



Province of Alberta

The 30th Legislature
Fourth Session

Alberta Hansard

Monday evening, December 5, 2022

Day 4

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Fourth Session

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Party standings:

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New Democrat: 23

Independent: 2

Vacant: 2

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Legislative Assembly of Alberta

7:30 p.m.

Monday, December 5, 2022

[The Speaker in the chair]

The Speaker: Please be seated.

Government Bills and Orders Second Reading

Bill 1

Alberta Sovereignty Within a United Canada Act

Mr. Bilous moved that the motion for second reading of Bill 1, Alberta Sovereignty Within a United Canada Act, be amended by deleting all of the words after “that” and substituting the following:

Bill 1, Alberta Sovereignty Within a United Canada Act, be not now read a second time because the Assembly is of the view that the bill is negatively impacting investment decisions and the Alberta economy and should not proceed in order to protect the economic well-being of Albertans.

[Debate adjourned on the amendment December 1: Mr. Stephan speaking]

The Speaker: The hon. Member for Red Deer-South has four minutes remaining should he choose to use it.

Hon. members, amendment RA1. Are there others? The Leader of the Opposition has risen.

Ms Notley: Thank you very much, Mr. Speaker. I rise to speak, I believe, in favour of the motion as part of our overall position that we are very much opposed to Bill 1, as I believe members of the government have since become aware of.

I think I have a fair amount of time to talk about this tonight. We'll see how long it takes. Let's start with what it was, Mr. Speaker, that the Premier claimed was driving the introduction of this bill. I think that if you go far enough back, it's probably the case that you can actually find some areas of common interest between the government and the Official Opposition. In particular, the Premier identified the fact that there are occasions where the federal government oversteps its jurisdiction or, in other cases, even acting within its jurisdiction does things that many people in the province of Alberta disagree with. I think that we can all agree that that does sometimes happen.

Now, I'm not going to go through a long analysis or critique of the so-called history that the Premier reviewed when she first spoke to Bill 1, mostly because it was a particularly revisionist version of history and one that I know she has sort of unwound on her talk show over many years but not one, I think, that is particularly connected to what actually happened, at least not in most cases.

However, in some cases there is definitely commonality. The Premier often talks right now about two issues, which I think do definitely stand to serve to be a source of friction in some cases between some Albertans and/or the provincial government and the federal government. One relates to the conversation that is going on right now about the proposed emissions cap in the oil and gas sector, and the other relates to, I think, some long-standing concerns that both the current government and the previous government, that being the one that I led, had with what at the time was called Bill C-69, which is the federal government's environment protection act. I think it is fair to say that there is some common concern shared there.

I would, however, also argue that the behaviour of this UCP government since they've been elected doesn't actually align with

the behaviour you would expect to see from a government that was truly pursuing solutions. Rather, it is behaviour that you expect to see from a government that is using an external target of anger as a means of distracting from the many, many, many things that they are failing to get right and to fix and to work on in their own backyard. That is the pattern that we have seen. An example for that, actually, I would argue, could be applied to the conversation that we are currently having about the proposed or the draft emissions cap.

Now, there was an emissions cap that our government had proposed with the climate leadership plan, which was considerably higher than the one that is currently being put forward by the federal government. Now, it is actually true that if the provincial government had maintained provincial jurisdiction in the matter that is a shared jurisdiction around environmental protection and the way in which efforts to reduce emissions impacted the oil and gas sector, if they had maintained a sense of ownership and responsibility with respect to those issues, the odds are very good that the conversations and the collaboration between the government and industry and ultimately, through that, in relation to the federal government would have resulted in a resolution that met common objectives on both sides of the argument, both ensuring that the outcomes were reasonable for the oil and gas industry and were actually achievable in a way that did not negate production and didn't negate the jobs of hard-working Albertans and at the same time pushed the oil and gas sector to truly invest aggressively in those kinds of innovations that would bring about the kind of important emissions reductions that all of us in Alberta as well as across Canada and across the world need to see.

We could have gotten there, and through that we would also have eliminated the uncertainty that currently exists and is percolating around right now on this topic. But, you see, we're not at that point, Mr. Speaker, and we're not at that point because this government decided instead to engage in a whole series of statutory and regulatory and communications-based temper tantrums not to achieve an outcome but, rather, to speak to and maintain support amongst a certain base within Alberta. Their audience was always Alberta voters; it was never the people who we should have been working with in order to achieve an outcome that would give greater certainty and better outcomes for industry as well as our environment. So they didn't do the job, and they abandoned the space.

I agree that we are now in a position where we have a federal government offering up a draft emissions cap which is problematic for the industry and problematic for Albertans, but what I will say – and I will speak more about how this act does absolutely nothing to address that issue, but at the same time I will also say that there were better tools at the disposal of this UCP government to address this problem, and they did not do it. As a result, we are instead working with a bill that is purported to achieve one objective but, in fact, is exceptionally distant from that objective.

Now, the other one that the members talk about, of course, is, you know, responding to the elements of the environmental legislation that were amended as a result of Bill C-69, and on that there were common positions again between the UCP government and our government. Indeed, we did detailed submissions to the federal government and to the Senate about why that bill should not go ahead, and ultimately, I believe, this UCP government adopted our submissions once they were elected. Now, obviously, that was not successful and the matter has gone to court, and we will see where that ultimately lands once the Supreme Court of Canada has a chance to adjudicate on that matter, and likely we'll get some version of an answer next fall.

But this act does not in any way, shape, or form appear to provide any tools to Albertans or those people impacted by that piece of federal legislation. So, once again, it is completely disconnected from the purported objective, and once again I would argue that the purported objective is almost entirely political and it is really designed to stoke anger and then therefore sort of a backhanded kind of support for a flailing UCP government. That's entirely what it's for and nothing more.

That being sort of the setting for why or how we got to it and why people bothered to bring this act in, you know, what do people think about it at its sort of outset, almost even before it was – what about the principle of this act? What do most people think about it? Well, we just got a poll a few days ago that suggests that 53 per cent of Albertans do object to the statement that this act is an important tool for standing up for Albertans' interests, and only 32 per cent of Albertans agree with the statement that this act is an important tool for supporting Albertans' interests. So, clearly, this government is not actually focused on representing the desires or the wants of Albertans. That's not what's going on here.

7:40

We also, of course, heard a lot about this act from members of the government caucus in the course of their leadership contest. At that time, you know – I guess leadership contests invite people to use their inside voice and/or their slightly more accountable and transparent voice. Let's just do a little walk down memory lane in terms of what members of the UCP now cabinet or in some cases backbenches had to say about the concept of a sovereignty act.

The Minister of Jobs, Economy and Northern Development said that the sovereignty act is nothing more than, quote, virtue signalling, a fiscal fairy tale, end quote, that doesn't make any sense and won't work.

The Minister of Trade, Immigration and Multiculturalism said that the sovereignty act will create “an unconstitutional delusion that will lead the United Conservative Party and Alberta down a dangerous path.”

The minister in charge of Municipal Affairs called it the Anarchy Act, quote, a false dream that will turn into a nightmare. End quote.

The Minister of Finance said that the sovereignty act would take us backwards because it would create chaos, and he also shared a graphic that called the legislation a, quote, ticking time bomb. End quote.

The Member for Rimbey-Rocky Mountain House-Sundre called it, quote, very problematic and went on to say that it would break the law, spook the markets, and would be impossible to deliver on.

Finally, the current environment minister said that the act “would create instability and chaos. It is already doing that. I had international investors concerned about their assets in Alberta asking . . . what was going on with [it].”

That was the conversation that preceded the introduction of the act. Just to be clear, you know, in terms of the members of the Legislature who ran to lead the government caucus, it did turn out that I believe it was 48 point something per cent of the government party's membership ultimately voted for every other single candidate than the person who ultimately won.

It's one thing to win a leadership with 52 per cent on the first ballot or the second ballot, but to have to go till you're the last one on the ballot to scrape through 52 per cent: I'm telling you that that says to me that about 48 per cent of even the members of the government party were not in favour of the concept of the sovereignty act. That didn't work out very well for folks. It's a bit of a mess, and how has it been since then?

Well, of course, the act was introduced, Mr. Speaker, last Tuesday. It was introduced last Tuesday, and debate on it began last

Wednesday. Interestingly, by Wednesday, not even 24 hours after it was actually introduced, immediately following the reading of the throne speech, the government caucus was rushing out to provide, quote, unquote, clarification. Well, that ought to make the folks over there feel super confident about how well this puppy was thought through. What I will tell you is that it certainly did not make investors or Albertans feel confident about it.

Obviously, that day and the subsequent day members of the opposition raised several concerns about the act. The first thing that we raised was, of course, the fact that the act included this concept, this provision, that is often referred to as the Henry VIII clause, Mr. Speaker. I know that the Speaker as a fellow political nerd fully knows the history of the Henry VIII provision and why we call it that. In broad terms, it relates back to a time in parliamentary history in the U.K. where the sovereign, frustrated that the democratic House was limiting his ability to do whatever he wanted, came up with a new and creative way to take for himself the ability to make laws and undo laws off the floor of the democratic House. It was a thing that created great conflict in the history of England, and ultimately I think it took close to a century before eventually the House of Lords and the courts determined that this simply could not go on because it was such an incredible affront to the principles of democracy and an unprecedented overreach in terms of power that was being grasped at by the unelected sovereign.

Anyhoo, fast-forward several hundred years, and here we are in Edmonton, Alberta, looking at the brand new Premier's number one, Bill 1 – woo-hoo – and that is where she decided to kick off her tenure. Interesting choice. But what was even more interesting about that choice, Mr. Speaker, and what followed was the profound level of either, on one hand, confusion or, on the other hand, disturbingly thoughtful efforts to lead this Assembly to believe a state of facts which did not align with the language of the act that she was introducing.

In fact, I asked her today. One of two things just happened there. Either she was intentionally trying to slide that Henry VIII clause right past members of this Assembly without us knowing – “Nothing to see here. Don't worry. I'm just going to make assurances one or two times, tell you that you don't know what you're reading. It's not in the act. You know that black-and-white stuff? Black and white are awkward colours. Just ignore them. Blur your vision. Read into it what it is that I meant. Trust me. Do not read the actual words that appear in the legislation.” That's what she said. Was she saying that because she wanted us to not notice that she was doing an unprecedented, undemocratic power grab and undemocratic overreach? Was that it?

Or – and here's the thing, Mr. Speaker. I've been sort of sitting around watching and thinking about this – and I'm only speculating – but I actually believe it was the second thing. I think she literally didn't read her signature bill, flagship bill. I literally think somebody in her office briefed her on it, and she literally didn't read it. She didn't understand what she was introducing, yet she was perfectly comfortable to come into this Legislature and also go out and speak to the media and make confident, arrogant assertions that we didn't understand what the letters . . .

Mr. McIver: Point of order, Mr. Speaker.

The Speaker: A point of order is called.

Point of Order

Allegations against a Member

Mr. McIver: The person speaking just made allegations against another member, not against a party but against an individual

member, under 23(h), “makes allegations against another Member”; (i), “imputes false or unavowed motives to another Member”; and (j), “uses abusive or insulting language.” I know the hon. member is having a good time revising history, forgetting about the fact that she had a minister walk in here with a five-page bill and come in a couple of days later with an eight-page amendment. But I would just be happy if you would just direct the member to stop making unavowed accusations against another member of this House.

The Speaker: The hon. Member for Calgary-Bhullar-McCall.

Mr. Sabir: Thank you, Mr. Speaker. I think it's not a point of order. The hon. member was just going through how a person won the leadership, what they wanted the bill to look like, what they tried to do initially. Now they're agreeing to change that bill. That's all part of the public record and a matter of debate. I think that earlier the government even clarified that they will be making changes, so we are just talking about things that are on the public record, and all these things like that are public debate.

7:50

The Speaker: I'm prepared to rule if there are no other comments to be added.

What I would say is that while I'm not going to find this a point of order, I would say that the member is being as creative as possible to imply that the Premier was doing something that you're not allowed to do in this House. She knows that you can't do indirectly what you can't do directly. I would just provide some caution there as well as on the use of what some people might consider direct personal attacks in terms of saying statements like “she arrogantly” or otherwise. It certainly sounds directed at the Premier and not through the Speaker. There are a few areas of caution that I'm sure the Leader of the Opposition will heed and proceed.

Debate Continued

Ms Notley: Well, thank you very much, Mr. Speaker. Just allow me, then, to clarify. And my apologies. I certainly meant only to recount the history when I asked the Premier why it was that this type of clause appeared in the act. The Premier stood up and told me that it did not appear in the act and then accused me of not having read the act. Some people might have characterized that as arrogant. We'll leave that to people outside of this building.

I will simply say that what we have since seen is that having heard the Premier on multiple fronts outside of this building accuse me of not having read the act and accusing me of fearmongering, I now see that the Premier is acknowledging that all the things that we identified about the act – not all the things but the things about the King Henry VIII clause – were, in fact, correct and that she is now looking at considering amendments with respect to that.

Mr. Speaker, while I don't want to be in any way specifically insulting to an individual member, what I will say is that this whole saga, from last Tuesday to today, has engendered a considerable amount of concern amongst a range of opinion leaders and stakeholders across this province as well as across the country about the overall competence of the people upon whom members of the government caucus are relying in order to draft their bills, secure the intentions they claim to be achieving, and to explain to those members what exactly it is that is appearing in the legislation that they introduced in this House last Tuesday.

That in and of itself, that flip-flop, that failure to acknowledge the provision, Mr. Speaker, in and of itself, separate entirely from the substance itself, is the kind of thing that generates uncertainty

and concern. I believe people mentioned it today in the House on two or three different occasions. We had one national columnist in a national newspaper suggest that the bill had been written in crayon. That does not engender confidence, not amongst Albertans, not amongst investors, not amongst people across the country.

So that's how we got here. The first thing that we have talked about, sort of the overarching thing that we have talked about when we talk about this bill, is that as much as we share some of the concerns that allegedly originally drove the introduction of this bill, concerns about where certain federal acts may undermine or hurt economic growth and job security for many Albertans – unfortunately, the cure is worse than the illness in this case because what's happening now is that we have a bill that is creating massive economic uncertainty across the country, internationally, and certainly across the province.

Now, the first ground for that uncertainty, of course, exists by way of the history that I just outlined, the fact that there was such a clear inability of members opposite to describe what it was that they were asking the people of this province to give them the authority to do by way of this legislation, the fact that they seemed unaware of what appeared in the legislation, Mr. Speaker. When you have folks talking about rewriting federal laws arbitrarily in our province relative to the rest of the country, you definitely want to know that you have confidence that those folks know what they're doing, and that certainly is not what we've heard thus far.

Now, since then we've heard from numerous opinion leaders that suggest that this piece of legislation is driving an unacceptable amount of economic uncertainty across the province and outside. We've heard from the Calgary Chamber of commerce, we've heard from the Canadian Chamber of Commerce, we've heard from CAPP, we've heard from the mayor of Calgary, we've heard from venture capitalists, and, very importantly, we have heard from chiefs from Treaty 6 and Treaty 8, who are saying unequivocally that this legislation jeopardizes their fundamental, foundational rights.

Anybody in this House who has been following the long and winding road of getting major economic projects of any type built and concluded in this country understands that the failure to begin every effort and initiative by speaking with and gaining consent from Indigenous leadership and respecting treaty rights has to understand that that is a recipe for profound economic uncertainty. Yet once again with Bill 1, the Premier's first bill, what does she do? She manages to somehow generate full-throated opposition from leadership in both Treaty 6 and Treaty 8, and that is wrong in principle, just because, obviously, of the principle that we should all be respecting treaty rights, and it also adds to this concern that I'm identifying around economic uncertainty.

Now, we also, of course, get uncertainty arising from the questionable nature of the legality of this piece of legislation. Now I'm moving off the King Henry VIII clause, and I'm moving on to the rest of the act. I want to talk just a bit about how much uncertainty is spawned by the fact that there are so many opinions out there with respect to whether it is legal or constitutional.

We've heard that there are a number of constitutional scholars who have primarily identified that they believe at first glance that this is going to run into trouble in the courts. Now, there are a couple of exceptions to that rule. The Premier herself has identified them. Former Supreme Court Justice Jack Major, in a very sort of two-paragraph interview with CBC, said: oh, you know, I don't know; it might not be too bad. Of course, another constitutional scholar, from UBC, suggested: oh, well, maybe it'll be okay. Then, of course, the lawyer for the convoy protesters thinks it's absolutely constitutional, so there you go there. That's certainly a source you want to be dining out on.

But there are a number of other constitutional scholars who object to those assertions, and I think we're going to see more and

more detailed analyses of exactly why that is. I'm not saying that what I'm about to outline is absolutely accurate, Mr. Speaker; it's just one of several opinions that I've heard from well-known constitutional scholars.

I want to just sort of walk you through one of the concerns that has been relayed to me by a constitutional scholar. Essentially, he argues that this whole concept of inviting the Legislature to make a determination of constitutionality is in and of itself a breach of section 96 of the Constitution. Section 96 is the clause which has had a tremendous amount of common-law consideration by the courts and essentially sets out that the responsibility is divided between the federal government and the provincial government and that the job of determining which is which rests with the courts. That's what's in section 96, and by calling upon this Legislature to suddenly say, "No, we're not going to wait for the courts; we are going to make a decision in place of the courts," we are in effect running into some constitutional problems.

