, Madam Chair, he signed a sweetheart contract, a six-figure contract, that still allows him to live in another province, lobby about issues that are associated with our government – we don’t know if he’s lobbying the government, but there are issues that are associated with our government, for sure on the marijuana file – and then not let the public know.

**Mr. Strankman:** That’s a bigger kettle of fish.

**Mr. Nixon:** Yeah.

I mean, why does this government continue to do this? Why do they continue to go out of their way aggressively and spend so much effort to try to not let one salary – and every other salary associated with that position, the Minister of Transportation has now admitted . . .

**Mr. McIver:** Maybe it’s too small. Maybe he’s underpaid.

**Mr. Nixon:** Well, if the salary is below the limit, then that would be very simple. The minister could stand up and say that, and off we would go. But why would they continue to take steps to avoid discussing that situation?

But, Madam Chair, I suspect that, sadly, we will continue to not see any answers. In fact, if I continue to talk about this for too much longer, I suspect that very quickly the government will run and bring in another time allocation motion because they don’t want to have it discussed here, which is disappointing.

Therefore, I will make clear again that we support the bulk of Bill 18, I think all of Bill 18, quite frankly. We support the fact that we have to change these housekeeping issues. We certainly support the portion of it which was brought forward by us as an appropriate motion but shut down by the government as they scrambled, again, to protect their secret deal and that now they’re trying to fix. We certainly support that. What we don’t support is that the government continues, even with this legislation, to go out of their way to keep their secret deal with the Election Commissioner secret, to not be transparent, even with this new legislation that they brought forward to the people of Alberta, to make sure they don’t have to be held accountable for whatever decisions are in that deal until after the general election.

I mean, that is really troubling. You know, colleagues, when you think about that, that the government of Alberta is going out of their way – out of their way – using procedural motions that they very rarely use, dodging the issue, refusing to speak about the issue, to keep an issue associated with our election a secret till after the general election even though they admitted that this is something that should not be kept secret, why? What possible reason could the government of Alberta, the NDP, have for going out of their way to keep this a secret, for not wanting to be held accountable for whatever decision they made until after the general election? What possible reason could there be for that?

**Mr. Strankman:** We should hear from a government member.

**Mr. Nixon:** We should hear from the government. We won’t. We won’t. I mean, I don’t want to presume, but if the pattern continues, I suspect we will not hear from a government member.

If they rise on it, Madam Chair, they won't talk about this issue. They'll talk about other issues. They'll bring up fearmongering issues, and they'll bring up all that type of stuff, but they will not talk about the secret deal that this legislation still will put off till after the general election, a deal that is associated with the general election. Why would you want to know about that deal after the general election? It seems to me that the public deserves and would want to know about that before the general election. Now, if the government is willing to allow that deal to be known by the public after the general election and not before the general election, then one again has to ask themselves: why? Why? Why?

I will close with this, Madam Chair. This government wants to continue to be secretive, wants to continue to avoid being accountable to Albertans, wants to continue to try to stack the deck in the election system and to not be clear about contracts and deals that they're making that are associated with the election system.

**The Chair:** Any other hon. member wishing to speak? Grande Prairie-Smoky.

**Mr. Loewen:** Thank you very much, Madam Chair. I just wanted to add a few things here. We're talking about the Election Commissioner and how the government has had to bring in legislation, Bill 18, to make the Election Commissioner's salary public, of course. The job of the Election Commissioner, of course, is to make sure that elections are fair, to make sure that political parties and politicians are held accountable, and to bring transparency to the elections process. So I think it's rather alarming to think that the government, though now they've admitted that they've made a mistake and that they have to bring this into legislation, still won't allow for the details of this agreement with this person to be brought into the sunshine or for the salary to be brought into the sunshine before the next election.

Now, obviously, you know, when you talk about the Election Commissioner, one of the most important jobs, I would presume, of the Election Commissioner would be during an election and the process during the election, with complaints and different things like that to deal with. When we have somebody that's hired to specifically deal with that, I would think that we would want to know the details of this person's hiring and their duties, the deal with their contract, how much they're getting paid and everything. I think it's only reasonable to have those details before the next election, because after the next election it's basically too late. Albertans don't have a chance to look at what's happening and make a decision on whether they think it's right or wrong before the next election.

Of course, it's also odd that the government time allocated the debate on Motion 16. They wanted to shut down debate. They didn't want to have the discussion anymore. They didn't want us in opposition to have any more chance to speak on that. Of course, now they've realized: "Okay. We actually did make a mistake. We didn't take the amendment that the Official Opposition brought forward." They time allocated. They thought that their job was finished, so they time allocated. They wanted to shut down debate. Of course, now they've had to reopen it again because they realized they had made a mistake.

**10:00**

Now, I think that this government has a hard time admitting when they make a mistake and when they do anything wrong. It would be humorous if it wasn't true and so alarming. Just the other day the Member for Highwood was asking the Deputy Premier questions on a plane that was stuck. Of course, the Member for Highwood said that the plane was stuck for almost two hours or more, and the

Deputy Premier said: no, it was only 10 minutes. Then the Member for Highwood said that we actually have timed video footage of the plane and how long it was sitting there. What did the Deputy Premier do? She still swore up and down that it had only been 10 minutes.

**An Hon. Member:** Doubled down.

**Mr. Loewen:** Doubled down, tripled down.

I mean, you can't make this stuff up. This government is so obstinate that they can't admit when they make a mistake. They can't admit that they could ever be wrong. Even with timed video evidence the Deputy Premier could not admit a mistake, that she could be wrong.

You know, we've seen it actually with the Municipal Affairs minister. I mean, on Bill 10 we brought forward information that the website had differing information than the bill that was brought forward. The Municipal Affairs minister doesn't often holler in the Legislature, but he often mutters and grumbles and complains about things audibly, that we can hear on this side of the House, so we hear him muttering and grumbling about that. Of course, then on May 17 he has to get up and say this.

There is one sentence that I've been made aware of from the member that on the website does kind of give a little bit of – it's not clear, and it seems like a contradiction. I do apologize for that. It seems like it's a little bit of a mixed message.

Then he goes on to say:

So I appreciate that. There was a mistake on the website. But, again, the legislation is the number one source, so just to make sure that we always follow that.

Madam Chair, here we have the Municipal Affairs minister. You know, we bring something up. He grumbles, complains, says: that's not true; that's not right. Then, of course, he has to come in and apologize and say: no, sorry; I was wrong; there was a problem with the website. We see this issue over and over again with this government. Quite often we hear them making wild allegations about the opposition. They do this fearmongering thing that anything that we say over here has to be wrong and has to be crazy and everything, and over and over again we're proved to be correct.

Madam Chair, I think we have a situation here where the government has had to backtrack again. I just wish that they would take this one step further and make the deal with the Election Commissioner public now and the wages public now so that Albertans have an opportunity to see what's going on here. I mean, this is a person that was hired to make sure there's accountability, to make sure things are fair, to make sure things are transparent. The irony here is not lost on this side of the House, where somebody that's hired to take the dark money out of politics can't be brought onto the sunshine list until after the next election. Like I say, with Bill 18 a lot of housekeeping things have got to be done. It's good to see that the government has admitted they've made a mistake and that they actually decided: okay; we need to actually pass legislation to bring this Election Commissioner's wages onto the sunshine list. Obviously, it only makes sense that we have this information immediately, that Albertans have this information immediately. They have the details on the contract with this person. I think it's only right that that's brought out before the election because that's the only thing that could be fair and transparent and have any chance of holding the government to account on this. Obviously, I guess they feel that's not necessary.

