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The 30th Legislature
Third Session

Alberta Hansard

Monday evening, May 9, 2022

Day 31

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Third Session

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New Democrat: 23

Independent: 3

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Legislative Assembly of Alberta

7:30 p.m.

Monday, May 9, 2022

[Mr. Milliken in the chair]

The Acting Speaker: Please be seated.

Government Bills and Orders Second Reading

Bill 19

Condominium Property Amendment Act, 2022

Ms Ganley moved that the motion for second reading of Bill 19, Condominium Property Amendment Act, 2022, be amended by deleting all of the words after “that” and substituting the following:

Bill 19, Condominium Property Amendment Act, 2022, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

[Debate adjourned on the amendment May 5: Mr. Sabir speaking]

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

Member Loyola: Thank you very much, Mr. Speaker, and thank you for the opportunity to speak to Bill 19, Condominium Property Amendment Act, 2022, this evening. Of course, we’re on a referral amendment. The reason why, I think, that on this side of the House we are so adamant that this be referred to committee, of course, is because the number one reason for the bill: I think that many individuals and stakeholders have been wanting from the government and not only from this government but even governments going back into the Progressive Conservative years, actually, a tribunal. What we realize is that a lot of these issues end up clogging our courts, and it’s not the most effective way of addressing a lot of the issues that need to be worked out.

We’ve heard from a number of property owners, condominium owners, of course, but also people who live in these condominiums who could be renting from the owners that there are a number of issues that end up coming up because of the relationship that exists between the board and then also the condominium. Like, there’s a whole series of concerns regarding chargebacks and whether some upgrades that have been done to the condominium weren’t actually agreed upon by all the members of the condominium who own units there in the condominium, yet the owner of the building actually decides that this actually needs to move forward.

Of course, people are left kind of hanging because they’re saying: well, I didn’t agree to this, I didn’t agree to this issue, and why do I have to pay for it? Sometimes these upgrades that condominium owners want to make end up costing people in the thousands and thousands of dollars. Especially now, in the time that we’re living right now, where people are stretched pretty thin, having to come up with, you know, \$5,000, \$10,000, sometimes even \$15,000 for an upgrade that you don’t even remember taking a vote on could actually be a considerable issue that could then eventually end up in our courts because of how things go.

It’s important to note that tribunals have been something that stakeholders on all sides have been asking for for a very, very long time. That’s why it’s important for us to – well, it’s one of the major reasons, I would say, why this bill actually needs to be referred to committee, to actually see how this actually can be resolved, right? I mean, some of the more not-as-immediate, I would say, concerns

of people have been dealt with in this piece of legislation – and I applaud the minister for that – in terms of votes being done although there are some concerns with that particular aspect.

It’s very possible for individuals to be scapegoated. For example, it’s very easy for a group to decide: okay; well, we’re all going to vote that whatever particular reason we need to bring in some kind of service, it’s all going to have to be paid by one individual. I’m sure that many of my colleagues on this side of the House have described situations like that. I’ve only heard of them third-hand, Mr. Speaker. I’ll be honest. I’ve never lived in a condominium and don’t ever plan on living in a condominium as far as I know – who knows? – but things change. I can’t say that I’ve experienced any of this first-hand; I’m just hearing it second-hand by others. The stories that you end up hearing, though, are that individuals could be scapegoated. For example, I’ve heard stories of there being, like, one particular individual that, you know, perhaps is not as well liked by other individuals that happen to live in a condo, and it’s something that definitely needs to be looked at. Like, how can we make sure that individuals aren’t going to be scapegoated by the rest of the people who actually live in the condo?

That being said, I think it’s really important that we continue to pressure the government on the issue of these tribunals. For example, in B.C., Ontario, and Nova Scotia they all have versions of condo tribunals, you know, so it would have been very easy for the minister and the minister’s staff to do a crossjurisdictional and look at where in Canada there are other versions of condo tribunals and perhaps even picked the best elements out of each one of those cases and proposed something here in legislation for all of us to consider. It’s not as if this is a new idea or it’s a new ask; it’s something that’s been asked for for quite a while, as I stated.

For example, in B.C. they have what is called a Civil Resolution Tribunal, which resolves condominium disputes of any amount and handles other issues in B.C. under \$5,000. B.C.’s residential tenancies branch was not involved in developing it, but the tribunal resolves issues of fees and fines, condominium bylaws that are arbitrary or unfair, financial responsibilities, irregularities of board interpretation of condo legislation, and common property. Like, just irregularity of a board interpretation of condo legislation: I’m sure that there are a number of issues there that people get into. It’s quite unfortunate that we don’t have a tribunal here, and something as simple as the interpretation of condo legislation could end up clogging our courts when the judicial system, I would say, has – I mean, I understand that it’s important for these individuals who are actually living the problem. It’s important for them but all the more reason that there should be a tribunal to actually look into this so that our courts can be freed up to actually deal with, I would say, more pressing matters.

On that note, though, in B.C. the Civil Resolution Tribunal does not deal with the sale of condos, court orders on property, dealings with developers, and significant issues with the board such as conflicts of interest or human rights concerns. In B.C. through the Civil Resolution Tribunal resolutions can take anywhere from four to six months. I think that Albertans would really benefit from something like that. You know, between four to six months for something to get resolved seems pretty reasonable to me, and it would be great if we had something like that here.

In Ontario, for example, they have the Condominium Authority of Ontario, which is at arm’s length from the government. It has tribunal authority. It has programs that are administered by a \$50 levy from all condos and then fees for service. It’s administered online, and the system goes through stages of negotiation, mediation, and adjudication. Currently the only disputes dealt with are related to condo corporations keeping records.

7:40

Nova Scotia has a condominium dispute officer and has a condominium arbitration process. The officers deal with issues regarding a corporation's failing to provide necessary records and issues related to the common areas.

As I stated, you know, there are examples of versions of tribunals across Canada that the minister could have very well looked into and developed something here. I have to wonder if during this process – I mean, from past examples of proposed pieces of legislation in this House I know that the minister does a pretty good job of consulting with individuals, so I wouldn't mind knowing who the minister consulted with on this particular piece of legislation and if the issue of tribunals was brought up or not. I mean, on this side of the House, we're hearing that it continues to be a pressing matter for a lot of people. Of course, it's something that could easily be constructed through the ministry and brought into the House in proposed legislation. Albertans would take real good advantage of that.

The most important thing, though, as I alluded to, Mr. Speaker, is that it wouldn't be clogging up our courts. It wouldn't be clogging up our courts for very important matters that need to be dealt with there. Of course, I think that it's very important that that be provided because, I mean, government resources, as we know, are limited. I mean, there's talk about strikes happening because there haven't been raises. They don't feel that there's the adequate amount of resources being given, and I think it's something that – I mean, there's a whole lot of issues, I understand, that this government needs to deal with when it comes to our judicial system, but this small decision through this bill could alleviate a lot of the pressures being experienced by the judicial system. For me, it sounds like it's a no-brainer, why members on that side of the House wouldn't be supportive of moving towards Alberta having a tribunal here for this particular process.

You know, all this is in – as I stated, for a lot of these people who live in the condominiums with these issues, they're feeling pressed economically at this time. But even beyond that, Mr. Speaker, I think that housing continues to become more and more unaffordable for many people – right? – whereas condominiums were seen as an option for people to kind of get into because the cost of housing was going so high. It reminds me that even when I was first elected – and it continues to this day. I'll meet constituents at some kind of event – like, for example, the community league is hosting an event – and individuals that I will meet there will actually bring up to me, like, the cost of housing: why is it so incredibly high? Like, to pay \$600,000, \$650,000, \$700,000 for a house that just three years ago, you know, was costing \$300,000: they just can't understand that. Of course, they often say to me, "Well, is there any way to control house prices?" And I tell them, "Look, if I were to walk into this Legislature and say that we have to have price controls on the housing market, the members on the other side would call me a communist." Right?

Some Hon. Members: Yup.

Member Loyola: Of course, no debate there. See?

The issue being that Albertans are so pressed because of the cost of housing. It's becoming more and more unaffordable, more like first-time homebuyers are having more and more of an issue actually getting into a home. Yet from this government – you know, they can laugh about calling me a communist, but I actually care about Albertans that are trying to get into a home. I actually care about that. I want them to get a home.