8:00

Now, obviously, a government implicitly makes the determination that their own legislation is constitutional. But for one level of government to offer up opinion about another level of government's constitutionality: that's where, I am told, we run into problems, and that's where we start to run into questions around the rule of law. "Well, how does that happen?" you ask. I know you're asking. You're fully engaged in this conversation; I can tell. How does that happen? Well, the rule of law essentially says that all people are equal under the law – individuals are equal under the law; governments are equal under the law; organizations are equal under the law – and what that means is that if one organization impinges upon the legal rights of another organization, that second organization or person or level of government must go to the courts in order to have it resolved. That is, in effect, the rule of law.

Let's put it another way. If you have two business owners and one business owner breaches a legal contract, the person whose legal contract has been breached has to go to court to get a remedy. That's called the rule of law, Mr. Speaker. Now, vigilante law is the opposite of the rule of law. What happens there is that one person says: oh, you breached my contract; I'm going to come to your house and take your car, and if you don't like that I took your car, you can take me to court. That's vigilante law. That is in opposition to the rule of law, and that is essentially what this legislation may well be purporting to do on behalf of the government of Alberta. This is a view of this legislation that has been described to me by a couple of different constitutional scholars.

Mr. McIver: Journalists.

Ms Notley: Constitutional scholars.

The problem here is that not only are – so we've got this potential constitutional problem, Mr. Speaker. But not only do we have that; we also have the uncertainty that arises from directing agencies to ignore federal laws. [interjections]

The Speaker: Order. Order. Order.

Ms Notley: Thank you, Mr. Speaker. We have this idea that this act allows the provincial government to direct a whole series of organizations to just ignore federal laws so that we'd be in a situation where federal laws apply in the other nine provinces, in the other three territories but not in Alberta. Well, nothing says certainty to a potential international investor than that kind of ridiculousness. Nothing. Nothing. We have laws that apply elsewhere, but maybe they don't apply here. Well, who don't they apply to? Well, it's only a really small group. Is it? Well, not really,

because the legislation is written in such a vague way that it may well be that if you actually just give an organization a grant, the provincial government now has the authority to direct that organization to ignore the law. So the question then becomes, you know: who is it that this government will be directing to ignore federal law?

Go back to the emissions cap and C-69. As I said before, we agree; both of these are problems for Alberta industry and for many people in our province who are looking for a strong economy and for strong job growth. But what I'm trying to figure out is exactly: how do we get to the point where this piece of legislation has any impact on either of those two issues? The bodies that are subject to those two issues – let's say Suncor, for example, hypothetically – are not provincial agencies under the act. I don't know. Unless there's some real nefarious stuff going on in the background in terms of people's intentions – I don't know – how is it that they are impacted by this? I don't see it. I'm trying to see how you actually get to a place where this act does anything with respect to the problems that it is claiming to fix. Or is it because Suncor got a royalty credit? Are they now somebody that the government can direct to ignore federal laws? Is that what the act means? I don't know. It's very, very hard to tell. That kind of uncertainty is very, very worrisome.

You know, we just had an announcement – and I think the members opposite were very happy to see that announcement – about a joint project that was introduced or going ahead in the Industrial Heartland. It was a transformative project that was focused on net zero and hydrogen development, very exciting, \$1.3 billion with Air Products and the Industrial Heartland; \$300 million of that came from the federal government, more than double what the provincial government put in.

So my question is: if I'm Air Products or if I'm another international investor looking to set up shop in the Industrial Heartland, looking to get a joint subsidy from the federal government and the provincial government to attract me to come to the Industrial Heartland, to invest billions of dollars, to grow the economy, to hire thousands of Albertans, am I going to do that now with the Sovereign Alberta in a United Whatever Act in play, that we may or may not think is legal or not legal, which may or may not be constitutional, which may or may not run afoul of treaty rights, which may or may not direct that very investor to break federal laws with one of the partners they're hoping to get support from? I don't know. To me, that is the recipe for why this so foundationally undermines economic certainty here in this province. [interjection] Sorry.

Mr. Jones: Just to intervene if you'd allow it.

Ms Notley: Oh, I see.

Mr. Williams: Welcome to the Chamber. It's a thing we've been doing here.

Mr. McIver: She's new here.

The Speaker: Order. Order.

Ms Notley: I'm good. I'm good.

Anyhoo, the other thing: when we talk about how we're not sure about who this applies to and how it would apply, we've heard the Premier talk a lot about the gross injustice of the federal government trying to give Albertans hundreds of millions and over a billion and in some cases multiple billions of dollars to support child care. Now, I'm sure members opposite, you know, will recall that, in my view, properly funded, accessible, high-quality,

affordable child care is probably the singularly most effective economic stimulus any government could ever do anywhere. Now suddenly we have the Premier suggesting that the federal child care agreement is a horrific intrusion into Alberta jurisdiction. Oh, my Lord, it's awful. The sky is falling. The pearls are clutching. It's awful, Mr. Speaker.

Indeed, this may be a place where it will be necessary for the government to use this new act to show the federal government who's boss. Well, what that likely says to me is that we're going to see some delay in rolling out a critically important program that helps regular Alberta families deal with out-of-control affordability costs as well as ensuring that investors see Alberta as a place where they can bring their investment dollars and also their employees because they have a high quality of life and they can get affordable child care. Now suddenly that is at risk according to the Premier's own description of why it is that we need this act. Now, I don't exactly see how it's going to work. Again, we all over here remain very unsure about how this act is actually supposed to work, but since the Premier herself has talked about child care, Mr. Speaker, I would argue that it's very concerning.

8:10

Bottom line is: who does this act apply to? The answer is not clear. The lack of clarity creates uncertainty. Uncertainty freezes investment dollars. Freezing investment dollars slows economic recovery. Therefore, this act and its wide-ranging scope of uncertainty is the exact opposite of what Albertans and the Alberta economy need right now.

Now, let's just talk about this act from the perspective of some of our friends in other parts of the country. It has shocked me, Mr. Speaker, the tunnel vision with which the conversation around this act has occurred throughout the leadership contest that we saw with the members opposite and when they were debating with each other as well as the ultimate successful candidate, the now Premier, when she was talking about it. There seemed to be this complete failure to understand that we are one of 10 provinces and three territories and, presumably, if we succeed in doing this thing with this act, presumably other provinces will do it, too.

We are a landlocked province. Mr. Speaker, I can tell you from personal experience that there were times when, if somebody had suggested to the government directly west of us that this was a legitimate tool in their tool box, they may well have used it, and we would not be 10 months away from the TMX pipeline, the first pipeline to tidewater in over 40 years from Alberta, being completed.

Indeed, there was a time, Mr. Speaker, where the then minister of environment for the B.C. government actually started publicly talking about actively refusing to give permits for TMX as it was going forward. I specifically remember getting on the phone with a few of the people on that side of the border and walking them through the unconstitutionality of that action, that they literally could not do that, that if they wanted to resist the TMX pipeline being built once the federal government had gone through all the processes that it needed to go through by way of its jurisdictional authority, then the only way they could do that by respecting the rule of law was to go to the courts and ask if they were able to do that.

I remember there being a rather heated three-week period where we were backing and forth with them and sending them our legal opinions and telling them over and over and over again that they had overstepped and that this was not actually a tool in the so-called tool box. Thankfully, they ultimately got the same legal advice that we had been sending over there, you know, and having all our flurried, sometimes rather heated conversations over, and instead they determined that they would take the matter to the courts, which

they did. The court said: "Yeah. Alberta is right. You cannot refuse to issue permits. This has been done lawfully, and the pipeline will go ahead."

If they'd had their version of this act, we would not be 11 months away from having that pipeline built. We would probably be 36 to 48 months away from having that pipeline built, and the investment that was needed and attracted by seeing the successful determination of that pipeline being built would not be with us right now.

It shocks me that nobody over there seems to understand the consequences of doing this and creating the uncertainty not only here but encouraging other provinces to do the same if we don't have consensus about how to do big projects that cross borders. Yet not a word over there. Not a word. Nobody seems to remember that conversation. Nobody seems to remember that debate. It is so incredibly poorly thought out.

I'm getting close to wrapping up, Mr. Speaker. I'm sure folks over there will be very pleased. I just want to summarize. The bottom line is this: this is a bill that is – well, I won't quote all the extremely critical things that have been said by so many of the scholars who have described it. Members opposite: their own former Premier called it catastrophically stupid, and that's kind of a good short version. It is probably unconstitutional. It is, without question, deeply unclear, and it has already marinated in five or six days of very clearly demonstrated incompetence.

All three of those features, Mr. Speaker, undermine the confidence of investors: the confidence of investors in Calgary, the confidence of investors in Toronto, the confidence of investors in New York, the confidence of investors in London. It makes us look ridiculous, and it also undermines our ability to kick-start that economic growth which so many Albertans are counting on. It doesn't help business; it hurts business. We've already reviewed the fact that most Albertans do not believe this is a necessary or advisable tool to use to defend Albertans' interests, so Albertans are not behind it.

And, Mr. Speaker, the one thing that I haven't had a chance to fully talk about too much yet but I will touch on very briefly: all the time that we spend talking about this ridiculous act is time that we do not spend talking about the real crises that are facing Albertans. Last week we tried to have an emergency debate about the crisis in children's health care. Today, after hearing over the weekend about a children's hospice that took care of palliative patients and took care of exceptionally medically fragile children and gave respite to their exhausted parents, how the staff working there were redirected to deal with the crisis that is occurring in our hospitals, the Minister of Health got up and said: oh, it's not so bad; it's just as bad everywhere else. Well, actually, Mr. Speaker, it's not just as bad everywhere else.

Also, on top of it, he then went on to say that we're not going to talk about it, and also we're not going to talk about your bill, your Bill 1, that, rather than engaging in all this economic chicanery, would actually engage us all in a thoughtful conversation about how to come together to make our health care system better for people not only in downtown Calgary and downtown Edmonton but also people in northern Alberta and southern Alberta, in Lethbridge, in Medicine Hat, in the Bow Valley, in Red Deer, in communities all between. That's what we should be talking about, Mr. Speaker. That is what our bill would have allowed us to do.

Instead, members opposite decided to use their majority, in a way I've never seen before, to completely undermine the rights of private members who are not part of the government caucus and to avoid speaking about that issue. That is relevant to this bill because we are spending so much time talking about this bill, which is an attack on our economy, and we are not spending our time talking about the things that Albertans are desperate to hear us focus on.

We have a volunteer chief medical officer of health. We have school boards being told that they can't keep their kids safe. We have teachers who are overwhelmed by class sizes and illnesses. We have affordability crises that are hurting Alberta families and a complete failure to engage in any long-term solutions with respect to those. We have very serious concerns, Mr. Speaker. Also, we have an economy that is in desperate need of thoughtful efforts to diversify and to innovate and to grow long-term, sustainable, resilient jobs.

8:20

Instead, what are we doing? We're ignoring the health care crisis. We're ignoring the crisis in education. We're ignoring the number of kids that are getting sick right now. We're ignoring the affordability crisis. We are ignoring our obligation to grow the economy. Instead, what we are doing – what is it? Fifteen thousand jobs lost last month, I think? Yeah. Instead, what are we doing? We are spending all our time fighting about a poorly written, incompetently written, unconstitutional, unclear, economy-upending piece of legislation that has been characterized by many as the worst piece of legislation introduced in this House in 90 years, Mr. Speaker.

For that reason, there is no way that we can support this bill. I would urge members opposite – urge them – to take it back to the drawing board, to restore a semblance of good governance, to listen to Indigenous leaders, who so desperately want their treaty rights to be respected, to listen to business folks who want the chaos to stop, and instead to focus on the issues that Albertans really care about, Mr. Speaker. The time is long past for that to be the work that this government does instead of spending time with this bill.

Thank you.

The Speaker: On amendment RA1, are there others? The hon. Member for Edmonton-Manning would like to join in the debate.

Ms Sweet: Well, thank you, Mr. Speaker. It is an honour to rise and speak to the referral amendment, that this bill not be read a second time as it negatively impacts investment decisions and Alberta's economy "and should not proceed in order to protect the economic well-being of Albertans."

Now, we've had many discussions over the last few days in regard to what we're hearing on this side of the House about this piece of legislation. It's only been a couple of days, yet we've seen investor after investor, business owners, whether it be big business, small business, international investors, coming forward and saying that this bill is creating such uncertainty in the future of Alberta and the future of our economy that they're concerned about being able to bring investment into the province. You know, I find it very interesting when I look at some of the commentary that's come forward from people that, as the Premier had said in one of her questions, are not typical allies of the NDP, yet they agree with what we're saying because ultimately it is just common sense.

[Mr. Orr in the chair]

To continue to have this debate, to continue to try to encourage the government to recognize that a mistake was made – and it's good to come back and say: "You know what? We made a mistake. We should throw this bill out, and we should really focus on what matters to Albertans." It would be a step probably in the right direction for this government. But over the last I would say three and a half years – and it doesn't matter if you have a new leader or an old leader; the behaviour hasn't changed – the government continues to push forward on their agenda, ignoring the issues that really matter to the very people of this province.

We've been talking about, on this side of the House, the affordability crisis, talking about the concerns around health care, asking the government to support Albertans when it comes to trying to pay their bills for a year and a half. I have videos – my staff lovingly just posted throwbacks for me this week – of me asking at budget last year, flagging the fact that we were seeing an inflationary crisis happening, seeing the fact that natural gas prices were going up, that gas was going up, looking at the fact that electricity costs were going up, yet this government did nothing.

So an opportunity presents itself: new leader, new session; let's introduce new pieces of legislation. What does the government do? Introduces a piece of legislation that creates economic uncertainty and completely ignores the issues that Albertans are talking about. How do I pay my bills? How do I have a good-paying job? Is the economy stable? And who's taking care of my children at the local hospital? None of that is in here.

In fact, we even heard today – and I'm going to quote this, Mr. Speaker – from a former comms director for the hon. Prime Minister Harper as well as campaign director for the current Premier in Ontario.

Well, I know this was part of a leadership campaign commitment and playing to a portion of the conservative base in Alberta, but, you know, there are a few challenges. One, it's not broadly supported by Albertans, so it baffles me as a campaign manager why they would put this as Bill 1 and put it so front and centre in an election campaign, a re-election campaign that is just around the corner. This is so off topic, and I don't know how you can fix this bill or why you would want to because it's fundamentally unconservative. You're trying to pass a piece of legislation to make another level of government respect the Constitution more by doing something that is profoundly unconstitutional in itself. Like, I don't know how you square that circle. I think the UCP and Albertans are on the right track in saying the federal government is overreaching on a number of issues around the resource sector, but where they're acting in an unconstitutional way, that's heavy-handed. But the solution to unconstitutionality is not more unconstitutionality, like you know. I think this is going to go down in history as one of the most ill-conceived pieces of policy and legislation, and frankly as a conservative I find this profoundly unconservative.

[The Speaker in the chair]

From many of your lovely colleagues who find it very unconservative . . . [interjections] It's a quote, and it's a quote from the hon. comms director for former Prime Minister Harper. Pretty interesting quote, I would say.

I think the government is having a crisis, and maybe we could even say that it might be an identity crisis: don't quite know where they belong. Even their own entrenched people who have had long histories of working within the conservative movement are calling this piece of legislation unconservative. As a libertarian, for those who are libertarians on that side, I don't know how you understand this piece of legislation and that it even resonates with your fundamental beliefs. It is such a significant overreach. So there's that piece: there is an identity crisis that I think that this current government is having.

Now, on top of that, though, I have spent since this bill was introduced – calling stakeholders, long conversations – a great weekend, really, having a lovely chat about where people think they're headed, what's going to happen with their future investments, what they're concerned about. You know, I haven't heard a single person say that they're okay with this piece of legislation. In fact, all I've heard is: "There's so much uncertainty." "I don't know what this means." "I don't know if this is going to impact my international trade." "I don't know if this is going to

impact my export markets.” “I don’t know if this is going to have a serious impact on me being able to attract more investment into the sector.”

In fact, it actually will impact the competitiveness between Alberta, Saskatchewan, and Manitoba when it comes to our agriculture industry. Why would investors come to Alberta when they see a government choosing to continue to talk about the what-ifs or we-don’t-agree when they can go to Manitoba and not have to worry about two governments who are deciding that they’re going to fight with each other?

One of the best quotes I actually heard, or one of the best things that was said to me by one of my stakeholders today, actually, was: the best thing for our economy is a stable economy and a stable democracy. [interjection] It’s not stable, Minister. I appreciate that it’s a great quote. Actually, I totally agree. To have a great, strong economy, we need to have a stable economy, and we need to have a stable democracy. This does not incite a stable democracy – it doesn’t – and because it doesn’t encourage and show the investment community that we have a stable democracy in this province, it creates economic uncertainty. It just naturally does.

We saw the same thing happen with Quebec, and the minister might want to cheer that on, too. If you look at their bonds and what happened with their bonds when they started to get into the whole sovereignty discussion, Ontario bonds were at 10; Quebec’s had to go up to 17, and it took forever for their bonds to drop back down. There were significant economic impacts that were happening in the jurisdiction of Quebec during the discussion around what they were planning on doing. Small businesses were impacted. Local markets were impacted in Quebec because they didn’t know if they were going to be able to get to their markets outside of the province. They didn’t have the same relationships around who they were going to be exporting to even from an interprovincial perspective because their local markets started to shrink because nobody knew what was going to happen to the local economy.

8:30

Mr. Eggen: Uncertainty.

Ms Sweet: There was a ton of uncertainty.

Would you like to interject? Go ahead.

Mr. Eggen: Yes. I was using that keyword to catch your attention.

My concern is about the specific clauses of this potential law but just really the concept. I’m glad that you were speaking about other jurisdictions that went through this process. I know that, of course, initially people would say: well, Quebec was trying to separate. But, you know, the sovereignty law that they did bring forward in 1976 – right? – was a precursor to that continuum, towards a referendum on separation. Now, we’re not necessarily saying that that’s happening here, although I have my doubts, but just the word, putting a sovereignty act into place, triggers a whole series of decisions that businesses will make, and once that moves, then something else moves. It’s almost like a glacier melting. I’m just wondering if in the agriculture sector you’ve reflected on how that might affect that industry.