We've seen this government over and over and over again fail on consultation with Albertans. They talk a good game, but the proof just isn't there in reality. Again, you know, like I say, I go back to the debate on Motion 16, where they said, "How could you be singling out this person? It's just not right to single out this person,"

and here we have a bill where this person is singled out specifically, and that has to be. I mean, over and over again we see these things with this government.

We need to have these things brought out in the open. We need to have fair and transparent elections. People and politicians and political parties need to be held accountable for their actions. We believe in democracy here. We believe in accountability, transparency inside and outside of election periods. I would hope that's something that we could all agree on in this Legislature. We need to have that.

Why not go all the way, Madam Chair? Why not go all the way? Why don't we just make sure that the details of this person's agreement with the government, the contract and the wages – bring them forward now. Let's do this. Let's show Albertans that we're transparent here. Let's give this an opportunity to happen. I think there's plenty of opportunity for this government to do this, and if they don't take the opportunity to do it, obviously we can only assume that there's something to hide. We argued about this almost a month ago. They steadfastly refused. They bring it forward now and realize that, yes, they need to do some changes here. Now, just admit that this needs to be done. Bring it forward. The government has the power to do this. Let's bring some transparency to this so Albertans have a chance to look at this before the next election.

I'll leave my comments at that. Thank you, Madam Chair.

**The Chair:** Any other questions, comments, or amendments with respect to this bill?

**Mr. Clark:** I don't have a lot to say. It's the Statutes Amendment Act, ordinarily called a miscellaneous statutes amendment act.

But here's what I want to know from our friends in the Official Opposition. If the Election Commissioner's salary was 10 grand a year, would that be okay? Would that make the Election Commissioner okay in your mind? If it was 500 grand a year, maybe we'd all be upset, but is it really about how much the Election Commissioner gets paid? This particular line in this particular, very miscellaneous statutes amendment, which is amending commas and typos and some pretty inane kind of stuff: really, here we are spending an hour or more of the Legislature's very valuable and, frankly, quite expensive time debating something that – I don't understand, frankly, why you're on and on about this unless there's some worry amongst the UCP that the Election Commissioner is going to find something untoward in the way that you conduct yourselves during an election. That's the only possible thing I can think of. The rules are what the rules are.

Now, I've been very clear that I don't agree with everything this government has done to change the election finance rules. In fact, I did some calculations the other day. It's the second-most commonly legislated topic in this place since this government has been in power, so I have some critique for the government in terms of their obsession with changing election laws. Fair enough. But can we just move on and actually get to some substantive legislation that we need to actually address, that's going to help move our province forward?

Thank you.

**The Chair:** Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thank you, Madam Chair. It's good to see at least one member who will stand up and have a conversation in regard to this legislation although the government will not. I do appreciate the Member for Calgary-Elbow participating in the debate. It's unfortunate that he seems to think that debating some sort of piece of legislation is not important. I do know that in the past he's

struggled to come to work. Maybe that's what it is. Maybe he's feeling tired and doesn't want to do his job.

As for this party we're quite content to debate every piece of legislation fully, particularly... [interjections] Again, the government wants to heckle because they continue to want to hide their secret deal. That is what this is about.

The Member for Calgary-Elbow: we know, if he actually paid attention to anything that was being said from this side, that we already said, Madam Chair, through you to him, that we have no concerns with the rules. We think the Election Commissioner can do his job. In fact, actually, we're concerned this behaviour by this government is making it harder for the Election Commissioner to be able to do his job because it's causing concerns. It's not about how much the Election Commissioner makes. No matter what, those rules need to be enforced. No matter what, there needs to be a person that's involved enforcing those rules.

What is concerning, though, is why the government would want to keep that secret. Any time that the government keeps things secret, that's concerning. That is our job as the Official Opposition, to try to hold accountable a government that continues to hold things secret, a government, again, who tells the press that a chief of staff who is under investigation has left, and it turns out that within 72 hours they give him a sweetheart deal of a contract, and they don't let the public know about it.

**10:10**

That's the job of the Official Opposition, something the Member for Calgary-Elbow and the Alberta Party clearly don't understand. They don't understand their role as the opposition. It's clear if you watch them. They rarely do anything to hold the government accountable. In fact, the hon. Member for Calgary-Elbow spends most of his time, from what I can see, trying to make himself sound good on Twitter, which is not what Albertans want him to do.

So the question for the hon. Member for Calgary-Elbow is: do you think it's appropriate for the government to continue to hide things from Alberta? Is that what we could expect from an Alberta Party government, a government that would come in and go out of their way to hide contracts from the province? Maybe they would bring in time allocation on motions like this to go out of their way to hide their secret deal. [interjection]

I see the hon. Minister of Infrastructure is heckling away on this issue. It's shameful to hide things like that from the people of Alberta.

**Ms Jansen:** You're shameful.

**Mr. Nixon:** You know, I'm not the one who has brought in time allocation, who has misled the House and then had to come back and say that it's different and then bring in a procedural amendment to try to fix my mistakes. That's that member's government. That is that member's government.

**Miranda:** But you are the one who'll run out of the building when we debate Bill 9.

**Mr. Nixon:** The hon. minister of tourism is heckling away about it but won't stand up and explain why he continues to go out of his way to help hide the secret deal from the people of Alberta. [interjection] The Minister of Municipal Affairs is heckling now, who won't stand up and talk about his own amendment that changes his entire bill, but he'll heckle in this House. It's shameful.

Now, I'm glad that the Member for Calgary-Elbow rose and spoke. It's clear what I've always thought, which is that the Alberta Party is very similar to the NDP Party and that an Alberta Party government, as has been just made clear by the House leader of the

third party, would do the same thing. It would hide secret deals from the people of Alberta. It does not want to be held accountable to the people of Alberta, and it thinks coming to the Legislature to do their job is too hard and would like us to accelerate so that they can go home. That is shameful.

**The Chair:** Any other questions, comments, or amendments with respect to this bill? Drumheller-Stettler.

**Mr. Strankman:** Well, thank you, Madam Chair. It's interesting to hear the comments from the Member for Calgary-Elbow. I think he's missed the mark even though he does have various times to interlude and make comments responsibly from the position of his party. But he's talking about the dollar values, and he seems to be focused more around the ground or the horizon directly in front of him, where he might put his foot next, and that may be forward or it may be backward or it may be – I'm sorry – where the pie enters his face.

**The Chair:** Hon. member, are you speaking to this legislation?

**Mr. Strankman:** Madam Chair, to the amendment, yes. It's regarding democracy, and that's the bigger picture here. We're talking about democracy and the fair effect of a democracy. That's what the Member for Calgary-Elbow is not recognizing, a bigger picture here. The unaccountability, the unapproachability of the government to recognize – publicly recognize – and effect the Election Commissioner's wages and such like that is unacceptable. The Member for Calgary-Elbow needs to recognize that.