The Acting Speaker: Thank you very much, hon. member.

Next I see the hon. Member for Edmonton-Castle Downs has risen to debate.

Ms Goehring: Thank you, Mr. Speaker. It's my pleasure to rise to speak to Bill 19, the Condominium Property Amendment Act, 2022. I believe we're on a referral. I know that I've spoken to this bill and have expressed some significant concerns about not having a tribunal. I know that when we look at the court system that's in the province right now, it's overwhelmed. Simple things that shouldn't be taking a significant amount of time – I can tell you that I had a constituent reach out to me regarding a speeding ticket, and it has been adjourned. It's now going on three years from the time the speeding ticket occurred to when they're going to see their day in court to fight that speeding ticket.

I can't imagine taking something as significant as where you live, your place of residence, your condo. To wait significant amounts of time, to invest money in a court system that's already backlogged: that is increasing stress for Albertans. When we look at the proposal to have this bill referred to committee, I think it makes sense. I think that we would hear very loudly and clearly in that committee what the opposition is already hearing, that life is not affordable, that there are some really easy steps that could have made this piece of legislation something that actually has a positive impact on those living in condos. They would be able to share their experience and their story, and I think the committee is the ideal place to do that.

When we were government, we started a review regarding condominiums, and the UCP stopped that. I know that there would have been some significant feedback that would have been heard there. I know that when I first started my career in mediation, Mr. Speaker, the very first mediation that I did was with the city of Edmonton, with a condominium board and a resident. To give you some context, a typical mediation is one hour. From the time that we meet – everybody puts their issues on the table; we talk about some sort of dispute resolution, some sort of ideas that both parties could agree with – to the very end of wrapping up with an agreement that both parties are in support of: one hour.

The mediation that we had done with individuals of the condo and the condo board was five hours the first day and three hours the second day. This is something that people are incredibly invested in, as I'm sure you can well imagine. It's your home. This is where you want to be able to come home to after a stressful day, find peace. If there's some sort of issue that's happening, it shouldn't be taken to the extreme, where the automatic is to go to court. That is the worst case scenario.

I know that in many other fields of law, when it comes to the court system, there's mediation that's offered, there's justice dispute resolution that's offered, all in attempts to avoid a matter going to court. When we look at this piece of legislation and we don't see that there's a tribunal established, it's confusing why the government believes that referring it to an already burdened system is the solution.

7:50

We see a crisis in the province with housing and affordability. When people are making a home purchase, it's a big decision. I would argue that it's probably the biggest financial investment that Albertans will make. When they're entering into this, they should have some sort of ability to dispute in a reasonable, time-efficient way. When we look at other jurisdictions, it's working. I don't understand why, at this point in the legislation and when this government is saying that there's consultation that's occurred, the glaringly obvious tribunal process is excluded.

I think that perhaps if we had this in committee and we invited condo owners, if we invited perhaps the people in the courts system that would be disputing these, if they were to give feedback on what that experience would be like in and out of court, what the cost perhaps could be if it was through a tribunal versus through the court process, what the impact on condominium owners would be, I think that that's all valid information where a committee could very easily put a call out, listen to those that respond, take that feedback, and provide a really thorough report to give back to the minister to talk about some of those suggestions. We're hearing it on this side of the House.

You have this piece of legislation here. We're amending the act. Why not get it right? Why not do what Albertans are asking for? They're not asking to take things to court. That's just a process that has so many negative impacts: time, finances. I can tell you that it's not good for a relationship when parties are sent to court. There's a very strong message that that gives when the alternative could be to have some sort of dispute resolution that could be done outside of the court process.

You have to live here, Mr. Speaker. This is your home. These are your neighbours. To have such a disruptive process as the solution is not conducive to healthy relationships within your community. When you live in a condo, you don't have the luxury, that you have in a single-family dwelling, to drive into your garage and never talk to your neighbours. You're going to have people that you are in conflict with, going to court with, that you interact with potentially every single day when it could be resolved in a more time-efficient manner, a less costly way, and a way less combative approach than going through our already overburdened court system.

I think that having a condo dispute resolution would not only reduce the stress of the individuals involved, but it would help with the burden that's already on our court system. I think that having a committee do that work makes sense. I know that when I was a chair, we had several pieces of legislation brought forward, and it was a wonderful process to be able to engage with Albertans. Some incredible suggestions came out of that process. As the committee you're able to provide the space to allow Albertans to talk to you, to provide written reports, submissions, to provide an opportunity to come and present to the committee. We have individuals in this very Chamber that represent the committee, and any member that's interested can attend. It's a wonderful opportunity for Albertans to engage on a more transparent platform, to be able to go in and talk to the committee, to talk to their legislators about what their concerns are.

I'm sure they would come through and say that some of this legislation would be helpful, but why not make it actually beneficial to Albertans, especially when we're looking at an affordability crisis, when we're looking at a housing crisis? I think that in having that opportunity to send it to committee, to have Albertans be able to respond, to talk about what the real-life implications are if this bill was to go ahead without a tribunal, it could have an impact.

I think that the committee has the capacity and the ability to do that work. It doesn't need to be incredibly time consuming. I know that the committees can work quite efficiently. We have incredible supports through the LAO that support the committee work. They're able to do crossjurisdictional scans. They're able to do all of the work that helps the committee run along smoothly. Having those presentations come in, to get actual feedback in a transparent way, that's on the record, with some ideas that would have some significant change, reduce stress for condo owners, reduce conflict between neighbours: to me, that's a success. To be able to, then, at the end of the committee have the report, to be able to prepare and submit it to the Legislature and to the minister, who could take this piece of legislation and make it actually beneficial to Albertans

living in condos: to me, that is just a simple way to do this. It's something that makes sense.

It's something that we know individuals that are living in condos would like to see. They don't want to go to court, Mr. Speaker. That in itself is such a conflictual experience. By being able to hear from Albertans directly in the committee, it's a process that works. It's so complete and down to the minute of how exactly to roll out a committee meeting once a referral from the Legislature has been done, and it provides opportunity for some real expression and to hear those stories of those individuals. It seems that when we're saying it in opposition, it's just disregarded despite having the information come directly from individuals that are being impacted. Perhaps in hearing it first-hand in the committee from those individuals that are asking for a noncombative system, asking for a dispute resolution system that would take pressure off our courts and reduce costs, maybe then this government would listen and implement that.

I think that when we're talking about something as significant as someone's home, we should be giving every opportunity to make sure that it's a successful experience. When there are issues that come up, it's ideal to have them resolved quickly, with the minimal amount of conflict possible. To have a tribunal makes sense. You know, I haven't heard any information about why the court system is the solution. There's been nothing in the debate that supports why going straight to court is to the benefit of Albertans. I haven't heard from condo owners that have asked for that. Nobody wants to go to court if they don't have to. If there's a process that's set up where it can be resolved, I'm sure that that would be what the committee would hear. Perhaps not, but I think that having it referred to committee, where there's an opportunity for Albertans to reach out and share their voice: that, to me, is what makes sense.

I would really encourage all members in this Chamber to vote yes in support of this referral, to vote yes in support of having Albertans' voices heard, to vote yes in support of having perhaps an extra piece to this legislation that could actually make a difference and could actually do something that Albertans are asking for.

I think that we have so many costs right now that are being piled on Albertans and so many stressors. People are struggling, Mr. Speaker, and adding the stressor of having to go to court over an issue that comes up in your condo doesn't need to be one of them. People should have the ability to have their dispute resolved in a time-efficient manner without having to go to court.

We've seen this government come up with legislation that speaks to our court system and our justice system, and none of the changes would lead me to believe that it's going to take any sort of pressure off the court system. Adding yet another level of dispute that needs to be resolved in the court process just doesn't make sense.

I would really encourage members, when they're looking at this legislation and they're considering it, to support it and vote yes. Thank you.

8:00

The Acting Speaker: Thank you, hon. member.