Ms Sweet: Well, thank you, hon. member, for the question. You know, in relation to the agriculture industry I think one of the things that – and I wish we had heard from the minister in regard to this piece of legislation, which we haven’t as of yet, and maybe he will be able to speak to it at some point. Specific to agriculture is that it’s so intertwined with the federal government. There are many regulations and policies that overlap. A lot of the investment that comes into Alberta comes through federal grants and supports. The irrigation project, which this government continues to reannounce

and reannounce about doing more irrigation and saying that it was them, was actually funded primarily by the federal government. There are many projects and many relationships that exist between the province and the federal government.

When we start looking at even trying to champion our international markets, we know that when there is volatility in our democracy, when things are said out of context, our international partners will shut down their trade borders. We’ve seen it with pulses. We’ve seen it with our beef market. We’ve seen it with our pork exports. When we are not working in collaboration between all levels of government, we will impact those international markets.

Again, I haven’t heard from the minister as to how he’s planning on protecting those international markets, how he’s ensuring that those relationships will continue, and how he will continue to champion the agriculture sector when it comes to things about our food safety. CFIA currently is the one that is required to ensure that our food is inspected. It is a federally regulated program. It requires and works in collaboration across interprovincial jurisdictions so that we can sell our product to other markets, whether it be B.C., whether it be Ontario, and whether it be international.

The reason that those systems work is because there is an understanding, both nationally and internationally, about what our products do and how they’re regulated and how they are monitored and how we ensure that our food is safe. Now, we’ve seen already in the letter from the Premier to the minister talking about looking at different mechanisms around food quality and monitoring and also in the mandate letter a direction where we should be looking at trying to get preclearance for exports. That’s going to require some relationship building. That’s going to require the minister to work in collaboration with federal counterparts to be able to develop those things.

Now, does that create economic uncertainty, when we see a government saying, “Well, we don’t want to work on those things” or “We don’t want to work in collaboration”? Does that create a stable democracy? Absolutely not. It does not. It also makes it very difficult to have adult conversations and to try to get things done. In agriculture and forestry, for that matter, when we start looking at the softwood lumber dispute and looking at our trade agreements with the United States, those things have to be done across intergovernmental relationships. They have to be.

You know, have we heard that CAPP is not happy about this bill? Yes, we have. Have we heard the chambers of commerce say the same thing, whether it be the Canadian Chamber of Commerce or the Calgary Chamber of commerce? We absolutely have. But what we’re waiting for and what I hope to hear from this government is: how are they protecting our border in the sense of making sure that our markets are open, that our products are not going to be impacted by the decisions that this government is making under this piece of legislation, that motions that are being drafted, according to the Premier, by ministers aren’t somehow going to prevent the market and our products to get to market through the international markets or even our local markets?

It’s complicated. It’s not as simple as saying: well, we disagree; we don’t like what you’re doing, and therefore we’re going to stop it. We know that doesn’t work for dairy. It doesn’t work for chicken. It doesn’t work for beef. It doesn’t work for pork. Now, when we’re trying to look at value-add with the agrifood industry, trying to encourage investment to come to Alberta and not Saskatchewan and not Manitoba, it is going to become a struggle if we continue to see this piece of legislation the way that it is.

I won’t support it, Mr. Speaker, because I actually believe that there are going to be significant economic impacts that none of the ministers have been able to mitigate and have been able to explain to the rest of us in this House how that’s not going to impact the

economic investment opportunities that we've been working so hard to make sure are coming to Alberta. I believe in a diversified economy. I believe in diversifying our ag sector in that value-add and that agri-processing. [interjection] Member?

Member Loyola: Yes. Thank you for accepting the intervention, Member. I know that over the summertime you did an extensive consultation, going to many rural communities, meeting with many rural stakeholders, both economic, agricultural producers. You really reached out to so many of them, and I want to applaud you for that work because I know it's a considerable investment of your time – right? – and you did it gracefully by connecting with so many. I mean, you alluded to this already in your statements, but I was hoping that you could discuss a little bit further about the impacts this bill will have on those communities, those stakeholders, and the people that we're supposed to be here representing.

Ms Sweet: Well, thank you, Member. You know, one of the things that I enjoy most about my job is being able to go outside of Edmonton and go into rural communities. I think part of it is that I come from a small town, so I'm really passionate about making sure that our smaller communities have a strong and vibrant economy.

Now, what do we know about Alberta? Well, most of our smaller economies are driven by our resource sector, whether it be oil and gas, whether it be forestry, and whether it be agriculture. We need to ensure that those economies continue to thrive and that those economies continue to be able to be good-paying jobs for our local, smaller communities. I won't lie. I'm worried about what it's going to do. If we don't see the investment coming into those communities, if we don't see the value-added processing, if we don't see oil and gas companies investing, if we don't see our green tech companies investing, greenhouses, for that matter, looking at expanding their businesses in these local economies, we're going to see a retraction, and I don't want to see a retraction in the smaller communities. I believe that supporting smaller towns, where people can grow up, raise their kids, and continue to work there, is what we should be doing. You know, I think this act has a significant issue in sending the wrong signal when it comes to that piece.

Now, as, you know, my leader also mentioned, I do think it also ignores a major conversation that's also happening. I think all members of this Chamber will acknowledge that no matter what community you come from, health care is a problem. Rural Alberta health care is a significant issue. We can't recruit doctors, get nurses out there. We're hearing of emergency rooms being shut down. We just had the recent story of the individual from Lac La Biche that had to come down into Edmonton for dialysis because the dialysis clinic is full.

8:40

So there is a significant problem that needs to be addressed, and that should be the fundamental priority for this government, not a bill that actually doesn't do anything for the people that elected us to be here, doesn't drive our economy, and sure doesn't address health care and really doesn't address the affordability issue. It ignores all of those things. It is a sad Bill 1, and it's kind of a mess. I would really encourage the government to retract it and to refocus and make their Bill 1 about fixing health care, make their Bill 1 about the affordability mechanisms that they're telling us they're going to do, figure something else out that actually speaks to the people of this province because right now the majority of Albertans do not support this bill, and I think that is the fundamental issue here, that the government is offside with the rest of Albertans.

The Speaker: I might just take this opportunity to remind members that we are on amendment RA1 and that they ought to be speaking to the amendment and not the main motion.

It looks like the hon. Member for Edmonton-Ellerslie is rising.

Member Loyola: Thank you very much. I want to take this opportunity to provide this Legislature and all the members within it, of course, through you, Mr. Speaker, just a caution. Now, I know that it's not the intention of anybody in this House to encourage Albertans to break the rule of law. I know it's not the intention of the members in this House to do so, but I want to draw people's attention back to, at the federal level, what were Conservative policies that did – maybe it wasn't the intention of the people who actually brought those policies into Parliament to encourage people to do damage and hurt people and ultimately kill people, but when the niqab ban was presented, when the barbaric cultural practices hotline was presented, they were presented as ideas.

So the word of caution that I want us to really consider when it comes to the sovereignty act – and we've already seen it, Mr. Speaker, at the Coutts border. Now, I know that none of the members on the other side, again, would actually encourage Albertans to break the law – I know that – never mind actually commit a crime that would lead to the death of an individual, but what we did see there were people that were armed and were actually going to make a move towards being violent.

Now, you're asking: okay; well, why am I bringing up the niqab ban? Why am I bringing up the barbaric cultural practices again? Because what I'm getting at here, Mr. Speaker, is that the policies and ideas that we present within Legislatures and parliaments have a particular impact on the general population. So just a word of caution there. The rhetoric that gets espoused inside of the Legislature could potentially lead to acts that we – of course, we by no means are intending for those things to happen. I'm bringing this up because when the London family was killed, I gave a caution at that time. I said that it's the rhetoric that happens inside of the House, the political rhetoric, that then has an impact on the general population, and then they go out and they act on particular ideas of their own. Now, this, to me, is what I would consider that we be concerned about when we debate regarding Bill 1, because that's in the back of my head. I'll admit that it is a concern of mine.

But getting more to the point and to the reasoned amendment and why I do not support Bill 1, I would say that – and it's nothing new, Mr. Speaker, because we've seen it with a number of pieces of legislation that have been brought inside of the House, that this government, whether it be under the previous leader – and now we're seeing the same thing with the current leader – is concentrating more power in the hands of ministers, and that I find is very concerning because that action in itself is antidemocratic. It's an action that is actually eroding democratic principles, our democratic values that we have here in Alberta by actually putting more and more power in the hands of ministers.

Not only that, Mr. Speaker, but the act allows a member of cabinet to bring a resolution to the Assembly that states that "a federal initiative is unconstitutional ... or causes [harm] or is anticipated to cause harm." Of course, the Leader of the Opposition spoke briefly about this particular aspect, and that is something that is decided by the courts. You know, whenever I have the chance to go and visit schools, we always cover, especially for the grade 6 students, the executive, the legislative, and the judicial, all those different levels and how they all work together actually to make sure that our democracy functions properly, making sure that the rule of law is observed and especially that we're all equal under the law.

Now, I know that we have a long way to go. There are a number of issues with our judicial system. Some people get more representation than others. You know, I'm sure that members of this House, when it comes to actually seeing the experience of Indigenous people – now, I'm going to get a little bit more into that with this particular bill – they don't necessarily have equal representation under the law.

On that note, Mr. Speaker, this particular bill, when it was being put together – Indigenous people weren't even consulted on this particular bill. We've heard extensively from the Member for Edmonton-Rutherford, who's been contacted by members of Treaty 6 and Treaty 8 about how that consultation process never took place, and it's my understanding that the Minister of Justice doesn't want to even entertain the idea that this is something that should happen when it comes to this particular bill. So when it comes to the Minister of Indigenous Relations, I'm asking myself: well, is he advocating on behalf of Indigenous people when it comes to this particular bill so that it truly can be more democratic?

Correct me if I'm wrong, Mr. Speaker, but we should be learning from the mistakes that we've made in the past and the reality that we've gone through a process of truth and reconciliation. I'll remind members of the House that the whole process of truth and reconciliation is that you have to face the truth. You have to face the truth of what has happened in the history of Canada. You have to face it, and if you really want to make a change . . . [interjection] Sure, I'll cede to the member from the other side. Thank you.

The Speaker: The hon. deputy government whip.

Mr. Williams: Well, thank you, Mr. Speaker. Facing the truth. I would like to understand the member's position on section 2, interpretation.

Nothing in this Act [shall] be construed as

- (a) authorizing any order that would be contrary to the Constitution of Canada,
- (b) authorizing any directive to a person, other than a provincial entity, that would compel the person to act contrary to or otherwise in violation of any federal law, or
- (c) abrogating or derogating from any existing aboriginal and treaty rights of the aboriginal peoples of Canada that are recognized and affirmed by section 35 of the Constitution Act, 1982.

Looking for constructive criticism here. That is, like, point blank clear in terms of what this act should be interpreted as. What is the constructive criticism, facing the truth, that you'd like to see other than absolute black-and-white, clear print that this will be constitutional and it will not abrogate or derogate from the rights of those individuals in section 35? [interjection]

8:50

The Speaker: Hon. Member for Edmonton-Ellerslie, just to point out that behind you as well the hon. Member for Edmonton-Rutherford is rising.

Member Loyola: Go ahead.

Mr. Feehan: Thank you. I'd just like to take an opportunity to intervene in the conversation because I know that you are very concerned about responding to the question that was just asked, and it gives me a good opportunity to . . .

Mr. Williams: Answer the question for him?

Mr. Feehan: I'm sorry?

. . . reiterate some of the things that we have discussed about the fact that Chief Tony Alexis, for example, has consulted with his

lawyers, and they have very clearly said that section 2(c) does not in fact eliminate everything else that happens in the act. I think you know that, but I feel it's important to be able to respond to the question. The section in 2(c) talks about the desire for people not to assume that that's what's going to happen, but then when you go on to actually do something, it doesn't matter if you say, "Oh, I'm not trying to insult you, sir" if you go on to then insult them. You know, we see this happening all the time in our normal dialogue, and I know that you know that this is what is being told to the chiefs, that the act itself belies the thing that is being said in 2(c).

The Speaker: The hon. member.

Member Loyola: Thank you very much, Mr. Speaker, and thank you to the Member for Edmonton-Rutherford for sharing the particular response of an Indigenous leader to the bill.

Mr. Williams: How about your response?

Member Loyola: My response is the fact that the bill itself says one thing in one place but doesn't necessarily address it further on.

Mr. Speaker, this is characteristically the attitude of mainly Conservative governments throughout several jurisdictions in this country when it comes to dealing with First Nations communities and leaders. They think that they know it all, so there's no need to consult with Indigenous leaders at all. They know it all, so they're just going to move forward the way that they like without even consulting Indigenous leaders. Now, if they would have consulted with Indigenous leaders, Mr. Speaker, then perhaps we'd have a bill that at least you could say: okay; well, they consulted with Indigenous leaders. But we don't even have that, right?

Again I go back to the whole issue at hand. We see, and I'm reminded that, yeah, members on the other side when this bill was actually presented – we were saying: hey, this allows the Premier herself to go behind closed doors with her cabinet and actually make legislation and not even have to bring it into the House. Then the members on the others side: oh, well, they're claiming that we didn't even read the bill. Now we have members on the other side, including the Premier herself, saying: okay; yeah, we're going to have to introduce some amendments here in order to make this change. But the whole idea, Mr. Speaker, the whole idea of this bill gives no confidence to the people of Alberta that this government knows what they're doing and how it's actually going to impact communities when it comes to the rule of law.

Now, Mr. Speaker, several members on this side of the House have spoken to stakeholders that have spoken out against the sovereignty act already. You know, there's the Calgary Chamber president and CEO, Deborah Yedlin, who said in an interview: there's no shred of evidence that this act will lead to economic growth; you can't tell me this is going to support economic growth and support continued economic diversification in this province. The CEO, Lisa Baiton, of the Canadian Association of Petroleum Producers: we are concerned about any government policy that has the potential to create uncertainty for investors. And this is, in fact, creating uncertainty.

Now, the members on the other side know just as well as I do that when it comes to venture capitalists, when it comes to attracting capital to the province of Alberta, they're looking at the strength of our economy. They're looking at a policy that will actually make it more of a secure investment for them. They want it to be as much of a sure thing as possible, and this particular bill doesn't do any of that. It doesn't do any of that, because at the end of the day, you know, you want a piece of legislation that is

going to, a policy that is going to encourage the industry to be lucrative and productive.

And, yes, here I am talking about oil and gas. You know, like, the members on the other side of the House like to talk about how we're not supporters of oil and gas when we were the ones who advocated very firmly, Mr. Speaker – advocated very firmly – for the Trans Mountain pipeline, trying to bring all stakeholders to the table in order to make the Trans Mountain pipeline a reality. And very early on – very early on – our leader of the Alberta NDP requested Indigenous people, First Nations communities, representatives, leaders, environmentalists, CEOs in the petroleum industry, all to come together and sit down and be like: okay; how can we get this thing done? The magic word there is “co-operation,” is bringing all the stakeholders together and having them co-operate. How can we make this a reality? How can we get the Trans Mountain pipeline done?

What I've seen over the last three years, Mr. Speaker, is a government that rather than creating the conditions for co-operation between different levels of government, between different stakeholders, between different Indigenous communities, rather than creating co-operation, they're creating division. We should be working towards unity. [interjection] Oh. I see that I have the Member for Edmonton-West Henday who would like to make an intervention, which I will accept.

Mr. Carson: Well, thank you, Mr. Speaker. Whether it's, you know, members of this side of the House raising the issue, whether it's the many constitutional experts or investors who have come forward, as the member was just speaking to, again and again beyond ensuring that we are creating an environment where there are incentives to be here, whether it's through taxation, whether it's through grants and otherwise, the fact is that we need the rule of law to prevail. Unfortunately, going back to what the member on the other side of the House – looking under interpretation, what we see in here in section 2, that “nothing in this Act can be construed as (a) authorizing any order that would be contrary to the Constitution of Canada.” Again I would go back to the idea that just because you write it here does not make it so.

Going further to page 7 in section 8, that “no cause of action lies against and no action or proceeding may be commenced against” – and it goes on to talk about Crowns or agencies that are within this act that may take action that might be contrary to the Constitution because of a decision that was made through motion... [Mr. Carson's speaking time expired] Oh. Didn't quite get there, but how important that is.

Member Loyola: Yes. Thank you, Member for Edmonton-West Henday. You know, I think that the best way to answer that would be to actually quote Emmett Macfarlane, who called it “the most unconstitutional bill in Canada's modern history.” You know, economics prof Trevor Tombe also pointed to legislation under Bill Aberhart to disagree. Modern history in the constitutional context means that

upon the passing of such a resolution, Bill 1 gives a free hand to the government to change any law on the books and to order “provincial entities” – which include any provincial agencies or institutions (municipalities, universities and even the police!) – to ignore or violate federal law, even criminal law.

9:00

Again I go back to my opening statement providing to this Legislature and all the members within it, through you, of course, Mr. Speaker, that we need to be careful. We need to be absolutely careful in our debate and what we are suggesting. Your intention may not be that, but there are particular individuals in our society

that will hear one thing and they'll go out and they'll act on it, and they will erode our rule of law.

The Speaker: On amendment RA1 the hon. Member for Edmonton-Riverview.

Ms Sigurdson: Well, thank you very much, Mr. Speaker. It's my pleasure to join the debate on Bill 1. Of course, we're on amendment RA1, a reasoned amendment, and I'll be speaking in support of this amendment.