**The Chair:** Chestermere-Rocky View.

**Mrs. Aheer:** Thank you, Madam Chair. I just wanted to address one small thing. I think I would want to ask the Member for Calgary-Elbow why he also is not asking this question. It's one thing if the Member for Calgary-Elbow has issues with the way that the opposition is bringing forward questions. That's fair. I mean, he's allowed to have that opinion. I guess the question that I would have is why he wouldn't have the same concerns we do. There is a huge difference between having an issue with discussing legislation and all that kind of stuff. That's fair. You're entitled to your opinion on that. This is not an opinion. This is a question about transparency.

I will be completely clear, Madam Chair. I have been extremely clear about my position on the Election Commissioner from the get-go, from Bill 32 right through to the amendments that are going to change the way that elections are done, especially because this person is going to be on the ground in the next election. We've asked many, many questions. We've spoken with the elections officer with him saying specifically that this particular position wasn't even needed.

When you go through the process of the fact that this position was not even needed and then on top of that, Madam Chair, it is not being disclosed to the public, that's the issue that I have with the Member for Calgary-Elbow, the fact that he wouldn't be concerned. It could be \$10,000. It could be a million dollars. It's irrelevant. That's taxpayer dollars. If there is a price that the Member for Calgary-Elbow is comfortable or not comfortable with, that is truly his opinion, but the fact that he wouldn't be asking the question as to why: that is the problem. That is the problem, and it's a question that I believe Albertans are very interested in finding out, especially because the mechanism for how this will go forward is changing. We have a new position that now will span not only this time but over the course of the next election and over the course of the contract of the elections officer. We've asked many, many

questions in this House as to why that's happening and what the mandate is and what the government is wanting to do with this.

On top of that, the lack of disclosure is a concern. It concerns me that the Member for Calgary-Elbow is not interested in that disclosure. I've heard him speak many, many other times on other disclosures that are important to him. I would question and ask why this one is not.

Thank you.

**The Chair:** Grande Prairie-Smoky.

**Mr. Loewen:** Thank you, Madam Chair. Yeah. I guess I was also kind of struck by the Member for Calgary-Elbow's comments there. I think he totally missed the point of this discussion here. This discussion is about transparency to Albertans. It has nothing to do with the dollar figure. That's irrelevant. This is all about transparency, and this is about transparency in a timely manner. He made some wild suggestions regarding the Official Opposition that are just totally untrue, but if he wants to throw around wild suggestions, obviously, he must want to hide with the government on this issue. What does he have to hide? Why doesn't he want to see transparency for Albertans?

I don't understand. The government has hidden this in this bill. You're right. The bulk of this bill is just basic things that are nothing to discuss, but of course the government has put this in this bill. They could have put it somewhere else. They could have had a bill of its own on this to take care of what they thought they had taken care of earlier, which they had a chance to take care of with our amendment but didn't. Now they've had to put this somewhere. They've tried to drop it into this bill. You know, it's got a whole bunch of other things. It covers a whole bunch of other topics and a whole bunch of other acts and everything. They put it in there to hide that.

Now, of course, we hear all the heckling and stuff like that that's been going on this morning from the other side and everything. Even the minister of tourism, who's usually pretty quiet, is heckling. I guess maybe it's because he's all alone there in the front row today. I'm not sure why, but I think it's . . .

**The Chair:** Hon. member, it is not appropriate in this House to be referring to the absence or presence of members. I would ask that you please do not.

**Mr. Loewen:** Okay. Thank you. I'll withdraw that.

But I think it's ironic to listen to the Member for Calgary-Elbow talk about how we're wasting time here. Of course, this is what we do in this Legislature: we discuss things. We debate things and everything, but he decided to take time to say that we are wasting time. Obviously, there's quite a bit of irony there.

I'll leave my comments at that. Thank you.

**The Chair:** Any other members wishing to speak to this bill?

Seeing none, we're ready for the question?

[The voice vote indicated that the clauses of Bill 18 were agreed to]

[Several members rose calling for a division. The division bell was rung at 10:20 a.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For:

Aheer	Horne	Miranda
Anderson, S.	Jansen	Nielsen
Bilous	Kazim	Nixon

Carlier	Kleinsteuber	Phillips
Carson	Larivee	Renaud
Clark	Littlewood	Rosendahl
Connolly	Loewen	Sabir
Cortes-Vargas	Loyola	Schmidt
Dach	Luff	Schreiner
Dang	Malkinson	Smith
Drever	Mason	Strankman
Fitzpatrick	McCuaig-Boyd	Sucha
Goehring	McIver	Turner
Hanson	McKitrick	Yao
Hoffman		
Totals:	For – 43	Against – 0

[The clauses of Bill 18 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

### Bill 13

#### An Act to Secure Alberta's Electricity Future

**The Chair:** We're currently on amendment A3. Are there any members wishing to speak to this amendment?

Seeing none, are you ready for the question?

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 10:37 a.m.]

[Fifteen minutes having elapsed, the committee divided]

[Ms Jabbour in the chair]

For the motion:

Aheer	Loewen	Strankman
Clark	Nixon	Yao
Hanson	Smith	

Against the motion:

Anderson, S.	Horne	McKitrick
Bilous	Jansen	Miranda
Carlier	Kazim	Nielsen
Carson	Kleinsteuber	Phillips
Connolly	Larivee	Renaud
Cortes-Vargas	Littlewood	Rosendahl
Dach	Loyola	Sabir
Dang	Luff	Schmidt
Drever	Malkinson	Schreiner
Fitzpatrick	Mason	Sucha
Goehring	McCuaig-Boyd	Turner
Hoffman		

Totals: For – 8 Against – 34

[Motion on amendment A3 lost]

**The Chair:** Are there any further questions, comments, or amendments with respect to Bill 13? Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Chair. I rise to talk, of course, about Bill 13. At its core it is another . . . [interjection] Well, the

hon. Member for Chestermere-Rocky View says that it is another bill of this government trying to fix stuff, but in this case it's extremely alarming because it's another piece of legislation where the government is messing with our electricity system.

Madam Chair, I'm sure you've heard from many of your constituents – I know that I hear from mine on a regular basis – who are extremely disturbed that under this NDP government electricity continues to become more expensive. It's probably one of the number one things we hear about at my three constituency offices. And it's become even more alarming because the government continues to want to go down this path, appears to be ignoring many of the lessons that were learned from Ontario.

It was interesting. I was reading an interview with Ontario's Premier, a Liberal Premier of course, who's in a general election right now where things don't look very good for her. She was talking about how her greatest regret is how badly they messed up the electricity system. Of course, she was probably recognizing it because of the extreme political consequences that it looks like the Ontario Liberal Party is about to pay for that mistake and others. But it was interesting that as she's looking back at her time as Premier of our largest province, that that is, hands down, her greatest regret, how the Ontario Liberal Party handled the electricity file in that area.

As we now see, the NDP government of Alberta is continuing to go and mess in that area and seems to be completely ignoring what has happened in Ontario and the consequences to Ontario. Certainly, I know that the people of Rimbey-Rocky Mountain House-Sundre, when we talk about this issue, are deeply concerned about the NDP government's work and the process they've taken so far, the action they've taken so far on the electricity file and the cost that it will be to consumers: fixed-income seniors, manufacturing organizations, farmers, ranchers. Electricity has a tremendous impact. It's a very important issue for our economy. The fact that the NDP continues to make it more expensive for Albertans is extremely troubling.