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

Mr. Eggen: Well, thank you, Mr. Speaker. I appreciate an opportunity to speak briefly on the matter of referring Bill 19 to committee. Certainly, I am also supportive of that idea. I think that there are a lot of changes that do need to be made in regard to the Condominium Property Act, but there seem to be some issues here that are just not being resolved in this current iteration of an amendment. It's a shame, too, really, because I've seen, you know,

in my own constituency quite a number of issues, especially in larger condos that have been built probably in the last 15 years or so, where there've been categorical structural problems that needed to be dealt with. I think that any number of MLAs in this Chamber here tonight would be dealing with a similar problem in the so-called leaky condo situation.

You can see the telltale signs of a leaky condo structure when the exterior cladding of a building is coming off, right? Usually that kind of stucco choice for exterior cladding, which is not entirely appropriate, I think, for this climate, at least here in Edmonton, is prone to separating and it's prone to getting water in between the exterior cladding and then the interior insulation. That is often made worse, Mr. Speaker, by having balconies on the exterior of the condo that are not necessarily draining away from the structure. So over time the water is being pushed in from the balconies into the interior walls, and of course that can create terrible damage to the structure of a building.

In the absence of proper regulation and building code standards, you know, this has been going on for quite a long time, not just in Alberta but, of course, in British Columbia, where the leaky condo namesake came from. But, you know, the reason that I bring it up is, of course, that as part of your agreement for being part of a condominium complex people are left on the hook for those damages. For example, I have one large structure that's just north of what used to be the Safeway on 137th Avenue and 127th Street, where the collective bill for paying for the leaky condo structure just literally forced at least 10 per cent of the condo owners to just walk away – right? – because they could not afford this bill. They just left their mortgage and had to walk away from their home, right? So these condominium laws certainly have direct cause and effect for protecting condominium owners, and we have to make sure we're really careful about how we structure them, quite frankly.

[Mr. Reid in the chair]

Part of the issue that I have with Bill 19 is that it doesn't make it necessarily a fair process for individuals that could be perceived as being blamed for specific damages, right? Like, let's say that someone leaves their sink on in the bathroom and it leaks down a couple of floors, or let's say that they have an outbreak of bedbugs in a unit. Under this amendment act it doesn't seem as though there's a fair due process that can be accessed for people to have justice. For people just to make a judgment on any one individual causing damage, collective damage, for a whole condominium complex, you have to make sure that that's fair, right? You don't just have a process by which someone gets blamed arbitrarily and then is left with the bill, so to speak.

You know, that judgment process has to be accessible. I'm not sure that deferring things to the courts straightaway is the best way to handle that, Mr. Speaker. We hear, of course, the interrelationship between different bills that we debate in the House here in this session, that while we're talking about putting more burden on the courts to resolve disputes, we also know that the courts are in a terrible backup position right now, with a shortage of staff and resources and whatnot.

For us in full knowledge over in the Department of Justice, knowing that there's a backlog in capacity in our court system, for us to be then passing another bill which would add more burden on that backlog in our court system, I mean, that alone I think is not necessarily good, sound judgment.

As well, of course, suggesting that we do put more of the disputes that happen around condominiums to the courts, you know, I think that that really leaves a gap and an unfair circumstance for a lot of

people, right? Just accessing courts and being part of a court case – right? – in the legal system is not something that many people are comfortable with.

You know, having a condo board and having a dispute resolution system that perhaps uses a tribunal – right? – is a much less onerous way by which you can resolve disputes, and I think it's a bit of a softer, more easily accessible way by which you can find a resolution, Mr. Speaker, instead of having to go to a formal court system, which can be a bit intimidating. Having a tribunal resolution system based on less antagonism but more looking for resolution, amicable resolution for people with damages to a building, and so forth, I think is a way better way to go.

I mean, we do have more of our population than ever living in condos, and indeed many of our urban centres are looking for more dense urban settings, and I think that that's a good thing, right? It helps to build a more resilient urban structure. It helps to provide more services in close proximity to where people need them. It allows people to live closer to where they work. All of those things – right? – point to the population of Albertans that are living in condos to be increasing over the next 10 or 20 or 30 years. So it's important and incumbent upon our Legislature here today to build sound legislation around condominiums and dispute resolution in particular because we just know that a whole lot more Albertans will be living in condos not just now but in the foreseeable future.

Yeah, I mean, honestly, you've heard from my colleagues. I totally concur with them that the lack of a tribunal in this bill really seems to be a gaping exclusion. You know, I'm curious to know, like: by doing that, how much more of a cost is going to be associated with taking disputes to the court? Of course, does that cost exceed, in many circumstances, the damages that are trying to be brought forward or to be resolved? Someone drives over their parking spot plug-in, and they have to go to court. Those court costs far exceed replacing that plug that someone maybe accidentally drove over: a small example. I think that we can create something that's more in keeping with and proportional to the little things that happen in a condo, right? Somebody scratches the wall when they are moving in their couch, and you can find an amicable way by which to deal with that and not have to resort to the court system.

8:10

You know, I know that there are some parts of this bill that I certainly do not disagree with. I know from condo owners themselves in my constituency and then in talking to condo associations – right? – about the changes in Bill 19 in regard to the voting process at condo meetings to allow for easier notes and establishing the process for that: I think it's okay. Changing voting in more simple manners – right? – and making those meetings less onerous and more accessible: I think that's not unreasonable.

Again I go back to my first example, Mr. Speaker, which is, like, around more significant damages. When you have things around, like, elevator systems or garages or, you know, water leakage into those systems or having to take off the exterior cladding on an entire building – right? – we need to make sure that people are having a fair and affordable way by which to deal with those things.

I would strongly suggest that the condo amendment should include strong action on building codes and penalties for condo developers that are not following the highest standard of building codes. Part of the problem with dealing with the leaky condo situation, Mr. Speaker, is that we've had a terrible, you know, situation where a builder might put up a series of structures and then get sued for leaky condos, fold that company, and then re-emerge as a completely different company. This was happening all over the city of Edmonton, probably in Calgary and other places, too, sort of analogous, I would say, to some unscrupulous drilling companies –

right? – where they have built into their drilling business plan the idea that you drill and you extract and then you leave and then you go out of business and you re-emerge somewhere else under a different name.

This is the same kind of thing that we do see with condo developments. So I would strongly suggest again that, you know, in concert with condominium property management revisions, we look at more strict building code standards and more strict ways by which contractors should not be able to walk away from inadequate building that they had been responsible for so that we can chase down some of the perpetrators of these buildings that really are not habitable after a number of years.

I think, again, not in Edmonton but the terrible situation with the condo structures in Fort McMurray on the upstream side close to Keyano College, where suddenly an entire condominium complex – the people had, like, an hour to get out of there, Mr. Speaker. People were having their dinners or whatever, and then they said, “You must evacuate.” And they said, “Okay; well, what’s happening?” They said, “Well, no, you need to evacuate now; these buildings have been assessed to imminent collapse.” So dozens of families had to leave on the hour, leave everything behind, and then still be stuck with mortgages for a building that you could never possibly sell again because, of course, it was dangerous. They quite literally had structural, foundational problems and, as they said, could fall down at any time, right? Lots of people are still stuck with those mortgages now for the condos that don’t even exist anymore. They just had to tear them down, and, you know, the whole problem just snowballed, right?

There are lots of things that we can do to build a more equitable and fair and protected condominium environment for people. You know, we need to make sure that we build a lot of affordable houses and homes here in this province right now, right? We don’t have to look any further than other cities in Canada. Don’t think that we’re not immune from the same problems that places like Vancouver and Toronto have, where there’s just a dire shortage of affordable housing. We can start to see the – it’s on the horizon here in Edmonton and Calgary right now, and now is the time to build those places. If you don’t, you quite literally are shutting out a whole class of people that can’t afford to live in those places.

Thank you.

The Acting Speaker: Hon. members, anyone else looking to speak to REF1? I see the hon. Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity to speak to this referral amendment. Having had the opportunity to speak previously to this in the main, I just will take a few moments to reiterate some of the concerns that have been addressed. I think that listening to my peers speak about this, we can see that there are a number of issues, kind of fairly wide ranging for a small bill, in fact, and I think perhaps it’s time that we actually give some second thought to this bill and some reconsideration of it.