Certainly, you know, we've heard far and wide from the business community, Indigenous leaders, academics, journalists, and even elected representatives from the governing party that the sovereignty act is legislation that will hurt Albertans. Even members of their own caucus, the UCP, who presented this bill, have spoken publicly denouncing it. Besides hurting our business sector by creating significant uncertainty, which has already been created – we've created some fear amongst investors. We've already heard from investors saying that with this kind of legislation that creates instability – and, of course, we know that businesses thrive when there's stability. So I'm kind of confused by the UCP, who declare themselves champions for business, that they would actually move to create this instability in the economy and the business community. And it's not just us that are saying it; it's business leaders themselves, chambers of commerce, the Canadian Association of Petroleum Producers. It is illogical, really, Mr. Speaker. It's hard to understand why.

The Official Opposition, I just want to highlight, did something we rarely do when bills are introduced, and that is that we voted against the first reading. By convention we generally vote in favour of first reading of bills. We, however, did not do this in our first reading because we knew this bill was so deeply flawed. We voted against it. Since doing so, the Albertans, Canadians that I've just mentioned at the outset have spoken far and wide supporting that action. You know, people across this country see how deeply flawed this bill is and how it needs to not pass. That, of course, is why I'm speaking in support of the reasoned amendment.

Just for a bit of history, I thought it'd be interesting to share with the Legislature that we've voted against first reading of two other bills during this 30th session of the Legislative Assembly. The first one was Bill 9, the Public Sector Wage Arbitration Deferral Act. Just to remind members of the Assembly, in short, Bill 9 imposed a delay on wage talks for front-line workers who took pay freezes in the first years of their contracts and then had the right to reopen pay negotiations with arbitration, if needed, in 2019. Because of this egregious betrayal that the UCP levelled against AUPE members employed at Alberta Health Services, the government of Alberta, postsecondary education, boards and agencies, the NDP caucus voted against first reading of Bill 9, just like we're doing today, because, again, it was a deeply flawed, deeply troubling bill. We stood together that that shouldn't even go in front of the Legislature at all.

[The Deputy Speaker in the chair]

Just to remind you some more about Bill 9, to add salt to the wound of this significant betrayal of workers, Premier Kenney at the time handed out earplugs to the members of his caucus during the debate in the Legislature. You know, many things were said about that, but one of the things I want to say: it was just a very stunning show of disrespect.

Well, here we are all these years later, and Jason Kenney is no longer the Premier. Despite his profession that he wanted legislative decorum, he stoked disrespect of the public discourses, saying one thing and doing another. Certainly, there is a word that we all know

for this type of behaviour. That is another situation when we voted against first reading, like we have done for Bill 1. Again, I just want to reiterate that that's why I think it's important that we support the reasoned amendment.

I did say that we had done it two previous times. Then the second time we did it before was when we voted against first reading in this 30th Legislature on Bill 22, Reform of Agencies, Boards and Commissions and Government Enterprises Act, 2019. The key concern we had with this bill was that the bill terminated the contract of Alberta's Election Commissioner, Lorne Gibson. He was in the midst of an investigation into allegations of illegal donations in the 2017 UCP leadership race. We were assured by Premier Kenney that the investigation would continue, but what actually happened is that everything went dark. In fact, some members may remember that the Leader of the Official Opposition was removed from this Chamber because she accused the government of obstructing justice by firing the Election Commissioner.

These are two very significant examples of our NDP caucus voting against previous legislation in this 30th Legislature because those bills were so egregious, and I absolutely stand with the decisions of my caucus regarding that. We have done that again. We did that on throne speech day, which was November 29 – yes? – against this sovereignty act, Bill 1.

It's hard to sort of top some of what I've just articulated, but this Bill 1 is going to create much more havoc and much more distress although these bills obviously created significant difficulties for workers, really a deep betrayal of an agreement the government had with members of the Alberta Union of Provincial Employees, just created new legislation to override that, and then, of course, the second one is, you know, an investigation into their own allegations of improper donations, taking out the person who was doing the investigation, taking away their job. These are pretty significant things that Albertans should be definitely very concerned about. Sadly, this government is continuing to do things that are hurting our province, are hurting Albertans, so that is why our caucus stood so strongly and voted extraordinarily against the first reading of Bill 1.

I must say that also a significant concern of mine, as has been shared by my previous colleagues, is: why would this be Bill 1 in this Legislative Assembly? There are so many significant issues going on in Alberta. We know that our health care system is in crisis, and sadly it seems the decisions being made by the UCP government are only making it worse: you know, accusing AHS of manufacturing an issue with staffing, firing the board, and putting in sort of a UCP supporter to be an administrator. I'm sure that he won't have much power in his position but will be doing exactly what the cabinet tells him to. There are so many key issues that need to be addressed, so that is definitely why I think it's very important for us to support this reasoned amendment. [interjection] Yes, sir.

9:10

Mr. Eggen: Would you accept an intervention from myself?

Ms Sigurdson: Yes, I will from you.

Mr. Eggen: Well, thank you. Yeah, absolutely. I really appreciate your comments generally, and it's, I think, constructive to look at the history of using, you know, a choice to vote on first reading of potential laws that affect Albertans.

I know you have particular expertise in regard to seniors and housing – and I don't, quite frankly, but I'd be very interested to learn more – and I know that many of those projects that we look for in perhaps Infrastructure but specifically focused and pointed to seniors and housing would be a joint venture between the provincial government and the federal government. I'm sure you've kind of

thought about, you know, how this antagonistic and arbitrary Bill 1 would potentially affect housing projects going down in the future for Albertans. What can we do to mitigate that besides, of course, killing the bill?

Ms Sigurdson: Right. Thank you very much for the intervention. Certainly, yes, that is a concern. Of course, we know that in the throne speech, at sort of the end of the last page or so, the UCP did talk about some programs that they thought the federal government had too much interference in, you know, in the provincial jurisdiction. They identify health care. They identify child care. They identify education. These are just three examples. They don't say housing, but it could easily be housing.

I mean, one of the major concerns I have, certainly, as the former minister of seniors and housing is just the lack of investment, lack of action on that file at all. I have met with stakeholders across the province and people needing affordable housing, and you know the province is just missing in action. There's no investment. They did do a report, but nothing has really happened. Nothing has changed, so people are going ahead without the province because the province isn't there.

Municipalities, different nonprofits are working directly with the federal partners. Will that be outlawed by this bill? Will that be not allowed? If that means projects won't go ahead and we know that Alberta has – you know, we don't even have average access to affordable housing. Across Canada it's about 4.3 per cent, but in Alberta we only have 2.9 per cent of affordable housing. We need so much more. This bill could really jeopardize and put us even further behind, and I'm hoping the minister is thinking about these questions and addressing them with his colleagues, with the cabinet because we need investment in these areas. Will this bill mean that the UCP is going to tell people who are wanting to work with the federal government, "No, you can't do that because they shouldn't be mucking around in our stuff" or whatever? That is a huge issue. I mean, this is just one scenario and one of the reasons why we should support this reasoned amendment and make sure that this bill does not go ahead.

My colleague, when he asked me the question about, for example, housing, seniors' housing maybe more particularly, sort of led me to look at, you know, the three key issues, I think, with this bill. My colleagues have spoken at length about the issues, but I'll just do a quick summary and highlight some of the things that I've seen and they've articulated as well.

We already know about the Henry VIII clause, which is actually section 4 of the act, and this gives extraordinary powers to Executive Council. If the Legislative Assembly approves a resolution brought forward by a minister, the Executive Council then has the powers to suspend or amend that legislation. This limits democracy, which I've heard the members opposite say on so many occasions is of utmost importance to them, so that behind closed doors in Executive Council they'll be making decisions that really should be made in this Chamber with all members who are elected, 87 of us, who represent our diverse communities. Instead, this legislation really has this extraordinary power to let the cabinet make those decisions. That, of course, is one egregious mistake.

The second was that this legislation is too wide ranging. It confers powers to defy federal law when the UCP feels offended by the federal government, so they just define – like, a federal initiative is a "law, program, policy, agreement or action." As I was saying, in the throne speech they do list federal programs such as provincial health care, child care, education, and I just spoke briefly about, "What does that mean for housing?" and sort of shared some ramifications about that.

Then the third . . . [interjection] Yes, hon. member. Go ahead.

Member Loyola: Thank you very much. I know that you do a lot of door-knocking in your constituency and then in other constituencies across the province, because you lend a hand in others as well. Particularly when it comes to affordable child health care, I was hoping that you could share a little bit about that regarding the door-knocking that you've done and what you've heard from Albertans and how important that is.

The Deputy Speaker: Just a reminder to all members that on interventions it's a super excellent practice to speak through the chair at all times.

The hon. member.

Ms Sigurdson: Well, thank you. Thanks for that reminder, Madam Speaker. Absolutely, child care is a key issue for families. We know it is expensive, high-quality child care, and we know that without that we don't have full employment. A lot of times women, because they tend to be the primary caregivers – not always, but still largely women more than men do stay home with kids; it becomes prohibitive for them to actually go out and work even if they want to, even if they're wanting to, you know, get back within their profession or whatever work they did previous to having children – feel that they can't do that because it is so extraordinarily expensive.

The federal program, that invested significant, significant funds in a program, has been a real game changer for so many families. You know, I have three sons of my own. All of them are adults now, but certainly when I was a young mom and working and a single mom at times, I struggled. It was hard. It was like a mortgage payment. Sometimes it's been referred to as a mortgage payment. I did my best to make ends meet. It still made sense for me to work in terms of the kind of job I had, but it was very difficult. The federal government has really stepped up. The affordable child care program is so key, and I know it's a really important program. Will this be one of the initiatives where the UCP will say, "Well, they're mucking around in our stuff, and we want it this way or that way"? It's hard to know what this is. That's why it is too wide ranging. That's sort of the second critique of this legislation.

Then a third one is that it's completely impractical. It's so broad in scope. Provincial entities that the UCP could say: okay; you have to defy federal law. Like, one of those federal initiatives: it could be a law, it could be a program, it could be a service. But provincial entities – and this is a big, broad definition – include almost any body that receives provincial funding, including municipalities, school boards, universities, and police forces. You know, they could be ordered to defy federal laws. This certainly throws a lot of chaos into the Alberta community.

Frankly, this bill really makes Alberta look ridiculous. It's kind of a bit of a laughingstock. If you've seen any of the media in the last while, Alberta is really taking a step in a direction that others, constitutional scholars . . .

9:20

The Deputy Speaker: Are there others to join the debate on the reasoned amendment on Bill 1? The hon. Member for Edmonton-West Henday.

Mr. Carson: Thank you, Madam Speaker. It's a privilege to rise this evening to speak to Bill 1, more specifically the amendment before us. Again, just looking at it: that this act "be not now read a second time because the Assembly is of the view that the bill is negatively impacting investment decisions and the Alberta economy and should not proceed in order to protect the economic well-being of Albertans."

Now, we've heard quite a fulsome discussion this evening. Not nearly enough, I don't think, Madam Speaker; I think that we still

have some more conversations to have this evening and into the future. But specifically on this reasoned amendment and why it would be so important to move forward with it and not read this a second time and not have this legislation proceed, I think that there are several arguments for that, and a few that have been made: one, of course, the economic argument and the uncertainty that this legislation is creating in the business environment when it comes to investors being concerned about what the future of relations between the federal and provincial government looks like and what, you know, potentially arbitrary decisions that this provincial government might be trying to make in the future, whether a variety of issues that might come up in the near future. Again, through discussions or press conferences that this government and the Premier and these ministers have come forward with, unfortunately there hasn't been much further clarity since it was introduced.

Again, a number of concerns. The massive amount of power that this government is trying to give itself and this cabinet is trying to give itself: you know, we saw this play out in regard to Bill 10, and there was a massive uproar from a variety of different experts on the left, on the right, academics and constitutional experts. A variety of people came forward and shared their concerns about Bill 10 and the additional powers that that was going to authorize under the Alberta Public Health Act.

Eventually the UCP came back, and the Premier at the time, Jason Kenney – I believe I can use his name now; correct me if I'm wrong, Madam Speaker – came forward after that legislation was in the past and said:

Over the past year it has become clear that this power . . .

The power provided by Bill 10.

. . . is not necessary . . . I've always been uncomfortable with this idea of the executive part of government being able to modify legislation. That's the power that belongs exclusively with the elected representatives of Albertans in the legislative assembly.

I am sure, Madam Speaker, that at the time of Bill 10 and the caucus meetings that happened following that, many members in the government and that continue to be in the government raised concerns about the amount of power that this cabinet was giving themselves.

Now, I'm sure that when we reflect back on Bill 1 and the time that has passed since then and the massive amount of new people who've been added to cabinet, there are probably fewer private members that are concerned about giving the cabinet more power since there are so many of them now. But I sure hope that there are still at least a few private members that are raising concerns about the power that this government is once again trying to give themselves. I hope that, with all the disagreements that I've had with the prior Premier, Jason Kenney, they might feel the clarity there and might vote against this legislation and support this reasoned amendment. We will wait and see, Madam Speaker.

Of course, I'm not sure, based on the amount of, you know, backtracking that a number of leadership contestants at the time, now cabinet ministers, have done – of course, the now Deputy Premier took it one step further and said: I'm sure there are safeguards in place – and this is in reference to the Member for Lethbridge-East, I believe. That Deputy Premier said: I believe safeguards are in place to ensure that this type of power isn't abused.

Now, I might be getting my quote wrong, Madam Speaker, but at that same time the Deputy Premier said that they hadn't actually read the legislation. You know, these are the types of concerns that I have when ministers are speaking on behalf of the Crown and on behalf of the government and saying: "Don't worry about this legislation. It doesn't do what you're saying it's going to do, but I actually haven't read it. Just take my word for it." I mean, that's

very concerning. I think that no matter who you are, what side of the political spectrum you're from, that should be concerning. So it was interesting that that member and the Deputy Premier had a moment of clarity there and decided to share that they had not actually read the legislation a few days, at least, after it had been introduced.

Now, again, other leadership contestants that we've seen: the now Finance minister called this legislation a time bomb; the jobs minister, who was earlier today defending this legislation, called Bill 1 a fairy tale at the time; further, the Municipal Affairs minister, another leadership contestant, called this legislation anarchy. The list goes on and on. Unfortunately, since that leadership contest, as we've seen and heard, all of these members have chosen to not follow through with their convictions and instead have stepped aside to let the Premier draft this legislation and put it forward.

I would refer to an article from Global News from December 5, Madam Speaker, which happens to be today, where the Premier stated: you never get things one hundred per cent right all the time. They might have misquoted, but "You never get things right a hundred per cent of the time" is what the Premier stated to Global News. Unfortunately, when we're talking about the flagship bill of a government, for them to bring it forward and not have it right is incredibly unfortunate, to say the least. It reminds me of another saying in the construction industry – it's been a few years since I was there – measure twice; cut once. Of course, the consequences of cutting a two-by-four too short or too long in the construction industry are not necessarily as consequential as fundamentally altering the ability of cabinet and fundamentally altering democracy in the province.

Again, going back to the idea of uncertainty and the changes that are being proposed in this legislation and the concerns that the business community and investors are bringing forward, I had raised through an intervention, Madam Speaker – well, a member opposite brought forward the idea, through an intervention, regarding section 2 that "nothing in this Act is to be construed as," and they were specifically looking at 2(c) there. But this entire section:

- 2 Nothing in this Act is to be construed as
 - (a) authorizing any order that would be contrary to the Constitution of Canada.

I mean, this is absolutely ridiculous, Madam Speaker. If we had the ability to just write it into legislation and for it to become true, then why wouldn't we just put this in everything? Just because you say that your act is not against the Constitution or not unconstitutional doesn't make it so.

Further, to create more confusion for investors and, again, businesses that are looking to work within a province or a jurisdiction that is able to follow the rule of law and the rule of the land, on page 7 look under section 8:

- No cause of action lies against and no action or proceeding may be commenced against . . .

Further into (a) there:

- . . . in respect of any act or thing done or omitted to be done under or in relation to this Act or a resolution or order under this Act, including, without limitation, any failure to do something when that person has discretionary authority to do something but does not do it, or . . .

And it goes on. Again, a piece of legislation that's saying, "Nothing in this act is unconstitutional" but further saying, "If somebody acts and it is potentially to be considered unconstitutional, no course of action should be taken against them." [interjection] I think I see an intervention here, which I will take.

Thank you.

Mr. Eggen: Thanks, hon. member. I appreciate your analysis thus far. Further to what you were just talking about, again, where one part of the bill seems to affirm or try to reassure people that, "Oh, we wouldn't do something like that," then another part of the bill, in fact, enables a cabinet to make arbitrary kinds of decisions without bringing laws or bills or alterations for debate in the Legislature.

9:30

You know, perhaps the best illustration of that duplicity that I've seen in the last 72 hours – this is all unfolding very quickly; it's like watching a car crash in slow motion, right? – is where I heard the Premier say that, oh, you know, we would maybe never even use this legislation, right? Remember that, Madam Speaker, where she said, "Oh, well, we'll probably, hopefully – God forbid we would ever have to use this legislation"? Yet she instructed all of her cabinet ministers to find places to use . . .

The Deputy Speaker: Sorry, hon. member.
Please proceed.

Mr. Carson: Well, thank you, Madam Speaker, and I do appreciate that interjection. Indeed, this government seems to be and this Premier seems to be saying one thing and then, you know, sometimes from day to day, hour to hour instructing ministers and her cabinet to do something differently.