Bill 13 will make electricity, as I said, more expensive for consumers by transferring more risk away from generators. Making the consumer or taxpayer ultimately have to pay a larger expense for the NDP's ideology is disappointing and extremely concerning for the people that I represent. As such, our Energy critic, the hon. Member for Calgary-Foothills, has done a tremendous amount of work on this file. As you know, Madam Chair, the other day he moved several reasonable amendments, attempting to address some of the issues that are wrong with this legislation. He was clear that the legislation is so significantly flawed that it's impossible to fix it all, but he was at least attempting to try to make the bill less damaging to the people of Alberta and to have less of a negative impact on their daily lives. So far the government has not listened to any of those amendments.

However, on behalf of the hon. Member for Calgary-Foothills I will move another amendment. I have the appropriate copies for the pages, and we'll have a discussion about that, Madam Chair, after you give me permission to start again.

**The Chair:** This is amendment A4.

Go ahead, hon. member.

**Mr. Nixon:** Well, thank you, Madam Chair. This amendment simply . . .

**The Chair:** Just a reminder, hon. member, that you do have to move the amendment on behalf of the hon . . .

**Mr. Nixon:** I thought I did that.

**The Chair:** You may have.

**Mr. Nixon:** I am certainly moving it on behalf of the hon. Member for Calgary-Foothills, in case I need to clarify that.

**The Chair:** Yes. I think you did mention that. Thank you.

**Mr. Nixon:** Without a doubt – I don't have a copy back yet – the issue, Madam Chair, that this amendment is attempting to deal with is in a couple of places in the bill where fair, efficient, and openly competitive language has not been accorded to the capacity market or the standard FEOC language was not used. It's trying to clean that up. The amendment itself will clean up the bill and ensure consistency throughout the bill. It also provides certainty to electricity stakeholders who do not want legal manoeuvring to allow the government or the AESO to skip out on commitments, and it helps restore trust to the bill at its core.

One of the issues that we've had is that when the NDP provincial government of Alberta came into power, they started out by actually breaking government contracts and ended up in some significant lawsuits and negotiations as a result of that. It certainly created a situation, you know, in addition to many other things that the NDP government has done, of instability for the generators but also instability for investment markets because people don't want to invest, of course, in a province that has a government that is willing to break contracts that the government already had and to sue sometimes itself, which was bizarre. The point is that the amendment helps restore trust in this bill with the people of Alberta and the people that are involved in the electricity market.

**11:00**

Trust, of course, is the biggest issue that this government faces. You don't have to go too far away from the Legislature and talk to too many people, but from north to south, Edmonton to Calgary to Red Deer, the number one consistent thing you hear about the NDP is that the people of Alberta don't trust them. They don't trust them because of their record on the electricity file and on other files. They have lost Albertans' trust. Certainly, the majority of Albertans have lost trust in the NDP because they often say one thing and commit and promise things to Albertans, and then very shortly afterwards it turns out that those promises don't come true.

Sometimes the government itself, to their credit, will stand up and say: hey, we got it wrong. It's sad, unfortunately, because they were warned often along the way that they were going to get it wrong. Then they attempt to fix it, but when they attempt to fix it, they continue the same habits that got them into the situation in the first place, which, of course, is that not consulting the people that are involved, only working within the bubble of the NDP world view. You know, as the Minister of Health, the Deputy Premier, once famously said in this House: we couldn't hire as many people from the province of Alberta because we couldn't find anybody that had our world view, which is why we went and hired people outside of the province. When you're consulting only with people that have that ideological bubble view, you end up in a situation where you get things wrong.

Certainly, when it comes to the electricity file, which is extremely complicated – there's no doubt that the legislation around this file is very complicated – the people of Alberta, at their core, evaluate it on a couple of things. One is: does it cost them more money? Under the NDP government it's cost them more money. That's without a doubt and something that they talk about. Second, they don't trust the government to get this important issue right because they've gotten it wrong. Then when you put inconsistent language inside the legislation and you leave it open for legal manoeuvring to allow the government or the AESO to skip out on commitments,

that just increases that lack of trust out there in the province for a government that's already lost trust.

By supporting this amendment, you make the bill more consistent, you make the language more consistent and efficient, but you also help restore trust. Again, as often is the case in this Chamber, Madam Chair, as you will know, the opposition is coming forward with a way that could actually help the government be able to get some trust back with the people of Alberta that they've lost the trust with. By supporting an amendment, a simple amendment, along these lines, that helps them do that.

Now, Madam Chair, I do have a copy of the amendment back, so I will be clear on what it says. Of course, on behalf of the Member for Calgary-Foothills I move that Bill 13, An Act to Secure Alberta's Electricity Future, be amended in section 2 by (a) in subsection (4), in the proposed section 5(c.1), striking out subclause (i) and substituting the following:

- (i) that the capacity market is fair, efficient and openly competitive and is not distorted by unfair advantages of government-owned participants or any other participants, and

And (b) in subsection (14), in the proposed section 20.21(2)(b), by striking out "and" at the end of subclause (i) and adding the following after subclause (i):

- (i.1) supports the fair, efficient and openly competitive operation of the capacity market, and

I can't think of any reason why the NDP government, why any government would not want to support the fair, efficient, and openly competitive operation of the capacity market. That would certainly go a long way to restoring trust. It would go a long way to giving a clear indication that this government and the province of Alberta will support a fair and efficient and openly competitive process in the market.

By the government voting this down, if that's what they decide to do, and by the way that they have written this bill, they have essentially said that they don't support fair, efficient, and openly competitive operations of the capacity market. If that is the case, it certainly, as I said earlier, Madam Chair, causes concerns, great concerns for the market, certainly, but also for the people of Alberta that, in the end, the NDP will be messing with the electricity and that it will in the end cost them more money and they'll end up in a similar situation to what Ontario has. I think that all of us, all members of the House, would agree that the electricity rates that the people of Ontario have had to pay are significant and certainly detrimental to their economy and to their daily way of life.

You know, Kathleen Wynne, the Premier of Ontario, I thought in a very open and transparent way, interestingly enough, inside that interview that she did the other day, was very, very clear that that was the biggest mistake that her government had made, that the Liberal government had made in Ontario, and the thing that they regret the most. Sadly for them, they realized that they regretted it the most when they're in the middle of a general election that appears to be ready to wipe out their entire political party as a consequence of that. But it is even more sad for the people of Ontario, that have had to pay that consequence over and over.

Madam Chair, with this amendment the hon. Member for Calgary-Foothills is trying to give an opportunity for the NDP government to avoid a similar situation, where they're doing interviews in a year's time or two years' time or whenever that opportunity would come and reflecting back and recognizing: we made the same mistake as our friends in Ontario. Learning from other jurisdictions, I think, is wise.

Of course, also, this amendment provides an opportunity for the government to show that they support a fair, efficient, open, and

competitive market. As such, I encourage all of my colleagues and all members of this Assembly to vote in support of this amendment.

**The Chair:** Lac La Biche-St. Paul-Two Hills.

**Mr. Hanson:** Thank you very much, Madam Chair. It's great to have an opportunity to speak in favour of this amendment, especially the clauses that we're looking for: "fair, efficient and openly competitive." I think that finding an argument against those words is pretty tough for any party.