I think that the first thing that I really want to cover in sort of some depth is the lack of tribunals. I know it’s been quite well articulated by the Member for Edmonton-Ellerslie that there have indeed been – in many provinces there are tribunals that handle these issues. They’ve been designed in slightly different ways, you know, to handle only the smaller issues, like under \$5,000 in B.C., for example, or at least some of the provinces such as Nova Scotia have a dispute resolution officer, that kind of thing. So we see that there’s nothing unusual about having one.

But I also want to add to the fact that there’s nothing unusual about having tribunals even in the government of Alberta. There are a number of situations in which we have tribunals. For example,

when I was the Minister of Indigenous Relations, I worked very closely with the Métis settlements tribunal. It would be very much like that, that we would see in this act a tribunal that was established by appointing an individual by the government who would be responsible for establishing the tribunal so that the actual putting of people on the committee of the tribunal, as it is with the Métis Settlements Act, is independent from government interference. Indeed, in that particular case, for example, it is people who have some relationship to the Métis settlements, some knowledge or perhaps have lived there or are Métis themselves, that are put on that tribunal. You know, it means that decisions are made by people who are close to the ground, who understand the process and procedure, and it seems to work extremely well.

I mean, even this government, who has dismantled so many other things since they got into power, has not dismantled the Métis settlements tribunal, so they obviously must recognize that the tribunal works as intended. I guess my point is that we know how to make tribunals work well. We certainly have the benefit of bringing the decisions closer to the front lines of people who are experiencing the issues, and I think that it’s a huge absence in this particular case.

Now, I know that part of the reason for even bringing this bill forward is that the government was approached by some of the condo associations and corporations. They made a decision to listen to people at that level, which always concerns me because the reason that was presented as to why they needed to move forward is one, actually, I accept, and that is that being able to only resolve problems when somebody is causing damage in the communal areas by going to court really is not a good use of our court time, especially at a time when our court time is highly stressed, and makes it financially difficult for the corporations that need to move ahead to try to get somebody to be responsible for damage in the common areas. You know, actually, I support the argument, but that’s not a good way to resolve what essentially, for the most part, is a minor claim.

8:20

So I would have been happy if the government had pursued that, but they didn’t. All they did is shift who goes to court. They didn’t actually reduce the going to court. They just took the burden off the corporations and put the burden on the individuals, yet again this government siding itself with a business interest over the interests of individual Albertans. I don’t know why they continually do that, but they do. It’s been pretty consistent. I’ve brought this up before, and I don’t understand why they do it. They certainly aren’t interested in saving money for the government because, of course, they’ve not removed the section on going to court. They just changed who has to go to court and who has to bear that burden.

Of course, they put the burden on the people who are least likely to be able to afford it and therefore essentially have effectively made a decision based on your social class as to whether or not you get justice. You know, it used to be that people with money were able to pursue justice because they had the money to do so. Now people without money cannot get justice because they don’t have the money to do so. It’s just a huge mistake. There’s no reason for it. We can actually improve this bill by putting in some kind of a process that keeps it out of court and is satisfactory to both sides.

This government has experience with tribunals. They know that. I mentioned the Métis settlements tribunal, but I also know that tribunals are also used, for example, in appeals for social services, for public assistance, and other places in government. There’s certainly some appropriate experience. Certainly, the intent of the government to keep it out of the courts would be better served if we actually took this bill away and made some changes to it and had

some further consultations. They have yet to have presented any reasons why we shouldn't have a tribunal. I've been listening very closely and have not heard any significant arguments as to why a tribunal is not a useful thing to have, so I certainly wish the government would take a step back.

I also think it's really important that we not put any more barriers into the possibility of home ownership, which essentially this becomes for many people, because if they have a dispute with their board, they suddenly may find themselves in a place where they cannot afford to pay the costs that they're confronted with. It undermines their ability to have home ownership, and I think that's a significant problem. I don't know why this government would not be trying to encourage people in the area of home ownership. We know that the existence of private home ownership and the ability to build equity is actually extremely good for the Alberta economy. It should be encouraged as widely as possible because people who have a home and are able to build equity in that home are then able often to use that equity to further other interests like starting a small business, for example, or going back to school or doing something else that actually contributes to the local economy.

If the only people that can afford to buy a home now, because of the costs that are on them, are people who are already homeowners or corporations who own multiple homes, then what we have is a pooling of money that does not actually help the local economy. The average individual, when they use their equity from their own home, uses it in the local economy, uses it in their neighbourhood on the other small businesses in the other communities in the neighbourhood, and that's good. But if we have a major corporation that's buying all the condos and all the homes, because they're the only ones that are able to do so because of the cost burdens, then what we have is a pooling of money, and that money does not get spent locally. Only a portion of it gets spent locally. Instead, it goes offshore. It goes to other places, where they buy interests in major corporations in other parts of the world or holiday places in resort locations. It's really a negative to shift our emphasis away from individual Albertans being able to build equity to corporations having ultimate control over a circumstance.

Again, I don't know why the government would want to undermine that process, which actually has worked very effectively for many people. I can tell you, you know, that the example of First Nations communities, where people cannot own a home on-reserve and, as a result, cannot build equity, has proven to me, again, in my experience, that it's not a good idea to stop people from being able to build up equity, because what you find, of course, on First Nations is that people can't then use their home to get on and do some of the other things like going back to school or even improving the home for ultimate resale value or starting a small business or many of the other things. It means that we see people in First Nations communities really struggling to get together equity in order to be able to do some of the things we really would encourage them to do.

[Mr. Milliken in the chair]

You would think a government that represents itself as being pro business would understand these lines of argument, but consistently they're not pro business. They're certainly pro corporation but not pro business. I can tell you that I continuously hear from small businesses in my community that the government is not on their side, not making decisions, and is constantly funnelling money away from local Albertans into large entities who frequently take that money offshore and therefore reduce the circulation of the money in the province of Alberta. It's just bad economic decision-

making here. I wish the government would take the time with this referral motion to get this one piece right. It would be a model for them getting a bunch of other pieces right that they have gotten wrong consistently over the last number of years. It's just something I can't understand, why they would choose to do it.

I certainly, you know, support some of the changes here. As I said when I first spoke to it, I would have liked to have been able to support the bill in terms of making voting procedures better although I did have some concerns about some of the things that were said by the Member for Grande Prairie at the time. But I think I can get past that, and I think I can see some desire to support making things function better in condominium associations since house prices have gone up so much, so ridiculously high over the last little while and apparently in Alberta are about to take another big jump up.

Then I'm very worried about the next generation being able to afford a home, so anything we can do to get them into a home – and if that's a condominium because they can't afford the extremely high prices for houses, I certainly would like to see the government do that. It always discourages me when the government does not take into consideration the next generation and the difficulties they have. They just sort of say, "Well, let the market decide," but we can see what the market has decided, and the market has decided that young people are not going to be able to afford homes on average, or if they do, they're essentially going to be house poor for most of their lives because the price of a home nowadays – I know my own home is now worth more than three times what it was when I originally bought it.

I know that one of my children moved to Vancouver some years ago, and they watched house prices go up by four times in Vancouver. We know that's about to happen in Alberta as well. All the real estate agents are in the process of having conversations with people selling in large markets like Toronto and Vancouver, coming back to Alberta, and buying up, for the purposes of creating rental properties, homes and therefore elevating the market here in the province of Alberta. Again, very good for the corporations that can afford to do that; terrible for average Albertans who are just trying to put together a living and just trying to, you know, establish a future for themselves and their children.

At this time, Mr. Speaker, I would like to recommend adjournment of debate.

[Motion to adjourn debate carried]

8:30

Bill 21

Red Tape Reduction Statutes Amendment Act, 2022

[Adjourned debate May 5: Ms Phillips]

The Acting Speaker: Are there any members looking to join on Bill 21? We are on the main bill. I see the hon. Member for Calgary-Bhullar-McCall has risen.

Mr. Sabir: Thank you, Mr. Speaker. I rise on Bill 21, Red Tape Reduction Statutes Amendment Act, 2022. Let me preface by saying that whenever this government tables an omnibus piece of legislation, based on my experience, it is usually to hide controversial changes. Also, I think I would remind the government that whenever we had a piece of legislation, even very related pieces of legislation put together in a piece of legislation – for instance, labour relations and changes to the labour code – this government, the opposition back then, would cry foul, that this is an omnibus piece of legislation and that it's not possible for them to analyze and debate this bill effectively.