Again, just looking at this section and no cause of action, that is concerning in and of itself, asking potentially, as described in the definitions of this legislation and as sort of laid out through the legislation, school boards or municipal governments or anyone affected by the Education Act or the Post-secondary Learning Act to make decisions that are potentially contrary to federal law and then telling them that – well, I mean, the legislation lays out, which in and of itself seems like: well, I'm not sure if it's constitutional itself – they can't be held accountable, nor can the ministers be held accountable for the decisions that they're making that might be in contravention of federal law.

I mean, Madam Speaker, if it wasn't so dangerous and so concerning to the business community in terms of the uncertainty that it raises between the relationship between not only the federal government and, of course, our municipal governments and our school boards, duly elected representatives on several different levels across the province, that might be caught in a constitutional battle because the provincial government is upset about a certain decision or funding agreement that may or may not have been put forward . . . [interjection] I see another intervention, Madam Speaker, so I will take that.

Thank you.

Mr. Bilous: Thank you very much, hon. member. I'm curious to know the member's thoughts on: if other provinces across the country decided to introduce a similar act, how would Alberta, which is a landlocked province, get our resources to tidewater? I'm a big proponent of LNG. I think there is significant opportunity for Alberta to export LNG globally. I think there's a huge need, that has been exacerbated by Russia's invasion of Ukraine, and a need for ethically sourced energy. Alberta is bringing in a sovereignty act because Alberta doesn't want to use the mechanisms that are already in place to dispute any kind of federal overreach. I'm curious to hear, Madam Speaker, the member's thoughts on: what would happen to the future of Alberta if every province brought in their own sovereignty act, where they could, effectively, unilaterally halt a project that would be in the best interests of the whole country?

Mr. Carson: Well, thank you, Madam Speaker, and thank you for that interjection as well. Of course, that would be very concerning, and I think that many members have brought forward that if it was the NDP in government bringing forward this legislation, talking about, you know, giving extreme power to cabinet – and, I mean, I thought there were libertarians. I think the Member for Edmonton-Manning brought this issue or this point forward, but I thought there were libertarians left in the Conservative caucus, but their silence on this issue proves otherwise, or the fact that they, you know, have been promoted to the front bench and now have become silent, so many of them.

But specific to that issue, Madam Speaker, I think it's important, again, further in the legislation, looking at judicial review. I mean, if the province makes a decision and, you know, somebody wants to bring forward a judicial review, which, of course, is their right – again, looking at Bill 1, reducing the normal period of seeking that review from six months to 30 days. So somebody concerned about the constitutionality of something, whether it be a funding agreement that potentially the provincial government has backed out of because they're upset with the federal government or a policy regarding energy or agriculture or emissions, whatever it might be – that somebody concerned about the constitutionality of it is now also, from this government, in Bill 1, having the period to gather all of their legal documents and put forward their legal team going from six months to 30 days. Again, these are changes that do not support the idea of strengthening the rule of law. If anything, they are attacking it, and again and again stakeholders from all sides of the political spectrum have said that this, at the end of the day, is going to hurt economic opportunities within our province.

Madam Speaker, I just do want to take one more moment to, again, recognize that we are on a reasoned amendment, that this legislation “be not now read a second time because the Assembly is of the view that the bill is negatively impacting investment.” I am supporting this motion.

How much time do I have, Madam Speaker, if you don't mind?

The Deputy Speaker: Just over a minute.

Mr. Carson: Just over a minute. Wonderful. Thank you.

You know, there are many issues that are going to arise in the near future. One of them that this Premier has sort of mused over is changes to health care premiums, changes to very small health spending accounts, which would not even cover, in many cases, you know, general practitioner or physician visits, and there are many Albertans concerned about that.

Another large concern when we talk about stability in our province is making sure that we are staying within the legislative framework of things like the Canada Health Act. I think that there are a lot more considerations to be made around how this legislation could affect some potential battle in the future. Of course, Madam Speaker, that's hypothetical, but with this Premier and this legislation we're just left completely unsure. Again, we look at the instability that this legislation has created and the uncertainty that through several press conferences and through discussions in the Legislature . . . [Mr. Carson's speaking time expired]

Thank you.

The Deputy Speaker: Are there members wishing to speak to amendment RA1? The hon. Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Speaker. I want to start by commenting tonight on what a reasoned amendment is supposed to be. A reasoned amendment is a course of action that the Legislature can take that asks for the Legislature to consider a bill that's under consideration in the House. It's used to try and stop the progress of

a bill because they will argue, they will reason that it's a bill that is outside of the scope, or their arguments are that they must use arguments that say that the bill is – what is the bill about? What is it supposed to be about? They're supposed to deal with the bill – what is it about; what is it trying to do? – and that the reasoned amendment, the reasons that they use must stay within the scope of that bill. They must address exactly what that bill is doing and why they would have reasons for not moving forward with that bill based on what is within the bill. Then they must come forward, and they must be able to show that their reasons are fatal to the bill. In other words, it can't just raise a series of objections that could be dealt with by submitting amendments at the committee stage or in the reporting stage but that their reasons point out that there are so many serious flaws in the bill that it just shouldn't go forward.

It must be more than simply a direct negation of the whole principle of the bill. If the reasoned amendment is agreed to, the bill can't make any more progress. We're really talking about reasons that show that there are serious, serious flaws within the bill. As I've been listening tonight, I just don't hear that coming from the opposition. They're not making the case. Bill 1: the primary purpose of this bill is to enforce the Canadian Constitution's division of powers. That's its primary purpose, to ensure that the federal actions, the federal laws passed by the federal government do not encroach on provincial constitutional rights. It shifts the burden. Bill 1, the Alberta Sovereignty Within a United Canada Act, shifts the burden to the federal government to legally challenge Alberta's refusal to enforce unconstitutional or harmful federal legislation.

9:40

If the federal government is passing unconstitutional legislation, we would then, through a motion in the House, refuse to enforce that unconstitutional law. Now, I've heard a lot of arguments and reasons provided by the opposition tonight and earlier for why we shouldn't proceed with this bill. They talk about it being dictatorial; they talk about it being undemocratic; they talk about it being unconstitutional; they talk about a whole series of reasons that sometimes they give, but I'm not sure that there's any real evidence to support their allegations.

If we take a look at one of the arguments that I heard from the Leader of the Official Opposition, it was that the cure is worse than the illness; we're creating massive economic instability with this. Let's be clear. The thing that is creating massive economic instability, as we've seen through Bill C-69, which has scared billions and billions of dollars out of this province, which has created an economic situation where many of the businesses in my constituency that are involved in oil and gas have gone under in the last three or four years because we're locked – our access to tidewater is not there because of Bill C-69, Bill C-48.

We can't seem to get our resources out of this province. That's what's created the massive economic instability, and Bill 1 is our response to those unconstitutional laws. We know that the Alberta courts have ruled that Bill C-69 is indeed unconstitutional. If you were going to move forward with the reasoned amendment and your reason is that it's unconstitutional or that, in this case with this argument, it's creating intense economic pressure on the economy . . . [interjection] No. I'm going to finish my points. Thank you.

. . . well, it's just not there. The original passage of an unconstitutional law which interferes with Alberta's rights to be able to own and harvest our natural resources and to send them to markets so that we can produce wealth and generate wealth in this province: it's that unconstitutional federal law that's creating the economic disturbance within this province.

I've been doing some reading about whether it's unconstitutional. Here are some quotes that I'd like to read. This one comes from Eric Adams at the University of Alberta: no province has ever tested whether the constitutional authority exists for a Legislature to order entities within the province, which would include police forces, cities and towns, provincial public agencies, not to comply with federal laws.

Did you hear what it said? This is a professor at the University of Alberta: no province has ever tested whether the constitutional authority exists for a Legislature to order entities within the province, which would include police forces, cities and towns, provincial public agencies, not to comply with federal laws. Hmm; hasn't been tested yet. I would suggest that Bill 1 is just a very creative way of trying to defend and create a shield for Albertans to be able to use to protect our economy and to protect us from a federal government that has often overreached in the passage of its federal laws.

He continues. Adams suggested that there would be a stronger argument for a province to refuse to enforce unconstitutional federal legislation. There are times when a provincial or a municipal jurisdiction has set priorities and ignored federal or existing laws. For example, in the 1970s Quebec stopped prosecuting Henry Morgentaler for what was at the time performing illegal abortions, and the Vancouver police force has also said at times that it would stop charging for possession of marijuana. Hmm. It would appear that we have a situation where their reasoned amendment is that they should stop the bill because it's unconstitutional, yet here there's a professor from the University of Alberta who is saying: oh, that's not particularly unconstitutional; lots of provinces have chosen to co-operate with the federal government or not co-operate with the federal government and either enforce or not enforce federal legislation.

Here's another one, Geoffrey Sigalet, University of B.C. He's the director of the UBC Centre for Constitutional Law and Legal Studies. In its meat, that is, in the meat of Bill 1, it doesn't empower any provincial officials to disobey judicial decisions. Instead, it enables the province via these motions to set conditions or not to co-operate with the federal government in relation to certain federal law the province deems unconstitutional, Sigalet said, and that's totally constitutional. So if the argument for this reasoned amendment is that we've got a bill here that isn't constitutional, well, here's the director of the UBC Centre for Constitutional Law and Legal Studies who is saying: "Oh, guess what? Hmm. That's totally constitutional."

The province didn't say that they're the final arbiter. They didn't say that the courts had nothing over this. They didn't say you can disobey a judge. It's not saying, "We're not going to listen to you, courts, and we're not going to listen to the federal government," he said. It's saying that the federal government has its jurisdiction and we have ours. That sounds pretty constitutional, so the reasoned amendment, I would suggest, doesn't have a leg to stand on.

Tristan Hopper from the *National Post* from December 5 ... [interjection] Maybe a little later.

Provinces aren't allowed to break federal law, but they've always been able to pick and choose which parts of it they feel like taking seriously ...

"The provinces can decide to nullify a new enactment simply by refusing to prosecute cases brought under this law," Alan Young, an associate professor at Osgoode Hall Law School ...

Then he says again:

After the Trudeau government announced a series of 11th hour amendments that would effectively criminalize most types of semi-automatic rifles ... Saskatchewan Firearms Act, a bill asserting jurisdiction over firearms enforcement.

Hmm. It seems like there are other provinces out there that are trying to set up shields that would protect them from overreach by the federal government, and it's not deemed unconstitutional.

Madam Speaker, if you're going to go and argue for a reasoned amendment and if that reasoned amendment has to stay within the scope of the bill and it has to show that the reasons for not going forward show that the bill is fatally flawed, in other words that it can't just raise a series of objections that could be dealt with by submitting amendments at the committee stage, then my argument would be that this bill needs to be rejected by this House as a reasoned amendment.

Thank you, Madam Speaker.

The Deputy Speaker: The hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Madam Speaker. It's my pleasure to rise this evening to speak to the reasoned amendment RA1, that was introduced by the hon. Member for Edmonton-Beverly-Clareview. It says to move that the motion for Second Reading of Bill 1, Alberta Sovereignty Within a United Canada Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 1, Alberta Sovereignty Within a United Canada Act, be not now read a second time because the Assembly is of the view that the bill is negatively impacting investment decisions and the Alberta economy and should not proceed in order to protect the economic well-being of Albertans.

9:50

While we got a rather interesting definition of what a reasoned amendment is, I find it baffling that members of the government can stand up and deny that this bill is completely creating chaos within industry, within our economic investors. We've heard from so many across the province and across the nation about the concerns with this piece of legislation. While the leadership review was going on, we had members of this now current cabinet that spoke quite openly about their concerns and the devastation and the impact that this would negatively have on Alberta's economy, yet here we are in the Chamber speaking to Bill 1, and there's been nothing that has created a sense of stability, a sense of confidence that would explain why we should proceed with this piece of legislation.

I'm in full support of this reasoned amendment. I do believe that we should stop this piece of legislation from going forward and send a clear and direct message to future investors that it's not going forward. There's an opportunity to regain some sort of stability in the province. We're hearing loud and clear that we are losing investment opportunities. We're hearing concerns ... [interjection] Absolutely. Go ahead, please.

Mr. Eggen: Thanks, Member for Edmonton-Castle Downs. I appreciate your perspective.

What I'm curious about: I just want to bring it back to, of course, the amendment and the scope of the amendment. It's to protect the economic well-being of Albertans and negatively impacting investment decisions and the Alberta economy. I know you've been following the Culture ministry closely over this last number of years. There are a number of areas within the Culture ministry that have a significant contribution to our economy, right? Madam Speaker, we have, for example, the film and television industry, which is a burgeoning industry; it's growing quite quickly. But I know from experience as Culture minister that it can move and it can go to one place and then leave very quickly. If circumstances change in the film and television industry, they can just simply pack up and leave.

Ms Goehring: Thank you to the hon. member for that contribution. I wholeheartedly agree that there are so many potential projects that are at risk because of this piece of this legislation. There are so many investments that come from film and television from outside of the province that employ directly individuals from the province. We have crews; we have lighting; we have costumes. There are so many things that happen once a big production decides to come to Alberta.

When this piece of legislation is signalling to investors that there's chaos, uncertainty, and it's not stable, it creates a space where investors simply might not want to come here when they can go next door to a province that has no sovereignty act before its Legislature. They're not going to sit around and wait to see what if, what happens. The very fact that this piece of legislation was introduced despite outcry from Albertans, from business leaders, from industries, saying that the mere introduction of the legislation, of the Alberta sovereignty act – it needs to stop. We know that international investors saw the introduction of this bill, Bill 1. It signalled that Alberta has simply a different set of rules than the rest of Canada. There's no amount of tweaking, if you will, that could happen that will change that perception.

Regardless of how you change it or add to it or remove it, like some of the members would like you to believe when asked about their flip of stance from being vehemently opposed to it prior to the leadership review to now being in cabinet and agreeing with it – you know, we heard things like: well, there are things that are different; some of the stuff is different. “Things” and “stuff” is not very reassuring language. But the language that this bill has has already signalled significant concern to investors, and the only way, Madam Speaker, that you're going to instill investor confidence is to kill this bill. It's to support this amendment and let it die.

We can't continue to live in a province with so much chaos and so much instability in so many areas caused by this government, to now pile onto that with the introduction of the Alberta Sovereignty Within a United Canada Act. I'm just baffled by why this government isn't listening to some of the business leaders, the industry leaders, economic leaders telling them that it's going to destroy jobs, chase away investment, and stifle Alberta's economy.

People are struggling in this province with their everyday lives. The cost of groceries has gone up, insurance rates, tuition. People are accessing the food bank at record numbers, Madam Speaker, and the very first piece of legislation that this government introduces completely creates more chaos, more instability to investors when we're trying to draw investment into this province. It's hard to argue that a company should come here and invest here when there's this type of chaos happening. The result is going to be that people are not only not going to come and invest here, but people are going to leave.

We've seen it in health care. We saw what happened when this government interfered with doctors and nurses during a health crisis. It continues, Madam Speaker. We've heard from so many health care professionals across the province telling us that they were leaving. They didn't feel supported; they didn't feel like this government was making decisions that were in the best interests of Albertans. Here we are again with Bill 1, talking about legislation that is scaring investors, that is creating instability. [interjection] Yes. I'll give way to the member.

Ms Sweet: Thank you, hon. member. You know, we're talking about not having this bill be read. I'm just curious if you could maybe talk about some of the important things about why this shouldn't be Bill 1. I know you're connected with the children's Stollery. Maybe from your experience in working with some of the

families there that have had children in emergency and things like that, are those some of the things that maybe you're hearing about happening within Calgary and Edmonton, and maybe that should be the priority right now versus the sovereignty act?

Ms Goehring: Thank you very much to the hon. member. She knows first-hand what it's like to work with some of our most vulnerable. We worked together in children's services for almost a decade. When you have direct front-line experience, you know how devastating some of the changes that this government has made are, the impact that it's had.

She made reference to a personal connection to the Stollery. I have a few. My son, my youngest, when he was born, he lived at the Stollery. I lived there with him. He was a very, very sick baby. Through the immediate reaction of our pediatrician at the time we were able to have him admitted, and they were able to find a place for me to be able to stay with him. Now, that was almost 19 years ago. My baby will be 19 on December 12. When I look at the state of what the Stollery was then and the care that we received as a family compared to the heartbreaking stories that are happening not just at the children's Stollery but at the Calgary Children's hospital, I can't imagine what the parents are going through right now, Madam Speaker.

10:00

To have this absolute crisis in children's health care is absolutely unacceptable, and for the very first piece of legislation that this government introduces amongst this crisis to be the sovereignty act is so out of touch. It is creating more and more chaos and stress, and I can tell you that those parents that are sitting, perhaps in a trailer, waiting 15, 20 hours for their child to see an emergency doctor are outraged, absolutely outraged, with the complete disregard from this government. We are hearing absolutely devastating stories on this side of the House, and I know that members of government are also hearing these stories.

You can't understand what's going on and support this as Bill 1. It just makes absolutely no sense while there is so much chaos and crisis happening in the province for so many Albertans. Why create Bill 1 as a piece of legislation that contributes so much to that instability and crisis? It needs to stop. It needs to not move forward, and people of this Legislature need to support Bill 1 and vote yes for our amendment. We can't in good conscience know what's happening in the province with our children that are requiring emergency health care and proceed on this piece of legislation. Our opposition made two attempts in this very Chamber to discuss the crisis because we knew it wasn't going to be addressed in their first bill, that this is clearly not a government priority, so we brought forward two attempts to discuss children's medical in this Chamber. Both of them were voted down.