Bill 13, An Act to Secure Alberta's Electricity Future, is just kind of – what concerns me is that up until 2015 we had a fairly secure electricity market and future here in Alberta. We had the cheapest power rates in North America, but now we seem to be going down a path that follows other jurisdictions that have made mistakes in their power purchase agreements. The capacity markets that we're entering into: you know, I did a little bit of quick research here on other jurisdictions that are following a capacity market, the United States, where they're averaging 14 to 22 U.S. cents per kilowatt hour, which translates to anywhere between 18 and 28 cents Canadian; the U.K., at 26.6 cents per kilowatt hour. [interjection] Excuse me. There are just some distractions there in the front.

Anyway, also looking at Ontario, I looked at their electricity rates and prices. They talk about things like off-peak, mid-peak, and on-peak. Is that really the direction that we want to go here as a province, where on-peak they're paying 13.2 cents per kilowatt hour? People are having to stay up after nonpeak hours to do their laundry or to have a shower. I guess that's the concern of why we would mess with a system. We had good, clean, coal-fired generation going. We're shutting that down, going to green energy and unpredictable solar and wind energy. Now we're changing to a capacity market to protect those industries. I guess that's the point.

I just think that even the government members, you know, if you look at the clauses we're trying to change – and we're trying to add in a few words: "fair, efficient and openly competitive." I don't think anyone should have a problem with that. So I would urge all MLAs and all parties to support this very important amendment to An Act to Secure Alberta's Electricity Future.

Thank you, Madam Chair.

**The Chair:** Fort McMurray-Wood Buffalo.

**Mr. Yao:** Thank you, Madam Chair. I'm here to speak on the amendment as proposed by my colleague from Calgary-Foothills and presented by my colleague from Rimbey-Rocky Mountain House-Sundre. This is a fair amendment, and I hope the government side truly considers it.

We found issue with this bill whereby in a few places fair, efficient, and openly competitive language was not used. Madam Chair, it is imperative in order to restore trust in this bill that proper language in accordance with the industry must be used. This type of language had not been accorded to the capacity market. To ensure the process complies with industry regulations, fair, efficient, and openly competitive language is imperative. This amendment would provide certainty to stakeholders in the electricity industry, who do not want legal manoeuvring which would allow the government or the AESO, the Alberta Electric System Operator, to skip out on commitments. This amendment is crucial in order to restore trust in this bill.

**11:10**

Madam Chair, it's about the messaging; it is about the language used. If we might look at how such nuances can affect us, we need only look at the purchase of the pipeline by our federal Liberal government. They didn't have to do that, but they absolutely gave

no confidence to industry that they would be able to get this pipeline built without dealing with cost overruns due to illegal protesting and other ways of impairing the project by the B.C. government. It's about confidence.

Madam Chair, when this government decided to do a royalty review instead of simply reading the other two royalty reviews that had happened in the five years prior – and it took them eight months to reconsider that: oh; wait a minute; it was good; we need the revenues. During those eight months, during that time, every international company looked at an escape plan, and most of them followed through with that. We lost some fantastic, fantastic investors, international investors, in our industry. I hope that when the members from across the way go up north to Fort McMurray-Conklin and door-knock, they ask them questions about this. I can guarantee you that they will get some very frustrated responses because the international companies, truth be told, were of very high calibre, very good quality. You know, one side claims to want to ensure employee rights and whatnot. The internationals were the pinnacle of providing those necessary tributes that labour organizations want to see and that people in general want to see. They were leaders in it. There's a certain irony in chasing those international companies away.

You know, this piece of legislation is an example of our government trying to recover after forcing through bills that we warned them would have negative implications on our economy, and they did not listen then. The end result was that our electricity market was put into disarray. There was volatility and unpredictability.

Now, the virtue of this bill, I suppose, is that it's this government's way of acknowledging that the opposition was correct and that they were wrong. It is good that they are taking ownership. Certainly, the passing of bills 27 and 34 from last session fundamentally changed the way our electricity market operated. Again, instability, unpredictability. In an industry where they have to invest millions and billions of dollars in their production, in their facilities, you know, they need strong words to ensure that they can remain competitive.

Right now electricity prices are more expensive for all Albertans. Quite honestly, there are not too many Albertans that have faith in this government, if you read the polls, that they can fix such things. You know, our general public looks at provinces like Ontario, and they see the debacle that occurred over there, and they see our government following the lead of the Wynne government. They see that association and that it hurts us all.

Closing six coal-fired plants early, which cost the taxpayer \$1.3 billion, you know, was reckless and thoughtless. These were new facilities. They had long lifespans. They were creating energy in a reasonably efficient way. It's disappointing that they'd want to change them so dramatically.

The policies that this government has put up have driven up costs for all Albertans, whether it's the taxes on our bills, at the pumps, and pretty much everywhere else. Life has been more expensive for Albertans. Period. Thank you, government. Thank you for that. That's sarcasm if you haven't figured that out yet.

In closing, Madam Chair, this amendment would provide certainty to stakeholders in the electricity industry, who do not want the legal manoeuvring which would allow the Alberta Electric System Operator to skip out on commitments. This is a good amendment. This amendment is crucial in order to restore trust in this bill. So I urge all members of this House to vote in favour of this amendment and consider what this amendment is about. I see disinterest, but deep underneath perhaps they recognize that this is a fair amendment, because it is about building confidence in an industry that this government has absolutely ripped apart.

Again, Madam Chair, I plead with the government side to consider this amendment. Thank you very much.

**The Chair:** The hon. Member for Edmonton-South West.

**Mr. Dang:** Thank you, Madam Chair. Now, I think this is a really fascinating amendment from the members opposite, from the opposition here. I just want to address the meat of the amendment, what meat there is anyways. I want to just point out that if we look at what it asks to do in section 2(a), all the words that they're using are actually already in the bill. They've actually just reordered those words. We're sitting here debating, basically, the grammar and the order in which we should have this bill, and I think that's sort of superfluous and maybe something that we don't necessarily have to look at in here. It changes the order of the words, and I don't know how that's a valuable use of the time in this Assembly.

The act clearly brings the capacity market under fair, efficient, and openly competitive requirements, or FEOC, and that's clear throughout the act. There's no need for this amendment. The government is committed to FEOC, and the bill reflects that. It's actually written into the bill throughout, in multiple places. So I'd urge all members: let's just get on with it. We'll vote this down, so we can continue doing the good work that Albertans expect us to do.

Thank you.

**The Chair:** Calgary-Elbow.

**Mr. Clark:** Thank you very much, Madam Chair. I rise to speak in favour of this amendment. You know, the FEOC principle of fair, efficient, and openly competitive is, obviously, a very important principle in the electricity market. It's troubling to me how it is that we managed to get ourselves to this point, where here we are, looking at Bill 13, which has to do with creating a capacity market and some other aspects. I appreciate that the government has amended out some of the asset retirement pieces. I know there was some concern from stakeholders and industry, so I appreciate them having done that. But if this amendment can improve what is a flawed concept in the first place, then I certainly would happily support this amendment.

I'm wondering and asking myself: well, how is it that we got here in the first place? It started off with a government that knew or ought to have known that changes they were making to the specified gas emitters regulation were going to trigger an existing contract provision in power purchase arrangements. That is something that you know or ought to have known. From that mistake, with every single opportunity they had to fix it, instead of fixing it, they doubled down on that decision. Unfortunately, that is because, I believe, this government went into this whole question with a political lens, an ideological lens, and said, you know: we believe certain things to be true, and there's no evidence on earth that's going to change our mind on what we think is true. And every single time information, evidence, data was presented to them that something was not as they believed it to be, it didn't matter. Off they went just hell-bent for leather, as they say.