But this government has consistently put forward red tape reduction bills containing changes that are way more substantial than just red tape, than just streamlining process, than just making things easier for Albertans. Most of these changes are substantial and should be discussed as stand-alone pieces of legislation. For instance, this bill gives enormous and widespread powers to the minister of environment over provincial parks. This alone is enough not to support this bill.

I will quote directly from this bill. Under the heading Minister's Directives and Codes the bill says, "The Minister may set standards, directives, practices, codes, guidelines . . . or other rules relating to any matter in respect of which a regulation may be made under this Act." That's a huge and wide power that this bill is giving to a minister who nobody trusts. Let me interpret it for them. What this provision is saying is that the minister can do anything he wants, basically anything. That's what this provision is saying. And when we look at this government's record on parks, I don't think that this Legislature should be giving this minister these kinds of powers. That's a disservice to Albertans. That's a disservice to our constituents.

Initially they tried to close down and sell off our parks. Then the public found out, and then they were pushed to back off from those changes. Then they leased out the Rocky Mountains for coal mining. Then they got push-back, and it's still not clear whether they have reversed everything yet or not. And now this government is asking this Legislature to give the same minister carte blanche, that he could set standards, directives, practices, codes, guidelines, and other rules relating to the matters within this act. I don't think that such broad power is needed for any minister and especially this government and this Minister of Environment and Parks.

Again, these changes are buried in this red tape reduction bill in the name of red tape. I think the government is giving itself power to essentially partially privatize our parks. They have already put fees on Kananaskis Country, that was free for five decades for all Albertans to go to, but during the pandemic they found out that Albertans are visiting it quite often: let's slap them with a charge. Now Albertans have to pay \$90 per year. I can see that the Member for Banff-Kananaskis is cheering that on.

Ms Rosin: I sure am.

Mr. Sabir: I think that because this legislation gives the minister fairly universal powers, I urge each and every member of this House to oppose this piece of legislation, oppose these kinds of powers. They are not good for our environment, they are not good for our parks, and they are not good for this government, that cannot be trusted with parks or anything, for that matter.

The second thing: we are also concerned about the government agenda with respect to the Education Act. Even the government is confused about: what are the changes contained in this act? The minister who put forward this piece of legislation is claiming one thing, and the Minister of Education is claiming things which are exactly the opposite. To add to that confusion, the government released a backgrounder on what this legislation does to the Education Act from the Associate Minister of Red Tape Reduction that appears totally inaccurate and which the Minister of Education even thinks is inaccurate.

It's clear that there are changes in this piece of legislation that have nothing to do with red tape – it's just furthering the government agenda to destroy our parks, our pristine nature – and there are changes contained in this piece of legislation that further erode accountability, so we cannot support this piece of legislation. These changes are not worth supporting. I think, with that in mind, that these changes are way more than red tape reduction, that these

changes are substantial, Mr. Speaker, I would like to move an amendment, a referral amendment to this legislation. I have the requisite copies ready to be distributed.

The Acting Speaker: Once I have a copy of it, I'll just give you a few further instructions.

Thank you, hon. member. If you could please read the amendment into the record for the benefit of all those watching. As well, for the purposes of debate this will be referred to as REF1. All members will of course receive a copy.

If the hon. member could please continue, with about six minutes remaining.

8:40

Mr. Sabir: I move that the motion for second reading of Bill 21, Red Tape Reduction Statutes Amendment Act, 2022, be amended by deleting all of the words after "that" and substituting the following:

Bill 21, Red Tape Statutes Amendment Act, 2022, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

As I said, this bill amends 16 pieces of legislation. I do want to acknowledge that there are amendments which are administrative in nature and part of this piece of legislation, this miscellaneous statutes amendment act, but there are changes that give wide power to the minister of environment to do all kinds of things without oversight from anyone, for that matter. The second thing is that this bill also removes accountability by making changes to the Education Act. At least these two changes are not acceptable under any circumstances and since, I think, changes made to the Alberta parks act are fairly substantial.

This bill and the subject matter should be referred to the Standing Committee on Resource Stewardship, where we can look at the changes and how they will impact our parks, what Albertans have to say about these changes. And trust me that at this point if this government asked the public that they be given powers over their parks, powers over their natural beauty, I don't think Albertans would be giving them that power, because Albertans don't trust them. They cannot trust them. Their track record on this file is that at first they tried to sell off parks, then they tried to close down parks, then they put fees on the parks, then they tried to strip-mine the Rocky Mountains, and the list goes on and on. They've been trying to hide all those things until they are caught by the public, and then they will backtrack. So I don't think that the minister has earned the trust of Albertans to ask for these kinds of sweeping powers. These powers should not be given to this government or this minister, and Albertans should not trust and we don't trust this government on that.

The second thing. The changes contained with respect to the Education Act are confusing, and even the Associate Minister of Red Tape Reduction and the Minister of Education can't be on the same page with respect to these changes. One was telling the public that they will not have to report. The other one is saying that, no, they will still have to report. It's still very confusing. I would suggest that people are paying for these schools, whether they're private, whether they're charter, and Albertans have every right to know how much in funds Albertans are paying and how those funds are spent, how those funds are helping with education. But now this government is removing those reporting measures, that will now be under the discretion of the school and under the discretion of the minister.

This government has a problem with accountability. Like, they have done things from day one where they will try to hide

information. For instance, Mr. Speaker, you will know about the war room, a \$120 million entity. Three years in and nobody knows how many people they're employing, what work they are doing, where they are stealing their logos from and how much they are paying for them, all those kinds of things. They have exempted that from FOIP. I think a similar kind of thing is going on, that public funds are spent on private education, but they are refusing now to share that information so that the public can hold this government to account.

So that's why it's important that we not read this bill for the second time – it's not worth reading – and send the subject matter of this bill to the Standing Committee on Resource Stewardship, where we can discuss this bill in detail. It's important that we send at least one bill to the Standing Committee on Resource Stewardship because when the Premier was sitting in opposition, he would ask that every bill be sent through the committee process because that was happening in Ottawa, and he thought that was a very good process, an excellent process. That was an excellent opportunity for people to engage, Canadians to engage, and he wanted to bring that back here. Now, I guess, for this government that's an opportunity. Send this piece to that committee so that Albertans can weigh in, stakeholders can weigh in, and they can make this legislation a bit better.

With that, I urge all members of this House to support in favour of this referral and refuse to give the minister of environment any more powers on Alberta parks or the Rocky Mountains and demand accountability from this government and not curtail that accountability any further.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to join on REF1? I see the hon. Member for Edmonton-West Henday has risen.

Mr. Carson: Well, thank you, Mr. Speaker. It's a privilege to rise this evening to speak to Bill 21, the Red Tape Reduction Statutes Amendment Act, 2022, and, more specifically, on the referral amendment put forward by the Member for Calgary-Bhullar-McCall. Again, just reviewing it, that this piece of legislation, Bill 21,

be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

I completely support this amendment for many reasons, that I will get into, the first one being that, I think with any government but maybe this one in particular, there is a lack of accountability, as the previous member was speaking to, on many issues and also a failure to communicate, Mr. Speaker, on, again, this issue but many others that came before it. Unfortunately, from this government we have seen a pattern of rolling out legislation or proposing changes to regulations, legislation, and there are a few instances of that within this, not only on the sweeping powers that the government is proposing be given to the minister of environment but also on the changes that are being proposed from the Ministry of Education around transparency and reporting in terms of the funding that's provided and tuition costs.

In both of these instances we see a government that is failing to communicate clearly to the public. As we see so often from this government, instead of clearly ensuring that the communication is understandable and that Albertans can see why these things are being proposed, like so many times before it, we have a government that instead would blame Albertans, blame the opposition, blame everyone but themselves for not understanding this.

We saw this from essentially day one, Mr. Speaker, when the opposition back in early days of 2019 were putting forward reasonable comments towards legislation, just like we always do, and instead of engaging in the debate, as a government should on their own legislation, they actually came into the Legislature and put earplugs in their ears, the majority of the members from the government, and it was actually the Premier who handed them out. It really goes back to the attitude of this cabinet and this government, that instead of listening to the debate that is taking place, listening to the concerns of Albertans, understanding and empathizing with them for their concerns and potentially the confusion from a lack of clarity that they have communicated, instead they would rather ignore those concerns and just continue on, steamroll through.