We know that there are kids that are sick all across the province. We know that schools are suffering with lack of attendance because of illness. Teachers are stressed out. They're burned out. They're asking for support. The solution was for staff to be pulled from the Rotary Flames House in an attempt to meet the rising unmet patient needs at the Alberta Children's hospital. For those that don't know what the Rotary Flames House does, they provide children and families with respite care. These are kids that are really, really sick, and instead of talking about alternative solutions to how we can support the absolutely harmful wait times of children in this province, this government chose not to debate it. Didn't see it as a priority, and instead we're debating Bill 1. For a health care system that's been broken by this government and a government that's doing nothing to repair it, we're here talking about a piece of legislation that creates so much chaos for our economy.

It just simply does not make sense, Madam Speaker, why when we've heard from leaders across the province saying that this is absolutely not a piece of legislation that should go forward. It gives way too much power to the UCP. It's going to create too much stress and discomfort and harmful intentions to those that are possibly looking at coming to Alberta to invest. Why would this government continue to want to put this forward and risk that? I just don't understand. They talk about, you know, the NDP standing up and creating chaos. Well, a lot of this isn't our words. If you turn on the national news, people are talking about the chaos in Alberta. Why? Because of the introduction of this legislation. The majority of Albertans do not support this legislation, yet here we are debating a bill that this Premier is insisting go ahead despite not understanding it when it was introduced and saying that we were inaccurate and then changing some of her language to say: oh, no; we didn't intend that. It's too late. The damage is already done. This bill was introduced. Investors are worried.

That is not the type of Alberta that we want to draw attraction to. We want people to look to our province and be able to see a stable government. We want them to be able to see that legislation that's going forward is truly in the best interest of Albertans. This government is so out of touch when it comes to what is truly important to Albertans.

Thank you.

The Deputy Speaker: Are there others to speak to the reasoned amendment on Bill 1? The hon. Member for Edmonton-North West.

Mr. Eggen: Thank you, Madam Speaker. I appreciate the opportunity to say a few words in regard to this reasoned amendment, which says, in essence, that the Alberta Sovereignty Within a United Canada Act not be read a second time because of the negative impacts on investment decisions and the Alberta economy, not proceed in order to protect the Alberta economic well-being. As I listened with interest to the Member for Drayton Valley-Devon talking about the Constitution, I mean, I think that there are constitutional problems with this Alberta sovereignty act, but this particular reasoned amendment is talking about economic impacts specifically.

I've asked a number of speakers during this evening about their own ministerial or critic areas that they are responsible for, to speculate on how this Alberta sovereignty act might have a negative impact on that particular part of the Alberta economy. The area that I know something about, Madam Speaker, is in regard to postsecondary education. Our 26 colleges, universities, polytechnics spread around the province are an incredible asset that will help us to build the economy for now and for the future, to help to build citizens and to build a quality of life for now and the future here in the province of Alberta. Those postsecondaries are almost entirely a joint venture between the provincial government and the federal government. The federal government makes quite a lot of investments and a lot of decisions around postsecondaries here in the province and right across the country as well. Indeed, the investment is essential for particularly research in our postsecondaries here in the province of Alberta.

Madam Speaker, that research work, as diverse as it might be and, you know, through various academic pursuits and scientific and technological pursuits, has real, dramatic, and demonstrable, I should say, effects on our economy here in the province of Alberta. Any time you are compromising that by somehow suggesting that you will put a bill or a law in between the normal course of choices that postsecondaries and academics will make in regard to research and development in a particular institution or somehow directing or redirecting through law the partnerships that exist between provincial

and federal government in postsecondary institutions: that's a real impact on potentially the economy of our province. This is a long-standing way by which our colleges, universities, and polytechnics have been founded over many decades, right? Really, since the beginning of Confederation. To somehow interfere with that process with a false sense of a sovereignty act, I think, is a real problem. [interjection] I will certainly give way to the hon. Member for Edmonton-Ellerslie.

10:10

Member Loyola: Thank you very much, Madam Speaker, and thank you to the member for allowing me to provide a little bit of an intervention. Of course, when I got up to speak on this reasoned amendment, I was giving the House a bit of a warning. I think that this is another example of a very important warning in terms of the implications that this particular bill not only will have on the immediate economy, but now we're seeing that, well, it could potentially impact our postsecondary institutions. When you're talking about postsecondary institutions and impacts of legislation that they'll have, these impacts are going to go on from generation to generation, down the road. I'm hoping that, Member, you wouldn't mind speaking to what could potentially be some of those implications that perhaps members on the other side of the House aren't really thinking about at this moment when it comes to actually introducing this sovereignty act.

Mr. Eggen: Yeah. Thanks, hon. Member for Edmonton-Ellerslie. Indeed, you know, it doesn't have to be a generational change. In fact, things can move quite quickly, right? When people make choices around investment – really, grants and choices that are made around postsecondary: it's an investment, too, sometimes tens or even hundreds of millions of dollars. Look at the nanotechnology that the federal government has put into the University of Alberta here, for example. I mean, that has tangible, long-term consequences in a positive way, but by compromising the integrity of the relationship between the federal government and the provincial government, it can have a pretty fast effect on students choosing to study here in the province of Alberta if they feel like there's some element of instability. I see students all of the time in my life, my own professional life, my own personal life. They're pretty mobile, right? They can move from one place to another or choose an acceptance to a department or study for a postsecondary degree all over the world at this point in time. You know, we respect that choice, but we want them to have a top-quality, world-class choice right here in the province of Alberta if they want to do that.

While perhaps it takes generations or a long time to build up the reputation of a postsecondary institution, you could lose that in a matter of months, even, if something like the sovereignty act, you know, rears its ugly head and you find that people are having to second-guess about Alberta and Alberta's commitment to the provincial-federal relationship that has helped to build what a wonderful place that we have to live here today and wonderful postsecondary institutions that we have to study in here today as well. Those are the kinds of things you've got to think about. It's not just what the individual content of this particular sovereignty act is but the very idea of having a bill around sovereignty, as well, that really has an actual effect.

As I said briefly in comments, interventions here earlier this evening, I know that there are substantive differences between sovereignty legislation that was enacted in the province of Quebec from 1976 onwards to even, from time to time, this present day under different circumstances than Alberta. But just the idea of sovereignty legislation, period, is enough for people to vote with their feet. Once one thing moves, then other things start to move,

too, right? Let's say – again, this is an example from Quebec – Sun Life decided to close their headquarters in the city of Montreal 40-some years ago. People took that as a signal, and then suddenly you saw other institutions, financial institutions and railways, and then people started to move on real estate as well because they thought, you know – it's like one thing moves and then everything starts to move, like what I said before, like when a glacier melts.

You know, we have an opportunity to nip it in the bud here, but we also have to recognize the gravity of the situation when you bring up the concept of a sovereignty act, whether people see it for what is in it substantively or they see a trend or a movement and a direction. And I can say, in my judgment and in the judgment of investors and of researchers in postsecondary institutions, in real estate investment, in technology investment, in the oil and gas industry, I think it's demonstrably and almost universally viewed as a negative choice, right?

Let's nip it in the bud now. I think it's not such a bad thing to do – right? – to recognize when you need to change direction. I know it's awkward because, of course, this was the flagship bill of a new Premier and government and so forth, but, you know, when you look at not just the nuts and the bolts but the overall concept and direction, I think there are lots of better ways in which we can move at this juncture in the history of our province.

We have unprecedented inflation, right? This is a 40-year high for a lack of affordability that reaches right through each sector of our society. You know, I mean, we are MLAs. We make good money, but you can see the difference, I'm sure, in the last few months, that everything is much more expensive. Just imagine someone who is earning a third or a quarter or a fifth of the salary that you might have, and just imagine how difficult that is. Imagine having a young child in grade school right now with, really, an unprecedented flu season just getting started and already literally flooding our hospitals and our emergency rooms and our capacity to deal with severe flu symptoms, right? Again, just two examples of something that's literally happening by the minute, in real time, all around us.

We need to deal with using this legislative power and the power of the government of Alberta to mitigate the affordability crisis in this province, to look for ways to build capacity in our public health system in order to reassure public confidence in this government to be able to deal with issues like that. Does it instill confidence in a government when you are faced with two obvious crises right in front of your eyes and then you choose to have this as your first bill? I think not. [interjection] I would gladly give way to the member.

Mr. Feehan: Thank you for the opportunity to intervene. I'm very interested in your perspective on, you know, what is important versus what is not important in terms of the government's time. I know that you are one of the longest serving MLAs in this House at the present time, and you certainly would have some perspective on what happens when a government totally ignores the important issues of the day and focuses on things that are important to them and how that affects the belief of the people of Alberta that their government serves them well. What's the long-term consequence of having a government that doesn't listen to its own people, and how does that cast all of us who serve in this Legislature in a negative light? I'd certainly love to hear your thoughts about sort of the implications of acting in this way, where you ignore serious issues for nonserious ones.

Mr. Eggen: Thanks, hon. Member for Edmonton-Rutherford. Yeah, I mean, it might seem contradictory, then, why we would be

dwelling on Bill 1 when, of course, we're bringing up these issues that are – you know, it's like a house on fire, right? Why would you be dwelling on Bill 1? Let's just move past it. But you have to deal with what's before you, and hopefully we can recalibrate what is most important here this evening, to move back to what Albertans are really concerned about.

Certainly, I know that everyone is outreaching to their constituents and to Albertans around the province. I've certainly been doing that as well in the last few months, and, you know, it's self-evident what the concerns are for people in regard to health care, in regard to affordability, which extends to education and so forth. When you see something that might interfere with the timely action on those important issues, like debating the Alberta Sovereignty Within a United Canada Act – right? – at this moment, then you have to deal with that, too, so that you can move past and find what's really most important and what gives best value back to Albertans and Alberta society as well.

You know, I appreciate this amendment. I think that talking about the economic impacts is self-evident, and I've seen lots of people say, with a very quick analysis but a very decisive analysis, that, yeah, it can literally shake markets when you start talking about sovereignty, right?

10:20

It doesn't matter if you say: oh, well, it's sovereignty within a happy, stable Canadian environment, and everything is going to be okay. You'll say: well, why are they making excuses so fast, right in the title of the bill? Obviously, something seems fishy. When you have investments, it's not just investment capital but also, as I said, investment in research and technology and human investment – right? – people making choices about whether they would, let's say, move to a research facility and contribute to medical technology or whatever it is they're doing. Then should they move to Alberta, or should they move that to another place that might provide more stability and long-term certainty around being able to work together with provincial funding and federal funding as well? I mean, all of those things work together, right?

We live in a very sophisticated society that we should all be proud of, and we should invest in those strengths every step of the way, right? The fundamental strength, Madam Speaker, is when we work together in the broadest possible way. We work within Confederation. Of course, you know, there are things, issues that the federal government does that we have to push back against, right? I'm no fan of the Liberals, Lord knows, and I certainly have my concerns about federal intrusion, but there are ways by which you can deal with those without bringing up sovereignty, either as a concept or quite specifically, and using it especially as a threat. I mean, that's an antagonistic approach that bears no productive fruit.

Honestly, what we need to do at this juncture in our history is to start to deal with making life more affordable for Albertans, making public health care there when you need it for yourself and your family, to provide the safety and the security that those two things allow: affordability and a safe place with good health care to raise a family, to put down roots, and long-term stability to know that there's a stable government here to deliver for all of those things and other issues as they come forward.

As the Alberta New Democrats that is what we seek to do: to provide stability, to provide a stable government. This Alberta sovereignty act simply does not fit into that model, and thus we would suggest for all Albertans and for this House to vote for this amendment, which would refer this bill to not be read at this time.

Thanks a lot.

The Deputy Speaker: Are there others to join the debate on amendment RA1 on Bill 1? The hon. Member for Calgary-Bhullar-McCall.

Mr. Sabir: Thank you, Madam Speaker. I will be speaking in favour of this amendment, that essentially is asking that this bill not be read a second time because this bill will “negatively [impact] investment decisions and the Alberta economy and should not proceed . . . to protect the economic well-being of Albertans.”

There are a few things that I will touch on. First and foremost, the majority of Albertans do not support this piece of legislation. It's not a priority for them because there are many other issues that are front and centre for them. First, the cost of living across this province has gone up because of inflation and the UCP policies. Albertans want them to address that.

The second thing is that Alberta's health care is in crisis, and in Calgary the government's solution is to put trailers outside children's hospitals to provide care. That's where our health system stands right now. This government is pushing ahead with this piece of legislation that will not help us with the cost of living crisis, that will not fix a thing in our health system, and that will result in economic uncertainty and job loss across this province. This bill is giving the Premier and cabinet unprecedented powers to modify the application of laws, to suspend the application of provincial laws as they see fit, and not just that; to rewrite those laws behind closed doors, that power to amend by regulation a statute passed by the Legislature, commonly referred to as the Henry VIII clause. When we pointed that out, the government's key message was that we were fearmongering, that we didn't read the bill. It turned out that when they read the bill, they found that clause there, and now they're trying to work around that. We haven't seen anything yet, but that's what they are saying.

The second thing is that when we talk about the uncertainty it creates, we are telling this government that the business community has concerns about this piece of legislation. They are reaching out to us. They are speaking out publicly as well; for instance, the Calgary Chamber of commerce. The Calgary Chamber of commerce CEO said:

There is no shred of evidence that this act will lead to economic growth. You can't tell me this is going to support economic growth and support continued economic diversification in this province.

She is a hundred per cent right about it because, as the Leader of the Official Opposition mentioned earlier, this bill is designed to stoke anger, and it does nothing to help Albertans.

[Mr. Orr in the chair]

That's why a majority of Albertans don't believe that this bill will do anything to resolve the grievances they have against Ottawa.

The third thing. Not just the Calgary Chamber of commerce, but we also have heard concerns from the Canadian Association of Petroleum Producers, for the energy industry is very critical to creating jobs, creating wealth, creating prosperity. The windfall surplus that we enjoyed this year: that's because of our energy sectors. And leaders, stakeholders in that sector are warning this government that this job-killing sovereignty act will not help their industry. It's scaring investment away. It's scaring investors away. But, again, the government still refuses to listen.

10:30

Three treaty chiefs – 6, 7, and 8 – spoke out against this bill, and the best the government could do to address their concern is to point to a clause in this piece of legislation as if those chiefs didn't read that clause. And if the government thinks that that clause is enough

to address their concerns, then I would suggest that their joint presser they did, the concern that it raised, clearly shows how Indigenous communities don't trust this government. They fundamentally lack any trust, any faith in this government. Instead of engaging with them respectfully, meaningfully, they're trying to read them the provision of the law like that will fix everything for them. That is very disrespectful.

A lot has been talked about the constitutionality of this piece of legislation, and many have written who are not even constitutional scholars. Many constitutional scholars have written as well. I also have a group of friends who are lawyers; they had a lively debate about it as well. But I think one thing is clear, that section 96 of the Constitution gives the federal government authority to appoint judges, superior court judges. The same section was interpreted by the Supreme Court of Canada that this section also gives jurisdiction to those superior courts to decide constitutional issues, and that's in the Constitution of Canada.

[The Deputy Speaker in the chair]

Here we have a piece of legislation that gives this Legislature authority to make opinions about the constitutionality of Parliament's legislation. I think that section 96 would dictate that neither Parliament nor any Legislature can pronounce and decide on the constitutionality of any enactment. That role has been reserved for the courts, not for the Legislature. That's in the Constitution, section 96, and I urge members to look up its interpretation by the Supreme Court of Canada.

So people are questioning the government's intention of bringing forward this bill, and the reason for that is that it doesn't do anything to help address, for instance, issues that we have with any federal piece of legislation. When we were in government, Bill C-69 – we made submissions. We tried to make a case, and when in 2019 the UCP became the government, they adopted and endorsed our submissions. That's one way of doing things.

When we were in government, we started working on TMX. At that time 3 in 10 Canadians were in favour of that. The then Premier, now the Leader of the Official Opposition, went all across Canada to make a case about that pipeline, about our energy sector. At the end of that tour, 7 in 10 Canadians were in favour of that project. When B.C. and some other groups tried to throw roadblocks, we were able to push the federal government to buy that pipeline, and now we are a few months away from that project to be completed. That will be the first pipeline to tidewater in 40 years. Conservatives were in this province for 44 years. They had the federal government for 10 years. They were not able to build a single pipeline to tidewater. The lack of energy infrastructure that is creating issues for us is the direct result of successive Conservative government failures. They failed to stand up for the sector, and now they're coming up with this unconstitutional and completely absurd piece of legislation that will not do anything to help us.

Madam Speaker, there is another pretty interesting thing about this bill. This bill gives 30 days for anyone to challenge government decisions in court. That's usually six months, but they decreased it to 30 days. When courts review government decisions, the default standard is reasonableness. If there is an error of law, they will review decisions based on correctness standards. But what this government did was they inserted a standard of how they want to be reviewed by the courts, and that's patent unreasonableness.

Albertans expect their government to make decisions that are rational, that are reasonable, that are well thought out, and we've got a government that sets standards for themselves of patent unreasonableness.

The Deputy Speaker: Are there others to speak to amendment RA1 on Bill 1?

Seeing none, I will call the question on amendment RA1 as moved by the hon. Member for Edmonton-Beverly-Clareview.

[The voice vote indicated that the motion on amendment RA1 lost]

[Several members rose calling for a division. The division bell was rung at 10:39 p.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Bilous	Feehan	Sabir
Carson	Goehring	Sigurdson, L.
Eggen	Loyola	Sweet

Against the motion:

Amery	Jones	Shandro
Copping	LaGrange	Smith, Mark
Dreeshen	Luan	Toews
Ellis	McIver	van Dijken
Glubish	Nixon, Jason	Walker
Guthrie	Nixon, Jeremy	Williams
Hanson	Orr	Wilson
Horner	Pon	Yaseen
Issik	Savage	

Totals:	For – 9	Against – 26
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[Motion on amendment RA1 lost]

The Deputy Speaker: We are back on the main bill, Bill 1, in second reading. Are there members wishing to join the debate? The hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Madam Speaker. It's my pleasure to rise tonight to speak to the main bill, the Alberta Sovereignty Within a United Canada Act. I'm disappointed that it was not supported, our motion. I thought that it was quite good in the fact that it represented what Albertans are asking for, that this bill die. I'm hopeful that as we move through debate tonight, the government will do the right thing and perhaps support us in another amendment.