**11:20**

So here we are. We continue down this uncertain path of this capacity market. It's not to say that capacity markets don't exist in other places. It's not to say that they haven't worked in other places. The question is: will they work in Alberta? The bigger question is: what problem does it seek to solve? The market was working. We had a situation in Alberta with the lowest electricity prices in North America, or certainly among them, and we also had a situation where coal-fired power producers were very much willing to work

with the government to ramp down that production, to find ways of ramping up renewable energy.

So to say that the only possible way of bringing renewables on and ramping down coal-fired power in Alberta was the path that this government has chosen to put us on, the path that's going to cost at least \$2 billion in taxpayer dollars – at least; probably more – is false. It is false that that is the only possible way of achieving that outcome. There were many, many other, better ways of doing it, ways that would not have created chaos in the regulatory piece of the electricity system: in the MSA and the AUC and the Balancing Pool and the AESO.

That whole ecosystem has been turned upside down by the changes that this government has brought in, by the hasty and ill-thought-out changes this government has brought in. It's created a leadership vacuum within those organizations. It's created infighting within those organizations. It's created lawsuits between power producers and the provincial government, lawsuits this government seems to be adept at losing, which cost millions of taxpayer dollars to Albertans, which caused the province to have to sign deals that perhaps are not necessarily in the best interest of Albertans or of taxpayers. As usual in these situations the only ones who benefit, the only ones who are enriched are the lawyers, and that does Albertans no good at all. I can assure you that there are many lawyers on the power producers side, on the energy companies side who'd much rather be doing other things than having to fight the government.

It really is a shame, because it didn't have to be this way. There were many, many other options this government could have chosen. There were options that were presented along the way that could have prevented all of this cost, \$2 billion. Two billion dollars. How many ring roads is \$2 billion? How many nurses? How many cancer centres? How many schools? How much debt repayment? That's a shocking amount of money.

I say without hesitation today, here and now, on the record that this is the single biggest scandal that this government has faced. It's unfortunate that it is such a complex, complicated area, that it is very difficult to make it understood to Albertans. It's very easy, frankly, for the government to throw around things like: "No, no. Enron clause. You see, it was Enron's fault." That simply isn't true. It is demonstrably untrue that there was some backroom deal, but politics dictated that they were able to use that to spin. But make no mistake. This whole file is by far the single greatest scandal that has befallen this government.

When the Alberta Party is in control, in a little less than a year's time, I can assure you that this is one area where we're going to do our utmost to unring the bell, to undo a lot of the damage that this government has done.

Speaking specifically to the amendment, to the degree to which it's possible that this amendment can improve a situation that is – I was going to say: an unfortunate situation. It's not even unfortunate; it's far worse than unfortunate. It's tragic. It doesn't need to be this way.

Again, to be very clear, the Alberta Party stands very much in favour of bringing on more renewable electricity, in diversifying our grid, in local options, in local microgeneration. You know, the Minister of Municipal Affairs knows how strongly I feel in favour of Bill 10. I think it's a good piece of legislation. There are options for bringing on more renewable electricity and ramping down coal-fired power to address the carbon emissions that come from coal-fired electricity, the other pollution that comes from coal-fired electricity. I think it's important that we move beyond coal-fired power in this province. I'm absolutely all in. Absolutely all in. Let's do that. But let's do it in a way that doesn't cost taxpayers \$2 billion, that doesn't waste \$2 billion. Let's find a way to ramp down coal-

fired power, to ramp up renewable power, and let's do it in a steady and responsible way.

Unfortunately, this government has picked a very ideological path. I hope the House recognizes that I don't often accuse the government of gross ideological decision-making. That's not something I take lightly. But in this case the evidence tells us that that's exactly what has happened. There have been many, many opportunities for this government to take facts that have been presented to them and make a different decision, that would have the same or better outcomes. Unfortunately, they went in with a preconceived idea of what needed to happen based on incorrect, inaccurate information that was shaped entirely by the way they saw the world. It's unfortunate because that's not the way government ought to operate. There were so many other options, so many better options.

So if this amendment can take a tiny step towards improving that situation, I'm all in and will be supporting the amendment. Thank you, Madam Chair.

**The Chair:** Chestermere-Rocky View.

**Mrs. Aheer:** Thank you, Madam Chair, for the opportunity to speak to this amendment put forward by my very good friend from Calgary-Foothills. There's so much that I want to say, but I need to address something, first and foremost, and that is in regard to the comments of the Member for Edmonton-South West. I just want to make sure and just be clear here that I understood this: that we're to get on with it, that the language that is in this amendment is superfluous and doesn't add value, isn't useful, and that it's fascinating, and that we're just changing grammar.

I'd like to point out a couple of things that are imperative in this discussion. Maybe – I don't know – I look at this slightly differently than the member, but “fair” and “efficient” are extremely, extremely directive words. Actually, the language, to be clear for the member, in the bill actually states that the capacity market is to have reliable and reasonable cost to consumers. In the legal department, just to be clear, it does not mean the same thing. Not even close. In fact, to go a little bit further, it says within the act that to make the FEOC not applicable to renewables places wind and potentially future renewable electricity program projects at risk. So for those of us who actually really like renewables and would like to see the market decide and like to see them come online, this is a completely unfair mechanism that has been put in this legislation by this government literally word for word.

This is not a grammatical change. This is not a language change. This is about actual transparency and fairness, Madam Chair, in this piece of legislation. This amendment actually could save the government a whole lot of trouble and would provide some trust in a bill that was created as a result of the debacle on the PPAs in the first place. If you don't care about proper legal language, if that's the issue here, fine. I'm so grateful that I am here today to see that the Member for Edmonton-South West states that this is superfluous. This is legal language, actually. There is a massive difference. With the extraordinary powers of the Minister of Energy and her ability to bring these pieces on without any debate in this House, I find it absolutely amazing and “fascinating,” to use his word, that that would be the issue here, that this is not important.

Well, I was just looking at Alberta's total capacity right now. We're at 16,390 megawatts right now. Guess how much of that is wind? Anybody? It's 1.8 per cent. One point eight per cent. This is the total capacity – this is coal; this is natural gas; it's everything – 1.8 per cent. Guess what? Any time that drops, guess who's on the hook for that? The taxpayer. To the member: under the new legislation that comes forth – I'm excited to see what his

constituents say to him on August 1 when this comes to be. August 1 isn't that far away. I'm interested to see what his constituents say when the price of their electricity starts to spike. I'm interested to find out.

I asked the Minister of Energy in question period the other day about the industrial users in the farming areas. She answered with respect to residential. That's not what I was asking. I was actually asking about industrial capacity. There is no ability for industrial users to have any part of this capacity market. In fact, it's up to them to make sure that they go and fix their rates really quickly. Enmax is calling them, actually, which is what the government should be doing, to tell them that they should probably fix their rates really soon because they're going to spike. They don't get to fall under this smoke and mirror 6.8 cents per kilowatt hour.