Again, that goes back to why I am supporting this referral amendment, because, like so many other pieces of legislation before it, there's an opportunity for us to take the time to hear from stakeholders, from experts who are, rightfully so, concerned about the sweeping changes that the minister of environment is proposing we accept in this legislation. It should come as no surprise to you, Mr. Speaker, that we in the opposition, above and beyond all the many expert stakeholders in this field, are concerned about this legislation because of the track record of this environment minister and when we look at what is being proposed in here, the opportunity for the minister, if this legislation is passed, to set standards, directives, practices, codes, guidelines, or other rules relating to any matter in respect of which a regulation be made under this act.

8:50

What we heard from the minister is that there are concerns around being able to change signage in specific parks or other areas, so we have to accept that these sweeping changes are the only way for that minister to carry that out, which, first of all, is unbelievable to me, Mr. Speaker, but, second of all, is quite a massive change in the legislation to allow this minister to do much more than allowing signs to be changed with less red tape. I think that, again, there are already opportunities to do this quite clearly, but if it is the case that there are issues there, we could be considering something much less expansive, I suppose, than what is being proposed by the minister in here.

Again, when we look at the track record of the environment minister, the move to sell or privatize our parks, only from the massive amount of push-back – and you have to understand, Mr. Speaker, that it was a lot of push-back, because for this government to actually listen to the people of Alberta requires a whole heck of a lot of push-back, I would add.

As the previous member also talked about, the rescinding of the Lougheed coal policy is another thing that caused great concern for experts and regular Albertans because, above all else, when it comes to our nature, they believe that we need to do our best to respect it and protect it and ensure that it is there for generations to come.

Again, beyond that, when we look at the changes that the environment minister has carried out and even with the large outcry from the public around the \$90 Kananaskis pass – and I know that even this evening the Member for Banff-Kananaskis heckled the Member for Calgary-Bhullar-McCall when he brought up that point. But it again goes back to the great amount of disconnect from this government when so many Albertans are concerned about this government moving to charge more for being able to access things like Kananaskis and, instead of listening to them and understanding what their concerns are, just barreling ahead, which goes back to why this should be referred to the committee, the Standing Committee on Resource Stewardship.

Again and again this government has proven that they aren't willing to listen, but I think that it is our job as an opposition to offer them another opportunity to sit down with the stakeholders and truly understand why they are so concerned about the sweeping changes that are being proposed in here regarding the ability and the power of the minister to change standards, directives, practices, codes, guidelines, and beyond.

This isn't the first time that we've seen UCP ministers try to propose such sweeping changes and, well, really trying – you know, in this instance we're calling it the Red Tape Reduction Statutes Amendment Act, but it is much more than that, Mr. Speaker. Previously we saw the Health minister proposing changes in Bill 10 that would have allowed that minister to pass laws without actually coming to the Legislature, and it wasn't until great outcries, specifically from members that they would identify as their traditional supporters, came out and attacked them for those changes. So this isn't the first time that we've seen this government propose sweeping changes to legislation that would give their ministers so much power above and beyond what they are communicating to the public.

Whether it is on the issue of Environment and Parks and the powers that this minister is trying to give to themselves or the changes to the transparency of reporting of tuition for schools in our province, which was also very ineffectively communicated to the public – it has left so many questions even between the Associate Minister of Red Tape Reduction and the Minister of Education. We can't even get a straight answer between the two of them. They both have very different thoughts on what the changes are actually making. One says, you know, that transparency is going to be increased and that more reporting is going to be required, and the other minister says the exact opposite in terms of the amount of reporting that is required. We can't even get the ministers to agree on what these changes are, yet the government expects Albertans to accept those changes at face value.

I think that it is important for us as legislators and as members to take the time to evaluate what is truly being proposed in here, what the full range and scope of powers are being proposed by the minister of environment to give to himself and his ministry, because it doesn't seem clear that the government, maybe even the minister based on the way that he is communicating these changes, actually understands what is being proposed in this legislation. And we might find ourselves in a situation just like we did with Bill 10, where the government has to come back to the Legislature and actually revoke some of the powers that are being given to themselves, which is very unlikely, Mr. Speaker. I think that there were specific reasons for what transpired with Bill 10. Very unlikely that the environment minister would admit a mistake in the first place but actually come back and fix it. Very doubtful.

But that is why it's so important for us to take the time to review Bill 21, the Red Tape Reduction Statutes Amendment Act, 2022, because I believe on the topic of reporting and accountability and transparency, there are other concerns around reporting for things like avian flu, which is so topical right now in our province because of the devastation that that is causing. There is an opportunity here for us to get this right, for us to reduce red tape, as this government is proposing to do through this legislation, and ensure that the proper stakeholders are at the table and that all Albertans truly understand what is being proposed here, because I don't think that we have come to a place where we can accept at face value what the minister of environment and the Minister of Education are proposing through this legislation.

With that, I think I'll take my seat. Again, I appreciate the Member for Calgary-Bhullar-McCall putting forward this referral amendment. I also appreciate the member's comments because they

were very relevant and very clear and showed the track record of this government and why in so many instances, including this one, the government, the UCP, and its ministers can simply not be trusted.

Thank you.

The Acting Speaker: Thank you, hon. member.

Next on REF1 I see the hon. Minister of Municipal Affairs has risen.

Mr. McIver: Well, thank you, Mr. Speaker. I'm just going to talk here for a couple of minutes and correct a few things. The other folks seem to be confused. They've been in this House. They ask questions. They don't understand, amongst other things, what a great job the environment minister is doing. Particularly, I love it when they're talking about Kananaskis. For four years they did nothing. I guess I would just point out to them that it's a little more work to do what our government is doing, trying to keep the backcountry of Alberta available to Albertans to go and enjoy it and to plan to do improvements there and to let people use it.

Now, I appreciate the other side. Their whole effort was to lock Albertans out of the backcountry and not let them ever go there. I suppose that would preserve the backcountry, but they forgot that we haven't forgotten, on this side, that we work for Albertans. On the other side I'm not sure who they were working for, but it sure wasn't the people that live in this great province.

It takes a little more effort. In fact, you want your environment minister to have some authority to make changes, because in the more complicated world that we want for Albertans, where they can go and enjoy their province – not the NDP's province; Albertans' province – sometimes when you've got people out there in the backcountry doing things, it comes around to a place where something needs to be changed, and that's the point where you want your environment minister to have some authority.

On the other side they want to lock everybody out and basically put a fence around the outdoors of Alberta. I suppose that's less complicated and a little easier to govern. In fact, I guess we saw an extension of that even during COVID, when they wanted Albertans all locked in their homes for months on end, essentially two years, for the most part. I guess they prefer simplicity in government by locking Albertans in their homes, not letting them go out into the backcountry, not letting them enjoy their lives.

On this side of the House, Mr. Speaker, we work for Albertans, and we know that Albertans want to leave their homes. They want to gather. They want to get together. They want to go and get a meal at a restaurant. They want to go hiking in the backcountry. They want to take their ATV out in the backcountry. They want to go fishing. Some of them want to go hunting. This is a little more complicated because under the UCP government we want Albertans to go out and enjoy their whole province, which means there are moving parts; 4.3 million moving parts called people. And, you know, when we all want to allow those people to go out and enjoy this great province that we all live in, because it's their province, that's why you need your environment minister to have some authority to make changes along the way when it becomes apparent that some rules and regulations need to be adjusted.

9:00

So I can see, when they want everybody locked in their homes and out of the backcountry, why they don't think the minister needs any authority. They seem to envision a stagnant Alberta where people stay in their homes, they're not allowed to go out for a walk or a hike in the woods, not allowed to go on an ATV or go fishing or go hunting. I suppose that if that's the case, then the minister

doesn't really need much authority, because in the almost police state that the folks across would prefer – yeah. Okay. In that scenario, I suppose, ministers don't need that much authority, but on this side when we want 4.3 million people using, enjoying, and looking after the whole province, you need your minister to have some authority, some flexibility.