We've already been able to articulate many reasons why this bill is not what Alberta needs. We talked about the importance of having a stable and reliable government, and unfortunately this bill has signalled to so many international investors that Alberta is not a stable place to bring investment, and that's quite concerning. We've heard from the three treaty chiefs that this bill cannot proceed, yet this government is not listening to so many that are coming forward, talking about the concerns that this bill brings simply in its title, never mind the overreach and the gross powers that this government has put into this bill, many things that are alarming to Albertans, to investors, to international investors, to business communities. There is an endless list of people who have come out and spoken against this bill proceeding, and the opposition is listening. We attempted to put forward a reasoned amendment that, unfortunately, was just defeated, Madam Speaker.

I would like to move an amendment, and I have it here with the copies and the original. I will wait until you have it.

The Deputy Speaker: Hon. members, this will be known as amendment RA2.

Hon. member, please proceed to read it into the record.

Ms Goehring: Thank you, Madam Speaker. I move that the motion for second reading of Bill 1, Alberta Sovereignty Within a United Canada Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 1, Alberta Sovereignty Within a United Canada Act, be not now read a second time because the Assembly is of the view that the government has failed to adequately consult with nonprofit organizations and municipalities on the potential risks this bill presents to federal funding for their projects, including critical infrastructure and housing initiatives.

Madam Speaker, it may come as a surprise to members of the UCP caucus and perhaps even members of the cabinet, but consultation didn't happen prior to the introduction of this bill. We shouldn't be surprised that, based on reports, even after introduction many of the members of cabinet hadn't read the bill. Clearly, there wasn't adequate consultation with the members of the government caucus, so it should come as no surprise that municipal leaders and nonprofit organizations were not consulted with. However, municipal and nonprofit leaders have been loud and clear that they have grave, grave concerns.

11:00

Now, I encourage members of this Assembly to look into who is listed as a provincial entity under 1(e): a municipal authority, "an entity that receives a grant or other public funds from the Government that are contingent on the provision of a public service." For each member across the aisle, how many of you have an entity in your riding that fits this? Did you talk to them before standing in full support of this bill?

Let me provide you another quote, Madam Speaker: "issue directives to a provincial entity and its members, officers and agents . . . in respect of [a] federal initiative." When these entities are reading this, they are obviously concerned. There is no clarity on the intention of these directives, and no one has received assurances that the UCP government will not put federal funding at risk; federal funding for affordable housing, federal funding to support newcomers, federal funding to pay their early childhood educators, to build playgrounds, ice arenas, music venues, all a part of every community. When these organizations highlight concerns with the sovereignty act, the Premier tells them that they need to do more internal consulting. It's pretty rich.

With this amendment the members of the UCP have an opportunity to do better, to represent the constituents in their ridings, to prove to Albertans that they are listening. We had members of this cabinet, prior to becoming cabinet members, speak out against this bill. They talked about how concerned they were. They were all together in coming up with comments that said that this bill absolutely will not improve the economy of Alberta. It's nothing more than virtue signalling, a fiscal fairy tale that doesn't make any sense and won't work. Those comments came from a minister that sits in this Chamber, who now has changed their tune, who is now singing the praises of this piece of legislation. So I'm just very concerned that they're not listening to their constituents, that they're not listening to Albertans.

There are some significant concerns with proceeding with this bill. Again, the opposition is speaking on behalf of Albertans and speaking on behalf of business investors, speaking on behalf of national investors and asking the government to not proceed with this piece of legislation. We're asking that it not be read. There's nothing that is happening within this piece of legislation right now that is signalling that it should be something that goes forward.

[The Speaker in the chair]

There are so many nonprofits across this province that should have voice. These are individuals that are relying on grants. They're relying on support from their government. They're relying on stability. The nonprofits in Alberta, I would argue, have been here prior to even the making of the province. These are people that volunteer their time, that work with people in every capacity across every constituency in this province. They work in the sports community. They work in arts. They work in religion. They work in food safety. They work in food security. They are working with the most vulnerable populations and doing the very best that they can to support Albertans right now, and having the information that they have not been consulted is very, very concerning. Our municipal leaders, elected officials across this province, have not been consulted with. I would argue that they have a lot at stake when it comes to the passing of this legislation. How can we, in good faith, move forward with a piece of legislation that has not been consulted on?

We've seen over the past few days the government argue that we were wrong about the interpretation of this bill. We heard ministers come forward, after they said that this bill would destroy the economy, change their tune, but couldn't articulate why and what was better. We heard a Premier say that we were wrong and then backpedal and say: well, we're going to change some things.

We've heard loud and clear from Albertans, from industry that the very introduction of this bill is dangerous. It does not benefit the economy. So there's absolutely nothing that could be introduced that would fix it. The damage is done. The only way, Mr. Speaker, that this government can show that they've been listening to Albertans is to stop this piece of legislation, to support the amendment that I've just introduced and not let this piece of legislation proceed. It should not be read a second time when we know that consultation didn't even happen with their own cabinet. That's concerning. We have a Premier that's putting forward legislation that she clearly didn't completely understand, members of her caucus didn't understand, and for some reason members of her cabinet were opposed to but now suddenly agree with. I think the fact that our municipal leaders and our nonprofit sector have not been consulted with is deeply, deeply concerning.

This gives the government an opportunity to stop the chaos, to stop. We need to be able to look to international investors and to small businesses and say: "We heard you. We value the insight that you bring to this table, the expertise that you bring to this table. We've heard you loud and clear, and we are not going to proceed with the Alberta Sovereignty Within a United Canada Act." That is the only solution in this mess that was created by this government. It should not be read a second time. I would plead with members of government to vote in support of this reasoned amendment and show Albertans that they're listening, that they want to see success in Alberta, that they want to see an economy thrive. At this point, Mr. Speaker, it's the only way to do that and to signal to international investors and to anybody considering coming to Alberta that they heard them.

This is something that's deeply concerning, that this is the very first piece of legislation that's coming forward from this government when there's so much chaos already happening in the province, and to add to that chaos simply doesn't make sense. The only way to stop is to not proceed with reading this bill a second time. The very first piece of legislation from this government should address what Albertans need support with: health care, housing, affordability. All of that is what Albertans are talking about, not asking a government to create more chaos and to disrupt potential investors from coming here.

11:10

There are so many projects that are in the process right now of coming to Alberta. I would be curious to know how many are paused because of this act. How many investors are looking at what's happening in the province and not even remotely considering coming to Alberta? How many investors are being scared away because of the simple introduction of this piece of legislation? And that damage can't be undone if we proceed with this piece of legislation. No matter how they want to reframe it or introduce amendments, it's not possible. The mere introduction of this legislation is the damage.

When investors look to where they want to put their hard-earned money and their families, that are going to come to support their business here, when they see a government that is in chaos and is putting forward legislation that gives such sweeping powers to them and disregarding the economic impact, why would they invest in Alberta? Why would they come here? There are so many other options for them. And it's simple. All this government has to do is not have this bill read a second time. Support what Albertans are asking for, support what investors are asking for and not proceed with this bill.

It just boggles my mind that we have so many people that want to be part of the economic conversation and so many that are coming forward saying, "Please, we have ideas; we have solutions," and this wasn't one of them. Creating chaos and instability cannot be the right answer. I would please request that everyone in this Chamber support this amendment.

Thank you.

The Speaker: On amendment RA2, the hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you very much, Mr. Speaker, and I smile because I heard from the other side that someone would love to call the question. I could talk about this bill all night. And, in fact, when it moves to committee, I will, and I hope the minister will be in the Chamber because I will talk your ear off, through the Speaker, of course. That's a trait that I have passed on to my daughter, where she's also quite chatty.

Regardless, I'm standing here to support this reasoned amendment, and I may go through, Mr. Speaker, and outline my reasons for it. As I said to my good friend the Member for Drayton Valley-Devon, I was itching to get up and intervene on his speech, and I appreciate his comments and I appreciate his concerns. What I'm going to do is try to address some of those and others and the reason that I'm supporting this reasoned amendment and why I don't support this bill. Quite frankly, it comes down to investor confidence. All of the arguments I'm going to lay out in the next 13 and a half minutes have to do with investor confidence.

It's not about the constitutionality of this bill, and I appreciate the Member for Drayton Valley-Devon outlining some of his rebuttals behind that argument. I appreciate that, and I mean that sincerely. I think too often in this Chamber as of late we've gotten away from debating policy and giving arguments as to why we accept or refute the other side's opinion and points, and we've gotten into a name-calling, hyperpartisan discussion, and quite frankly I don't think Albertans have the appetite for it. I think they're tired of it. I think rightly so. I didn't get into this job to call people names. It's about building.

So the reason that I support this amendment to stop this bill is not about the constitutionality of it. I appreciate – this is how lawyers make their bread and butter, and no offence to the lawyers

in the room, but they can debate this until the cows come home and interpret law. For me, the challenge with this bill – and regardless, Mr. Speaker, if the government and the Premier bring in amendments to fix some of the more challenging sections of the bill, that's not the issue I have with it. The issue I have with it is that the province of Alberta putting forward a sovereignty act to be able to have two different sets of rules to play by is going to be a deterrent to investors coming to Alberta.

When they look at Canada and they look at the different provinces, investors want certainty. They want stability. They want predictability. When you have one order of government bringing forward a bill that challenges the authority of another order of government in name, that's a red flag. I don't expect our international investors to go through the bill and read it and understand the nuances and translate it. They're going to see – and, rightly or wrongly, the media has covered this bill enough that international investors understand that Alberta has brought forward a bill to challenge a federal government. The challenge with that is that that will be a deterrent.

Now, we all know that provinces have the ability to challenge the federal government through the courts. We've always had. We need that. We absolutely need that. We need to be able to hold the federal government to account. We need to be able to ensure that they don't overreach. There have been times and many times in Alberta's history where we've challenged the federal government and we've been successful, as we should. We need to protect Alberta's interests. We need to stand up for the province. All of us in this Chamber agree with that. The question here is: what is the best mechanism to do that?

My concern, even when, you know, the Premier has said that there will be amendments coming forward – and I'll talk about the cabinet process. Having been a cabinet minister, I have serious concerns with where we're at governmentwise. But the point is that even if the government neuters this bill and takes out any kind of teeth, which is what's one of the concerns of international investors, you still have a sovereignty act that is questioning and putting questions into the minds of investors of the two different orders of government having two different sets of rules. Every international investor I've talked to wants simplicity, they want predictability, and they want stability. When you say to an international investor, "We're going to have two different sets of rules; one is going to be for this province with the federal government, but much of the rest of the country" – and I'm going to carve out a caveat right now on Quebec; I will talk about Quebec. That will deter investors from selecting Alberta. It will. Investors want to know that there's stability.

Let me give you an example, okay? There are lots of energy companies that, when Donald Trump came into power, talked about how he was going to reverse all of the climate policies and allow coal to continue under his government in perpetuity. Do you think the companies opened a whole bunch of coal mines and continued down that path? No. You know why? Because they recognize that that kind of investment is a 50-year investment, and Donald Trump will be long gone. It's not even about Donald Trump; I'm not attacking him. Any politician will be long gone over a 50-year span. These companies are looking at: what is the long-term investment? [interjections] My point is – when I'm on a roll, just let me roll. I appreciate the chirps that are going on over there.

11:20

Listen, folks, 15 minutes is not enough time. My daughter would tell you that 15 minutes is not enough time. The point is that the predictability and stability investors are looking for go far beyond an individual political party or a four-year mandate. In fact, that's

probably the biggest concern that they have. So, for me, even if this bill is, you know, amended or potentially improved, the risk still exists that you have a piece of legislation called the Alberta sovereignty act. I can tell you and I know that very few people that I'm looking at in this Chamber have spoken to international investors in the whites of their eyes in their home country. I mean, largely in part this is not an attack on the government. COVID has inhibited them from travelling internationally. Investors will tell you that they're not about to read the legislation. They're about to see that the current provincial government is trying to establish a separate set of rules from the Canadian government, and that's problematic.

Now, I'm not saying the spirit behind this bill, to give Alberta additional tools to stand up to a federal government – and, quite frankly, I would argue that it doesn't matter if it's Liberal or Conservative. I can tell you that there are Conservative governments in Canada who have acted against the province of Alberta. I'll give the minister, who loves to chirp when I speak, a great example. Which government initiated the regulations to phase out coal in this country? It was Jason Kenney and Stephen Harper. If you shake your head, go and look at the federal *Hansard*. They initiated that six out of 18 coal-fired plants were to be phased out . . .

Speaker's Ruling Relevance

The Speaker: I hesitate to interrupt my good friend from Edmonton-Beverly-Clareview. However, we are on amendment RA2, which very specifically speaks to: "the Assembly is of the view that the government has failed to adequately consult with nonprofit organizations and municipalities on the potential risks of this bill." It goes on. It says very little about any of the topics which he has discussed up to this point. I provided a pretty wide latitude. However, the hon. the learned member, who's been in this House for, oh, more than a decade, will know that at no point in time during his tenure has a caucus moved two reasoned amendments to a piece of legislation. While it is within the right of the members to do so, I think it's reasonable to expect that the relevancy of their remarks will be specific to the amendment.

The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you very much, Mr. Speaker. My point in this is that governments have a significant influence over the investments that come to a province.

Debate Continued

Mr. Bilous: I see that I have a colleague of mine who is interested in intervention. I'll give way.

Mr. Feehan: Thank you, Member. I appreciate the opportunity to ask you a little bit. I noticed that you were talking earlier about the fact that Quebec has over the years made a number of moves in this particular direction, but one of the things that we've learned in the evaluation of Quebec is that they really haven't recovered properly from their sovereignty attempts in this country. As a result, they are quite a bit farther behind economically than they would have been otherwise. I'm wondering if you might have some further comments about the ultimate consequence of taking this kind of a sovereignty approach.

Mr. Bilous: Thank you, colleague. Mr. Speaker, do you, sir, know roughly how much time I have left in this . . .

The Speaker: Four minutes and 37 seconds, approximately.

Mr. Bilous: Four minutes, 37. Okay. I can't wait until this bill goes into Committee of the Whole, in which case, bring your pyjamas.

I want to thank the member for referencing Quebec because here is a very important example of what happened. The members talk about Quebec and how Quebec has stood up for their sovereignty. Are the members aware – the Minister of Finance is looking at me, and I appreciate that he will know this – that Montreal and Quebec used to be the headquarters of all of the major financial institutions of Canada? All of them were in Quebec until they brought in a bill like this, and all of the headquarters moved out of Quebec and into Toronto. How many have moved back? None. How many are going to move back? None. They're going to stay in Toronto. [interjection] I'll give way in a moment, Member. The concern is that a bill like this could have long-term, long-reaching effects, where we know that Alberta and Calgary is the home, is the number two city, for headquarters for our financial sector. A bill like this could chase them out of Alberta.

I'll give way.

Mr. Williams: Well, thank you, Member, for giving way. Your premise of the speech is that if there is one set of rules for the province and another for the federal government, it will cause confusion, and investment will flee. I don't accept that premise. I think that's factually wrong. But if we give that to you and we say that this bill is not amendable and we say that it's not about the constitutionality – and this isn't a partisan question; it's purely pragmatic about investment. I think that as evidence I will posit the historical record of the NDP government in 2015. I remember in Peace River you guys brought forward your first budget, and the day after Shell pulled out of the Carmon Creek investment, a \$12 billion megaproject gone. No more investment came in afterwards.

So whatever hypothetical you think is true here, how do you justify, if it's purely practical and it has nothing to do with partisan politics, not coming to this side of the Chamber and disavowing your role in the last government for the factual flee of capital out of this province, so much more devastating than any hypothetical that you could dream up that may or may not happen from this? It's practical, hon. member. Please answer.

Mr. Bilous: Mr. Speaker, well, first of all, the member is factually incorrect. Second of all, as I've said, I've spoken with a number of executives from some of the largest oil and gas companies in Alberta and Canada who have said that the Alberta NDP did more for the oil and gas sector than the current UCP government has in the last three and a half years. [interjections] No, laugh it up, because you've drunk the Kool-Aid.

Look at the royalty review. Can any member in this Chamber tell me what the royalty structure was before 2015? I bet you you'd have to struggle to get it, and I'm even looking at former ministers. We modernized through the royalty review, where we incentivized oil and gas companies to continue through the life of the well when productivity declined. Previous to our royalty modernization most companies sealed off wells because they paid the same royalty level when the well was producing 100 per cent as when it was producing as it tailed off, so they capped it. We modernized it. We listened to the oil and gas sector. Let me tell you: there were lots of New Democrat members who were quite frustrated with us because they thought we were giving too many breaks to the energy sector. What we did was that we charted a course that was fair to our oil and gas producers but also ensured that they would continue through the life of the well, which was also a boon for Alberta taxpayers.

I can tell you that this bill in its current state, regardless of what's written in it, has chilled investment. I appreciate that the Member

for Peace River respectfully disagrees, but this is where I will say to the Member for Peace River: are you talking to the international investment community the way that we are? I'm not trying to pull a card. I'm saying that as the former minister of economic development and trade I'm speaking to international investors that I spoke to when we were a government, and they are scared. The sovereignty act has just placed question marks into the viability of investing in Alberta, and even that questioning of, "Is Alberta a predictable place to invest in?" has chilled investment.