**11:30**

Let's go to a couple of other things. If we look at the compensation numbers, \$74,310,000 of the carbon tax has been set aside in order to compensate or subsidize for anything that happens with respect to electricity prices once they're capped at 6.8 cents per kilowatt hour, until 2021, which isn't part of Bill 13. But if that retail rate exceeds that amount, the government has to use the carbon tax to subsidize that, that \$74 million. I mean, we've said this before: why go after the retail market? That was not the part of this that needed help. There are lots and lots of pieces of the electricity market that could have certainly used some legislation. This was not one of them.

I mean, Bill 13 had to happen. The minute that the coal phase-out happened, the grid became unstable. Bill 13 had to happen, the capacity market had to happen in order to stabilize the grid. There was no other choice after Bill 27 was passed.

One thing I'd love to be able to find out from the government: why are you risking your own program? Madam Chair, they're risking their own program. The AESO themselves had showed that the renewable electricity program will decrease revenue needed for all generators to recoup their investment and earn a profit, thus deterring investment. That is from the AESO.

Again to the Member for Edmonton-South West: how can this be an issue of superfluous language? How is that possible? This isn't about language or grammar. This is legal language that holds the government accountable for their transparency to Albertans in a market that they have completely altered, Madam Chair. How is that possible? Honestly, I'm so glad that it's on the record that this amendment is not useful, that it lacks value, that we should just get on with it. Interesting. That is fascinating. Like I said, I just have so much to say. I just don't even know where to start sometimes.

I wanted to talk, too, about the piece of this where it says, in the capacity market, that Bill 13 is not about renewables per se; it's about financing coal-to-gas conversions, new natural gas generation, combined-cycle, and backup for renewables. So in that, that piece of information right there, is the fix that had to happen as a result of Bill 27. That's what Bill 13 does.

In amongst that, with all of that complexity and all of those variations that are coming online right now, comes the need to make sure that that is transparently transferred to all Albertans. Right now on your bill, you might not be happy with what you're paying, but you know exactly what it is. You know your rate rider, you know what you're paying in taxes, you know what you're paying to providers, all of those different things, on the 120 kilowatt hours per year that the average family uses. We might not be particularly happy about what we're paying, but we know – we know – every single piece of how that works out.

Under that, we will not. This is a massive boondoggle. Like I said, if you – on August 1, with the regulations coming in by the

end of 2018, it's going to be interesting to see how Albertans react to the cost of living in this province under this government in this particular market that they've put forward. We're already getting feedback on this side.

Like I had said to the minister earlier this week in question period: what about the industrial farmers? What about them? There is nothing for them in this electricity bill anywhere to protect them from spiking costs in their industries. They're already having to pay extra with the carbon tax. They have to feed cattle. They have to bring water. There's so much that's involved with making sure that our farmers, that feed us, are able to do those things, and they're already paying extra. On top of that, they're not protected in this bill or any other bill for what they pay in the industrial market.

On top of that, the government hasn't even had the foresight to make sure that they reach out to our farming communities and say to them: "You know what? We're going to be on an upswing. This is going to be all over the place. We're going to be fluctuating. You should get into a fixed market." The minister had mentioned something about there being some educational pieces going out. Really? Well, the farmer who I spoke to last week had no clue. Enmax called him. Enmax called him.

I'd love for you to take a poll in this House, especially on this side with our farming communities, to find out how many of them have had a letter from the government saying: "Uh-oh. We should probably take care of this. You should probably get on a fixed rate." In fact, I believe I've heard from the government many times that part of the issue is that people were confused by fixed rates and floating rates, that it was difficult, and that the government was going to try to make it easy for them – that's interesting; by charging them more, of course – but then on top of that you've left out a major portion of our population, our wonderful farmers, who are stuck with industrial prices on electricity. That's just one group of people. There are many, many other industries. I'm just talking about the farmers because that was one person that I spoke to.

It opens up an entire other group of people that are impacted by fluctuating electricity prices, and obviously the government has no clue to care about these people or at least to educate them on how to make sure that they're saving money and can efficiently go forward with their companies. Already every single business in this province will become less competitive simply because of more money that they're having to pay in carbon taxes and other things in order to maintain and be able to sustain their businesses. Adding in this piece, of not being part of some sort of capacity market to be protected like supposedly they're protecting the rest of Albertans, is thoughtless to say the least.

I mean, I will repeat this again. The AESO modelling showed that the renewable electricity program will decrease revenue needed for all generators to recoup investment and to earn a profit, thus deterring investment. Bill 13 had to come to fruition in order to separate the capacity market and electricity, and in doing so, has blatantly attacked industry, straight up. In doing so, in separating that, the smoke and mirrors of protecting everyday Albertans under 6.8 cents will blow up in the industry. There is no protection for industry, the fabric of this province, especially farmers.

This amendment gives an opportunity for the government to look inwardly and say: did we use the right language? Is this of value? Is this important? Do we force this through at a massive speed, something that is going to happen in under two years, that should have taken at least three to six years for the industry to be able to prepare for it?

Are we actually going to sit here and talk about the fact that language is not important? Really? How disappointing. How disappointing. Fair and efficient: I would think that that should be

at the very top of the list of things that would be necessary for this government to prove to Albertans that this is the right thing to do.

You know, Albertans are totally into renewable energy. They love the idea. Absolutely. But there is a mechanism to be able to inspire people, to be able to bring these things online. One of those things is making sure that the market is able to decide. This is a false market. It's being subsidized, and it's being subsidized in every way possible. At 1.8 per cent of capacity for wind, wind gets paid out at one hundred per cent by the taxpayer regardless of whether it's producing or not. How is that fair to the taxpayer and the ratepayer in any capacity?

Madam Chair, maybe that's why the words "fair and efficient" were removed from this legislation specifically with regard to renewables. Maybe that's why. If you use the words "reliable and reasonable," I'm not quite sure what that means, reliable and reasonable cost to consumers. Fair and efficient: very clear.

11:40

Interestingly enough, the capacity market is not necessarily being applied in tandem. So how is it that we reconcile this for Albertans? To echo the language from the Member for Calgary-Elbow, this is the biggest mistake that this government has made. On top of that, they just keep doubling down on their decisions and keep coming up with new legislation to try and fix the mistakes of all of the other legislation that came before.

It's interesting. When you're out and about and you're chatting with people, I don't think that many people talked about PPAs before, power purchase agreements. It kind of seems boring. It is a major topic of conversation with about probably 60 to 70 per cent of the people that I meet with. I'm not kidding. Maybe it's because I talk about it all the time. I find this, for lack of a better word, to use the language of the Member for Edmonton-South West, fascinating. I find this absolutely fascinating, to be able to discuss with everyday Albertans what is happening in this House with regard to electricity. Fascinating.

I find it interesting when we sit down and we talk about and crunch the numbers of what it looks like right now and what it could look like and what's possible. The most interesting piece of this is that we don't really know how much this is going to cost us. We know about the \$2 billion in stranded assets, we know about the payments to the Balancing Pool in order to keep them running, we know about some of the generators that are coming online with wind and solar, but we have no idea how much this is actually going to cost taxpayers.

To bring up, we were talking about Ontario a little earlier. Do we really want to get to the point of heat or eat? Right? Is that what this government wants? I doubt that. I don't think that that's the intention. But the taxpayer, Madam Chair, is going to be on the hook for millions, possibly billions of dollars. Is the government proud of subsidizing electricity in a province that was – we were debt free with our utilities. Debt free. Is that something that this government is proud of? I mean, the timeline for this is just crazy.