The minister has done a great job. The award-winning Kananaskis pass is giving this government some resources and some ability to improve things in the park, to improve how often the garbage is picked up, to improve the number of peace officers out there making sure that when those good 4.3 million Albertans forget to follow the rules, someone's there to responsibly remind them to follow the rules.

I understand why the folks across don't understand this, but if they did, they wouldn't put forward an amendment that would stop all this ability for our government to look after the backcountry and give our government the ability to make changes when people are out. We don't want people locked in their homes. We want people to use the backcountry. We don't want Albertans locked out of, essentially, the entire outback or the whole great group of nature, the millions of square kilometres of nature in this province. The folks across don't want Albertans to use that, to see that, and enjoy that. On this side we do. That's why the minister needs some authority, which is why this amendment shows, basically, a lack of understanding of what Albertans want.

I don't know about you, Mr. Speaker, but I certainly won't be supporting this amendment.

The Acting Speaker: Thank you, hon. minister.

Next I see the hon. Member for Edmonton-Castle Downs has risen.

Ms Goehring: Thank you, Mr. Speaker. It's my pleasure to rise this evening to speak to Bill 21, the Red Tape Reduction Statutes Amendment Act, 2022, on REF1. The hon. Member for Calgary-Bhullar-McCall moved that the motion for second reading of Bill 21, Red Tape Reduction Statutes Amendment Act, 2022, be amended by deleting all of the words after "that" and substituting the following: "Bill 21, Red Tape Reduction Statutes Amendment Act, 2022, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2."

I have to say that I agree wholeheartedly that this should be referred to committee. I think that when we're talking about a piece of legislation that has ministries of red tape, Education, Municipal Affairs, agriculture, Children's Services, environment, Health, Service Alberta, Transportation, Treasury Board and Finance – and then, on top of that, there are 16 sections with amendments to 16 acts. Those acts, Mr. Speaker, are the Animal Health Act, the child and family enhancement act, the Cooperatives Act, the Education Act, the Health Statutes Amendment Act, 2021, the Highways Development and Protection Act, the Local Authorities Election Act, the Motor Vehicle Accident Claims Act, the Municipal Government Act, the Pharmacy and Drug Act, the Provincial Parks Act, the Public Lands Act, the Railway (Alberta) Act, the Residential Tenancies Act, the Rural Utilities Act, and the Surveys Act.

Now, there have been ongoing questions from this government about what it is that Albertans want, and all of the legislation that we have seen is not actually addressing the concerns. We have a minister who's responsible for red tape who I question why even has a ministry when each minister under those previous acts should be able to go through their own ministry and articulate what is being impacted and what needs to change.

We have a situation that happened between the red tape ministry and the Education ministry. On one hand, the Associate Minister of Red Tape Reduction was claiming loudly and vocally that private schools will no longer have to produce financial data, and then we had the Minister of Education claiming loudly and vocally that that isn't true. We have a ministry created to go through all of the other ministries, and then the ministers responsible for those ministries are contradicting what's happening. So we can't even trust this government to talk to each other. How can we trust that they've actually spoken to Albertans?

I think that when we talk about referring a piece of legislation to a committee, this would be a prime example. I think there would be many people from Children's Services, environment, Health, Service Alberta, Transportation, Treasury Board and Finance, Municipal Affairs, agriculture that would love to come to the table to talk about the changes that are impacting them and perhaps a minister that hasn't consulted not only with the ministries but, I would suggest, with Albertans.

[The Speaker in the chair]

I think that when we have the opportunity to send a piece of legislation to a committee, they're able to do a robust job in outreach, in talking to those Albertans that are being impacted by this legislation. There's an incredible opportunity to have that information presented either by written submission, or there's an opportunity to hear directly from stakeholders. I would argue that this piece of legislation, this omnibus, is one of those times when there are probably a lot of individuals and stakeholders that have a lot to say about the ministries that are being impacted when it seems the own minister isn't in agreement with what the red tape ministry is doing.

So when we see that kind of thing happening within the Legislature, it begs the question: who is this minister talking to? If she's not talking to the ministers responsible for the actual acts, who is providing this information and this feedback that these red tape reductions are required? I would argue that it should be the people that are actually being impacted by the legislative proposals that are in the Red Tape Reduction Statutes Amendment Act.

One of the best ways to do that is to utilize the committees that we have set up through this Legislature, to use the incredible services of the LAO when it comes to research and a cross-jurisdictional scan. They're able to do outreach requests. They're able to reach out to Albertans in ways to have them provide feedback. I would argue, Mr. Speaker, that it doesn't seem that this minister has actually done what's required, so when we're looking at this much legislation and 16 acts that are being asked to be changed, I would think that being able to have the committee review the information with stakeholders and hear directly from Albertans would simply make sense.

I think that when we have something as serious as CYFEA before this Legislature under the Red Tape Reduction Statutes Amendment Act, I just question why the minister of red tape is overseeing this piece of legislation when we've witnessed the most deadly year on record for children in care. I would think that this should be something that should be handled directly under the Children's Services ministry. We've been asking for this government to do something, and what we have instead is this UCP government saying: just trust us.

We have this really essential piece of legislation under CYFEA being opened up by the red tape reduction minister. I don't understand how something that is this significant and this important and serious, that's happening right now – why is the red tape minister addressing it? Why isn't it coming directly from the Minister of Children's Services? We have so many heartbreaking

stories of children dying in care. For it to come through and be opened through red tape, it just doesn't speak to the importance that this government sees for the children in care.

9:10

I know that there are restrictions in place and minimums in place because of concerns that had previously been brought forward by other reviews. I know that in 2003 there was a review that happened, and it changed some of those regulations in those time periods. There were significant concerns at the time about I believe it was the Child Welfare Act that were brought forward. There were significant allegations of lack of care and protection in that system. The consequence of that was that a class-action suit was brought against the government, and the government lost. So instead of really looking at what's happening in the current child and family enhancement act and the Children's Services system, instead of opening it and doing a really thorough evaluation, they're sending it off to the red tape reduction statutes, which, to me, is very concerning, and it speaks volumes to the level of concern that this government sees for children in care.

I know that children in care is a very complex system. I know the CYFEA act is very complicated, and I know that workers working under that piece of legislation work under several pieces of legislation. They have CYFEA, they have the Family Law Act, they have PSECA, they have the Drug-endangered Children Act. There are so many different pieces of just that work environment that impact CYFEA.

Then to hand it off to the red tape minister: it doesn't make sense. I think that it's a huge detriment to children in care and families when it's being passed off like this. I think that when we're seeing the reports that are coming out of the Child and Youth Advocate's office, when we're hearing the cries from Children's Services workers, from foster parents, from kinship providers, from physicians, from people that provide mental health services to children and youth, there is a crisis happening with children in care.

When this government decided to stop providing services to youth over 22, when they rolled it back from 24, that was such a damaging decision, and the impact has been that children are dying. Instead of opening up that legislation and really getting to the heart of the concern and listening to the recommendations that are coming, what they're doing is that they're handing a piece of it off to the red tape reduction statutes minister under piles and piles of legislation. What are they trying to hide?

I think this government has shown an incredible lack of transparency, lack of consultation. I hear over and over from constituents that have had decisions made that they can't believe it's happening. When we have what is the deadliest year on record for deaths of children in care, I just can't understand how a piece of the legislation under CYFEA is being handed off to red tape reduction. There was an opportunity to open up that legislation, look at the minister responsible, and make some impactful, meaningful changes. Instead, we have this omnibus legislation that's being pushed through.

I'm curious how many other pieces in this legislation are going to be handed off to a minister that didn't really consult with other ministries. We saw that with Education, where there were two complete opposite messages happening. That's concerning. I think that by referring it to committee, it provides a real opportunity to get to the heart of what this government is trying to do. At least provide some transparency. At least identify if the stakeholders that are being impacted by these changes believe that the changes are actually red tape reduction. We've seen, over and over, pieces of legislation brought forward by this ministry in what seems to be an attempt to create work when every one of these ministries has

capacity to look through their own ministry and identify concerns, areas that need to be changed, make good decisions to really reduce red tape, but when we're giving it to a minister that doesn't have the depth and understanding of each one of these decisions in these ministries, there are some significant concerns.