I don't know. Again, I remember when we were going through Bill 27, and the words "accountability" and, I think it was, "transparency" were removed from the legislation. That was a real eye-opener as a new MLA at that time. You know, you spend a lot of time as an everyday Albertan hoping and praying that that's what your government does for you, and then you see language like that removed from legislation. Now we're seeing "fair and efficient" removed, and supposedly it's just useless language. I can hardly wait to tell my constituents that the government thinks that the words "fair and efficient" are useless language, that the Member for Edmonton-South West thinks that it is useless language, it has no value, and we should just get on with it. I can't wait.

Did you know that zero power is produced at the solar place in Brooks. Zero power is produced 64 per cent of the time. Zero power is produced 64 per cent of the time. I don't know. I would call that unstable, maybe, but that's obviously not important for fairness and efficiency. That can be covered under reliable and reasonable. I don't know how zero power produced 64 per cent of the time can be – is that reliable or reasonable? And that's the language that this falls under. Isn't that interesting? How is that possible?

**Mr. Strankman:** It stretches the imagination.

**Mrs. Aheer:** It does stretch the imagination.

Then to not have the FEOC language applicable to renewables? The government, they're putting their own program at risk to fail. You're setting up Albertans to fail. This amendment puts trust back into this whole thing so that the minister can go to the people and say: "Yeah. We're fair, we're efficient, and we're openly competitive. Yes. I'm going to do that." That would be an amazing day to hear the minister stand up and say that, but that's not her language.

Thank you.

**The Chair:** Any other members wishing to speak to amendment A4? Grande Prairie-Smoky.

**Mr. Loewen:** Thank you very much, Madam Chair. Yeah, I'd like to speak to this amendment. I enjoyed the Member for Chestermere-Rocky View's comments here on the language. I mean, this government continues to champion itself as being fair and open and transparent and all these different things. But time and time again we see the opposite happening, and when we provide them an opportunity to be more fair and efficient and transparent, then they – I don't know – don't take advantage of those opportunities anyways.

That leads us to situations where we're sitting here again trying to make an amendment to add in a phrase. Listen to this phrase: "that the capacity market is fair, efficient and openly competitive and is not distorted by unfair advantages of government-owned participants or any other participants." Now, Madam Chair, I just can't understand what anybody could find wrong with the phrase "that the capacity market is fair, efficient and openly competitive and is not distorted by unfair advantages of government-owned participants or any other participants." It just doesn't stand to reason why this government would not accept an amendment that, clearly, just makes things better, more open, more transparent, better for Albertans. These are very simple things.

I mean, this government has obviously totally messed up this electricity market with all the manipulating they've done, with all the bills they've passed to change the system around. They pass one bill, and then they pass two or three more bills to fix the damage from the first bill. They're continually doing patchwork to fix the problems that they've created. Madam Chair, that's exactly it. They've created these problems. Were there some changes needed? For sure. There are always changes needed. There are always ways to make things a little better. But when you take something and you come up with ideological ideas that substantially change things and that drive the cost of electricity up and make the system less stable, then you spend more time and energy trying to solve the problems that you've created yourself.

Madam Chair, we sit here again with an amendment that is very simple, that's very straightforward, that's very acceptable. I can't imagine anybody, any Albertan, looking at this and suggesting that there's anything wrong with an amendment like this. I really just can't see it. But I'm going to presume that the government is going

to vote against this, I guess, because it wasn't their idea. I'm not sure why. It's very simple: fair, efficient, and openly competitive.

Now, we've heard today here, you know, what's happened in Ontario and how the cost of electricity under the Liberal government there has skyrocketed and how much trouble it's caused and how much damage it's caused to the Ontario economy. Recently we've heard that even the Liberal Premier has said that one of her greatest regrets in her time in power was the problem that she created with electricity in Ontario, with the cost and everything being driven up so high. There's somebody that's had a chance to reflect on the damages, created by government, to the electricity market, to an economy and that now regrets it.

But we sit here in this Legislature, and this government keeps going down the same road. Now, they say: well, we're totally different here. I mean, they say: okay; we're going to have a competitive market, so it's totally different than Ontario. But, Madam Chair, that's not completely true. We've seen this government go through the same things that the Ontario government has gone through.

**11:50**

Again we have an amendment here where we're suggesting that the phrase "openly competitive" be in this bill. Openly competitive. This government claims that this is a competitive process, the things that they're doing with electricity here, so we're giving them an opportunity to put it in writing, put it right in the bill, and they're going to vote this down. Madam Chair, it doesn't make sense that we're where we're at right now, discussing something that's so simple.

The second part of this amendment is the phrase: "supports the fair, efficient and openly competitive operation of the capacity market." Madam Chair, another opportunity here: "fair, efficient, and openly competitive operation of the capacity market."

Again, we sit here in this Legislature. We talk all the time. I mean, the government claims that they're the most transparent government ever, but over and over again we see this government hiding things and we see this government refusing to be transparent. We give them opportunities. We talk about Government Motion 16, where we gave them the opportunity to be transparent with the Election Commissioner, and what do they do? They argue about it, they stop the debate, and then they vote it down. Here we are almost a month later, and what are they doing? Well, they're admitting that they have to do something different to bring about some transparency. But when we provide them an opportunity to take it one step farther, what do they do? They don't accept it. Madam Chair, I mean, we're seeing this over and over again.

This amendment is a great amendment. We need to be able to have these things. This capacity market needs to be fair, efficient, and openly competitive. Again, this government has brought so many changes to the electricity market, changing things substantially in just about every part of the electricity market with multiple bills that they've brought before this Legislature, and what do we have? We're sitting here again. We're, you know, discussing more electricity bills where this government is continuing to try to fix the mistakes that they made in the past.

We know that prices are going up because of this government, how they've handled the electricity market. They put a cap on electricity rates that was double the existing rates. Obviously, they had to put the caps in because they knew the prices were going up because of what they'd done, so they had to put a cap in. Of course, what happens with a cap? Well, somebody has got to pay for that, Madam Chair. The electricity companies just don't quit charging at a certain rate and then lose money and go bankrupt. Somebody has to pay for that. Obviously, there's only one person to pay for

electricity in Alberta, and that's Albertans. There's only one taxpayer, and that's Albertans. It doesn't matter if the electricity bill is where you pay it or the tax bill is where you pay it; it's still the same person paying for that electricity. When you drive the prices up, the same person pays, whether it's subsidized from a tax end or it's paid through the electricity bill.

Now, another thing this government has done is that, you know, they've tried to do the same thing, I guess – I mentioned before this morning that they tried driving the round peg into the square hole, and they just keep pounding away at it to see if they can get it to fit. Well, Madam Chair, it's not going to fit. You can't force these things to happen. There are ways to encourage people to do renewables and everything, but you can't force it. To listen to this government, you'd think that we'd never had wind power in Alberta. You'd think that nobody ever had a solar panel. I have solar panels. The Member for Chestermere-Rocky View has solar panels.

**The Chair:** I hesitate to interrupt, hon. member, but pursuant to Standing Order 4(3) the committee will now rise and report.

[The Deputy Speaker in the chair]

**Dr. Turner:** Madam Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 18. The committee reports progress on the following bill: Bill 13. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report? Say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Any opposed? So ordered.

**Cortes-Vargas:** Seeing the progress that we've had this morning, I move to adjourn the House and come back at 1:30.

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

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