I think that when it comes to referral to committee, I would argue that committee would be able to give the time that's deserved to go through this incredible legislation. There's so much: 16 acts, Mr. Speaker. I think that this would give opportunity for some real robust consultation to occur. This would give some opportunities for those engaged in many different industries to have voice, because that's a theme that we've heard the entire time that the UCP has been in government, that there isn't consultation, that stakeholders aren't feeling heard. By providing the opportunity for this legislation to go to committee, it does exactly that. It invites those that are impacted by this omnibus legislation to come forward and present their ideas and their information. If it really is about reducing red tape, I would say: get it right the first time; make sure that you're doing things that the people are actually asking for.

With that, Mr. Speaker, I would ask that everybody support the amendment to refer to committee.

The Speaker: On amendment REF1 are there others? The hon. Member for Edmonton-Beverly-Clareview has the call.

Mr. Bilous: Thank you very much, Mr. Speaker. It's my pleasure to speak to this referral, which shouldn't come as a surprise to members of the Assembly, that I support. You know, I'll take my time to speak about elements of this bill that I do support, again, that I wish weren't bundled with amendments to various pieces of legislation that I can't support or at least not in its current state. Recognizing that we're in second reading, there are opportunities to amend this bill, and I hope that the government will be amenable to the amendments that the opposition will put forward.

You know what's interesting about this bill, Mr. Speaker? I appreciate the spirit of what the government is attempting to do, and I don't disagree. I mean, the difference between this government and the previous government was that each cabinet minister took it upon themselves to look at regulations that were under their purview in each ministry and, every time they were up for renewal, which is what governments for decades and decades had done, put a time allocation on when regulations would have to be renewed by cabinet. Honestly, that's what preoccupies the majority of time of cabinet, reviewing regulations that have a review date on them. Now, one could argue that that's red tape and time consuming. Yes, but you could equally argue the opposite, that the fact that cabinet has to review previous regulations that are attached to a bill means that they're putting that day's lens five years later, a current lens, on previous regulations to ensure that there's a conversation around: are these regulations necessary, and can they be amended? Can they be ameliorated? Can they be cut out altogether?

9:20

You know what? I can't help but think about examples when the current government came into power and talked about all of the regulations that Alberta had – but Alberta still had, I think, a third or a fourth of the regulations that the province of British Columbia had – and how much further we were ahead. Part of that is because – I remember, Mr. Speaker, getting briefed by my department, when I had economic development and trade, that there was a regulation in the province of British Columbia for bar owners about the height that a television could be. Now, I don't know the backstory and the history as to why there was a regulation prescribing how high a television could be off the ground, but there was.

British Columbia got rid of that regulation and many others, and the government of the day looked at how many they got rid of and used that as a comparator for Alberta. But the problem with that and the reason that it's apples to oranges is that Alberta has never had regulations prescribing where bars and pubs can have their televisions. Like, for us today it's ridiculous, or at least that was my reaction thinking about that regulation that existed in British Columbia. They eliminated that, but that was part of the total tally of the regulations that British Columbia had, so when you compare it to Alberta, it's apples to oranges.

I'll give you another example, Mr. Speaker. I'm proud to be the minister that signed onto the new Canadian free trade agreement and negotiated a number of reductions in regulations. In fact – and this is where I have fun with the current Associate Minister of Red Tape Reduction – how many golden scissors does she have? As government we negotiated with other ministries across Canada to reduce red tape, to enable further trade with other provinces, so to reduce those barriers. I'll be the first to admit that there are ridiculous barriers and barriers that I pushed back against.

I mean, the fact – here, I'll give you a great example, Mr. Speaker. There are differing regulations on the containers for dairy creamers between provinces, so if you are a company that puts dairy products like coffee cream into different containers, you cannot do it once uniformly across the country. Every province has different stipulations for the size of the dairy creamer you can use. Now, if you're shaking your head, Mr. Speaker, so was I. That seems absolutely ridiculous. There is a black-and-white example of red tape that is costing our producers dollars for no reason today. Now, I'm not about to argue whether there was a valid reason in the past for why that existed – I'll leave that be – but why that exists today makes absolutely no sense. So as much as we can harmonize, those examples I'm behind a hundred per cent.

Mr. Speaker, there are a number of areas that we need to work together on, but the challenge that I presented the Premier with years ago, in fact, the first year that we were in estimates, was the fact that, you know, when I was at the bargaining table negotiating the Canadian free trade agreement and other provinces complained about the fact that Alberta had – and this is how you skew statistics – more exemptions than other provinces, other provinces used that as a way to attack Alberta.

But when I turned around and said, "Our exemptions, for example, for our energy sector are very specific to elements of our energy sector and not just elements within oil or gas or electricity but within those spaces very, very limited," other provinces argued, "Well, you have more exemptions than we do." Yeah. Do you want to know why that is? Because in Ontario they exempt the whole of their energy sector. The whole of their energy sector is not reciprocal for the rest of the country. How is that more of a free trade economy than Alberta, that had a higher number but the exemptions were pinpoints? They weren't exempting the whole energy space. That was the argument that I put forward every time to my former colleagues who were trade ministers.

The point of this, Mr. Speaker, is that, you know, you can use any stats you want and skew the heck out of them in your favour, but the reality is that at that time . . .

Mr. Rehn: You do it regularly.

Mr. Bilous: If members are accusing us of doing that regularly, just listen to your front bench. Give me a break.

The point is, Mr. Speaker, that if we're fighting for the outcome, then that's what we should be looking at and, you know, not all the rest. There are numerous examples where the opposition presses the government on outcomes and on showing and demonstrating those outcomes where it's frustrating when the government doesn't subscribe to that same logic. I mean, I can give you countless examples where throughout estimates I've talked to and challenged the minister to demonstrate or articulate – not even demonstrate; articulate – the outcomes of different entities, and I couldn't get a straight answer. This is where government can talk about how much they want government to be like the private sector. Well, if you're like the private sector, then you have to have targets and outcomes, and if you can't demonstrate that you're reaching those outcomes, there are consequences. This government: not at all. Not at all. Articulate a single outcome or target of Invest Alberta, and then show the metrics: can you? You can't. Trust me, in a couple of weeks I'll highlight that.

The point is, Mr. Speaker, that what we want to see – and on this side of the House we're also in favour of whatever measures the government can implement to expediate business and to make Alberta more business friendly, but what we see in a number of these red tape reduction bills are either examples that could be done within the ministry that don't need legislation – but the government needs to prove that they're actually doing something in this space – or we see examples where the government is confused. There have been a number of examples or instances where my colleagues have pointed out the fact that there's been a discrepancy between the words of the Associate Minister of Red Tape Reduction and the Minister of Education. To my knowledge, there still has not been a clarification on this, so when it comes to private schools having to disclose their spending, there's still a confusion as to what needs to be disclosed.

9:30

But I can tell you, Mr. Speaker, I'm – you know what? If private schools were funded privately, 100 per cent privately, they don't have to disclose. They're like a private corporation. They don't need to put out their financials. But if a private school receives a dollar of public funding, so similar to the TSX, for all my investor friends – if it's a publicly traded company, they have to disclose their financials. What is the difference between that and this bill? There isn't. If a private school is receiving funding from taxpayer dollars, then they should disclose. That is the issue that I have with this bill.

Now, I could go on for a long time, as every member in this Chamber knows, and I will.

Mr. McIver: Please do.

Mr. Bilous: Oh, I make that commitment, not in this instance, but I will. I will, especially for the Minister of Municipal Affairs, because he's asked me to and I respect him in that.

However, Mr. Speaker, I've said my piece. For that, I move to adjourn debate.

[Motion to adjourn debate carried]

The Speaker: The deputy government whip.

Mr. Rutherford: Thank you, Mr. Speaker. I move that the Assembly be adjourned until 10 a.m. Tuesday, May 10, 2022.

[Motion carried; the Assembly adjourned at 9:32 p.m.]

Table of Contents

Government Bills and Orders

Second Reading

Bill 19	Condominium Property Amendment Act, 2022	1233
Bill 21	Red Tape Reduction Statutes Amendment Act, 2022.....	1238

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