Therefore, our government – I won't give way this time, Member. This is why we brought forward a second reasoned amendment, because no matter what amendments the government brings, the chill on investment will not end until this bill is repealed.

11:30

I'm all for having a conversation on: what other tools can we come up with to ensure that Alberta and Albertans are a priority? I don't disagree that there have been times where Ottawa has overreached and we need to stand up for Alberta, but the bill, this tool or mechanism, is not the way to stand up for Alberta. My fear is that, like Quebec, it's going to have long-term consequences on Alberta. All of the financial headquarters of Canada moved out of Montreal. Quebec has been reeling from the impacts of their bill for 40 years.

I love this province. I'm an Albertan. I'm born and raised here. I do not want our province to suffer for decades because of a bill that maybe was good intentioned but is not going to deliver the outcomes that the current government thinks it's going to. The unintended consequences far outweigh the benefits that this government may think this bill is going to deliver for Alberta.

For those reasons, Mr. Speaker, I'm supporting this reasoned amendment and cannot support this bill moving forward.

The Speaker: Hon. members, on amendment RA2 I see the hon. Member for Drayton Valley-Devon is on his feet, which I will call momentarily, followed by the hon. Member for Edmonton-Manning, but I do want to reiterate, members of the Assembly, that it is not the convention of the Assembly to continue to propose reasoned amendments and then speak to the main bill. So it will be a requirement of members that if they want to propose multiple reasoned amendments, they speak specifically to the amendment, not broadly speaking, as we just saw from the hon. Member for Edmonton-Beverly-Clareview, about the main motion. There will be plenty of time for that in the future.

The hon. Member for Drayton Valley-Devon should he choose to speak to the amendment.

Mr. Smith: Thank you, Mr. Speaker. I won't take long, but I would like to speak to the reasoned amendment here. As you rightly have pointed out, the reasoned amendment here is dealing with the potential risks this bill presents to federal funding for projects, including critical infrastructure and housing initiatives. I believe that in this reasoned amendment the argument that they're making is that this bill is going to impact our relationship with the federal government and that it's going to affect things like critical infrastructure and housing, and therefore we should vote in favour of this reasoned amendment to stop the bill from going forward.

Yeah. I believe that the previous member – I appreciated the comments that he had to say. It's true that when governments make decisions, there are potential consequences to those decisions and to the legislation that they pass. I can remember when I got elected the first time in 2015. This young social studies teacher, or younger social studies teacher, went from being in his classroom on the day the election was called in 2015 to a month later being in his

constituency office. Within the first two, three months I think I had five oil and gas company CEOs coming into my office, and I'm going: why are these important people coming to see a little MLA like me? Every one of them had the same message, that the decisions that governments make do have consequences.

Every business in the oil and gas industry, at least the five that came through my constituency office, said: you know, every time we make a decision about how we spend money, we do a risk analysis. Then they went on to proceed to talk about royalty reviews and carbon taxes and increasing corporate tax rates and all of the things that the Alberta government under the New Democratic Party was starting to do. Their message was very simple to me: we can spend our money anywhere in the world, and we're choosing not to spend it in Alberta. So I agree with the member that was speaking just before me here when he says that predictability and stability are important things to have and that the decisions of government can make a huge impact.

Obviously, in this amendment they're worried about federal funding for projects, including critical infrastructure and housing. Yet I would draw to their attention that Bill 1, we've said very clearly, is about creating a shield, that this is about protecting Alberta, that we have had a history over many, many, many years of the federal government passing legislation that has overreach to the point where it's affecting Alberta in very significant ways, passing legislation that even the Alberta courts have ruled is unconstitutional. This is not a sword. Bill 1 is not a sword; it's a shield. It's about protecting Albertans from the overreach of a federal government that has refused to recognize that it has certain constitutional lanes that it has to stay in, and then when it doesn't – you're right – it does affect the predictability and the stability.

So we've had to come in, and, yeah, we had to be a little creative, but we brought before the people in this Legislature Bill 1, that will allow us to create a shield that will protect the citizens and the economy of Alberta from the unpredictability that comes when a federal government begins to overstep its constitutional boundaries as it passes legislation. This bill is allowing us to be able to say: if you are going to do that, if you are going to pass legislation that's going to threaten the economy of Alberta, that's going to create instability, that's not going to allow for businesses to have predictability, then we as the Legislature of Alberta will use this act to protect us and to protect the citizens and the businesses and the constitutional rights of Albertans.

Member Loyola: How?

Mr. Smith: Through debate and motions in this Legislature. We will bring forward motions that will deal with the individual indiscretions of the federal government as they pass legislation that is outside of their constitutional boundaries.

The Speaker: I hesitate to interrupt the member, but what is fair for the goose, in fact, is fair for the gander, and I'm having a hard time understanding how your comments specifically relate to RA2, which very specifically discusses about consultation with nonprofit organizations, municipalities, the potential risks that the bill presents. If the member wants to speak to the main bill, he's welcome to do so. If he wants to speak to the amendment, particularly now that we're moving into additional reasoned amendments, he ought to be speaking specifically to the amendment.

The hon. Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Mr. Speaker. I apologize if I've strayed into the indiscretions of other members earlier today.

My point was this, that in creating a shield in Bill 1, it is that; it's a shield. It's there to try not to create a situation where federal funding for projects, like critical infrastructure and housing initiatives, will be threatened but will keep the federal government in their constitutional lane, and when we each stick to our constitutional lanes, then the discussions about how we are going to fund critical infrastructure or highways, et cetera, then the funding discussions between the federal government and the provincial government on housing initiatives and where that money is going to come from are productive discussions. But if we can't have a shield that protects Albertans from the indiscretions of a federal government passing legislation that overreaches their constitutional boundaries, it's then that we begin to get relationships between the federal and the provincial governments that threaten productive conversations on the kinds of critical infrastructure and housing initiatives that are important for all of us to be able to benefit from across this country.

With those comments, I thank this House, and I thank the Speaker for your attention. We will continue the debate through other people. Thank you.

11:40

The Speaker: The hon. Member for Edmonton-Manning.

Ms Sweet: Well, thank you, Mr. Speaker. I will try to stick to the amendment that is currently in front of us. You know, I believe that it's important that this be supported in the House, and part of that is the consultation with nonprofit organizations and municipalities on the potential risks that this bill presents to federal funding for their projects, including the infrastructure and the housing initiatives. If we look at the section that it's referencing, it actually speaks to section 1(e), which includes municipal authorities and "an entity that receives a grant or . . . public funds from the Government that are contingent on the provision of a public service," which is what this referral is speaking to.

Now, the reason that I feel like this is very important is that I've been, again, like I said earlier today, since this bill has been introduced, speaking to my stakeholders, and my stakeholders have been clear that they don't understand how this is going to have an impact on their sector in relation to the partnership with the federal government. They haven't been consulted. They haven't had those conversations.

You know, it's a pretty significant piece when we look specifically just at the ag societies alone, which would fit under this section of the act and have not been consulted. The very funding that they receive would include the Canada-Alberta job grant. They receive the energy savings grant. They get funded by FarmSafe. They get funded for local festival grants. They get community anniversary grants. They get Canada greener homes grants. Many of those grants are partnerships between the province and the federal government.

Now, we've heard from the Premier in recent weeks about mandate letters that have been sent to ministers, and she spoke, even in this House during question period, about encouraging her ministers to come up with motions that would speak specifically under this act that could be addressed. Well, when that happens and we look at the grant funding that is being offered to many of these nonprofits that are under the minister's purview, it raises questions around what is going to happen with that partnership with the federal government and the provincial government when it comes to securing those grants.

Now, again, because the industry hasn't been consulted – we are talking about critical infrastructure. We can look at the irrigation partnership that is being funded under the CAP program; 60 per

cent of that is federal, 40 per cent of that is provincial, with a little bit of the municipalities' partnerships. That is a direct partnership and relationship between the federal government and the provincial government.

Those projects, those planning grants, all of the things that are associated with the irrigation network specifically, as one example, could be something that should be discussed with the irrigation networks prior to looking at this act, explaining to the irrigation networks what this means for the partnership that the minister is going to have to have with the federal government. Is this going to be a motion that he may have to bring forward into the House to talk about area management agreements, land management, the partnership that the federal government has around endangered species or looking at invasive species?

Those issues directly relate to the partnership with irrigation networks, which directly relates to the grant money, that directly relates to this specific amendment saying that those consultations never occurred. I'd be curious from the minister if he sat down and had a conversation with the irrigation networks about the potential impacts of the sovereignty act and what that means for their investment. That's just one example.

We could look at, if we want to go back to the annual report for agriculture and forestry, the fact that \$42 million was given through the CAP funds invested in 2021-22, and that was \$42 million for sector capacity, industry growth, risk management for multiple key objectives, including the outcomes of the actual areas of farm efficiency, environmental management, growth and value-add, public trust but doesn't include the administration fee, and then the modernization and streamlining of programs such as service delivery standards, including transparency of the industry, which goes back to my earlier remarks that I made in regard to how this act is going to impede, potentially, the reputation of the agriculture industry at our international markets. How are we going to ensure, from the conversations that are happening when we're working with CFIA around our food inspection, that our export markets, our international partners believe that Alberta is still standing up and doing the appropriate things?

Many of those things are partnerships. Many of those individuals are producer groups that are going to be significantly impacted if the government chooses to start using motions in this House and start creating disagreements with the federal government. This is a significant amount of investment money.

I do want to acknowledge, though, that because of all the money that was transferred, maybe the minister is not as concerned because he actually didn't use the full federal transfer budget last year, left some money on the table. It's in your report, Minister, that there was a shortfall. It didn't actually all get spent.

Now, under CAP we saw \$3 billion of federal, provincial, and territorial funding investment into agriculture and the agrifood sector. That was effective April 1, '18, to 2023. Now, more than \$400 million of that will be invested over the five-year period for agrifood- and agriproduct-based industries, but again 60 per cent of that funding is coming from the feds; 40 per cent of that is coming from provincial governments.

Again, working closely with our producer groups, as indicated within the annual report, the minister will continue to work closely with the industry to support growth and diversification using that federal dollar transfer. So was the consultation happening? What is going to guarantee these organizations, that are currently going to be receiving that amount of money through their grant transfers, that they're going to continue to have that? Has that guarantee, has that conversation happened with those producer groups?

Now, they receive grants, so they qualify under this amendment. That was part of the consultation piece. When I talk to stakeholders,

they haven't had those conversations. They're not aware of all these different impacts that are going to happen.

Of course, we could talk about AgriStability and AgriRecovery and the partnerships that happen with that and the fact that, you know, 322 producers had to sign up due to the severe drought and that \$1.5 million was paid out in the 2021 program year. We could also talk about the Canadian federal-provincial-territorial agreement that happened on the reference margins, also significant federal transfers that impact direct producers. We could also talk about the \$9.28 million that was required, that was used to help with the livestock producers, crop and forage producers, beekeepers, and mixed farmers, all of which should have been consulted with under this legislation before it was introduced.

Now, of course, \$400 million was also allotted from the federal government for AgriRecovery specific to livestock feed, the initiative which, I believe, the minister just put some more money into. Thank you for that. But, again, that is a grant program that is administered by the livestock feed association through a grant, which is dependent on the relationship between the federal government and the province.

Now, of course, when we had a severe drought, \$352 million was provided under phase 1 and then phase 2 of the CALFA, which covers about 2 million animals in the province, also the beekeepers, with \$1.9 million to help with drought-caused low forage. Those are significant things that impact many of the minister's stakeholders.

Now, on top of that, there's also federal funding to support farm smart, which includes vegetation management, prescribed fire, FireSmart planning, and general wildfire prevention projects with Indigenous communities. We've already heard from many of our colleagues here that the Indigenous communities are not feeling like they've been consulted on this piece of legislation. In fact, that is a significant investment, \$1.3 million to work with Indigenous communities on fire – significant – yet clearly from my colleague it was mentioned that the Indigenous community doesn't feel like they were consulted. Those conversations didn't happen. They don't know what's going to happen with their FireSmart grant and how that's going to work with the Indigenous partnerships that were created through the federal government.

11:50

And, of course, my favourite, the mountain pine beetle: also significant funding that comes from the federal government. One million dollars was allotted to help control – oh, sorry. It was \$60 million. It was a cost share with the federal-provincial agreement to enhance the mountain pine beetle management program, with additional funds also being obtained by \$1 million from our lovely colleagues in Saskatchewan because they don't want the mountain pine beetle.

So what does that look like? How do those partnerships, not just with the federal government but with our interprovincial partnerships that we have with B.C. and Saskatchewan – money transfers back and forth between governments all the time to ensure that we are protecting our environmental sustainability.

Mr. Williams: Point of order.

The Speaker: A point of order is noted. The hon. Member for Peace River.

**Point of Order
Relevance**

Mr. Williams: I rise under Standing Order 23(b), speaking to a question other than under discussion. I've yet to hear anything

about the second reasoned amendment, Mr. Speaker, and I'd be very happy to hear more about it.

The Speaker: I'm not convinced you're listening, then, because largely all of her remarks have been on the reasoned amendment.

The hon. Member for Edmonton-Manning.

Ms Sweet: Sort of like reading the bill. Yeah, just like reading the bill. Clearly not paying attention.

Debate Continued

Ms Sweet: Again, as I'm speaking to this, there are significant transfers that are happening between the different provinces.

Now, the other thing that I think is significant that we need to look at is that the revenue from the government of Canada was \$270 million more than budgeted in the last budget by the minister, and part of that was because of the fact that we had such a significant drought in the last season, so there was increase of another \$253 million for agriculture income supports for the Canada-Alberta livestock feed assistance program in response to the province-wide drought, increased funding of \$22 million for AgriInsurance due to increased commodity prices and insured acres.

Now, additional funding of \$2 million was also provided due to increased wildfire activity on federal land, so the feds helped us out. That's good. It's their land. These increases were partly off-set by lower funding on the pine beetle. So there were actually significant changes from the 2021 actuals. The revenue from the government of Canada was actually increased to the province by \$236 million, mostly due, again, to the Canada-Alberta livestock feed assistance program, significant transfers from the federal government. [interjection] Go ahead, Member.

Mr. Eggen: Well, thank you, hon. Member for Edmonton-Manning. You know, on what you've been describing in regard to the federal grant funding and whether it has the potential risk for this funding to be gone using this new sovereignty act, I would like to just ask two things or put two things out. Do we have perhaps an aggregate of how much money is at stake in the agriculture industry from federal – I mean, you don't have to do the math now. But I see a pattern, for example in postsecondary, where it's almost as though this provincial government has been taking this sovereignty act out for a test drive for years now, leaving money at the table because of not matching grants that come from the federal government to fund postsecondary, child care, a whole range of things, where literally those programs and that money that was meant for Alberta families was left on the table because this government was failing to put forward the matching funds, right? So it's almost like trying a sovereignty act soft version of it, and here we are today.

Ms Sweet: Well, thank you, hon. member. Actually, I do have the numbers. The total budget for the federal transfers was \$46.8 million. It was not fully spent. To give the minister some leeway, it was due to supply chain disruptions that were experienced by many of the grant recipients, partly because of COVID. So I'll give you that. So \$42 million was spent, and there was \$46.8 million in total that was transferred. COVID got in the way, supply chains got in the way, but all of that is grant funding. That is a significant amount of money.

Now, on top of that, we also have the Alberta employment training funding program. The Canada-Alberta job grant is a federal-provincial partnership under which Alberta employers and the government share the cost of training new and existing employees, and the program contributes up to about \$15,000 per trainee, per employee; again, a partnership that exists for agriculture

and other jurisdictions in regard to supporting new employment growth in the province.

On top of that is the Alberta jobs now program, which is about \$370 million to private, nonprofit businesses – just so the member is aware, I'm talking about nonprofits – to support much-needed jobs for underemployed and unemployed Albertans across the province. Employers will be able to apply for the grant, that covers 25 per cent of an employee's salary or training costs up to a maximum of \$25,000 per employee. The second applicant intake for this program is actually at the end of the month.

So those are a couple of other grant programs that have significant impact for our nonprofits. They help get people into the workforce, yet nobody was consulted on that.

Now, we look at the federal transfers that also exist. The accelerated investment incentive: another one. The accelerated investment incentive was introduced in 2018 as a means to encourage investment in capital assets. This incentive was to enhance first-year allowance for certain property that is subject to capital cost allowance rules – I'm sure the Minister of Finance thinks that's good – manufacturing and processing machinery and equipment acquired. It was available from 2018 until 2024 and up to use till 2028. This would encourage any property that would allow businesses to immediately write off the full cost of machinery and equipment used for manufacturing or processing of goods, and these measures are scheduled to be phased out between 2024 and 2027. Again, for those who are looking at agrifood, any of those investment companies, any of our producer groups that are trying to look at trying to set up greenhouses, any of our horticultural industries, any of those things – and I have many, many, many more, but I see I am running out of time.

Thank you.

The Speaker: Are there others on amendment RA2? The hon. Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity to speak to this referral amendment. I quite enjoyed the speech just given by the Member for Edmonton-Manning, and I intend to take some of my time to kind of follow up on what she said. She clearly has given numerous examples of federal initiatives that are in jeopardy when we look at what could potentially happen with this act and clearly has outlined in depth many reasons why this bill should not proceed forward, as it threatens institutions here in the province of Alberta.

I want to speak about the underlying fundamental argument that is inherent in the extremely well-articulated set of examples that were given by the member, because it is a concern that is expressed across a number of different groups of people, whether they be stakeholders or whether they be First Nations or whether they be nonprofit institutions here in the province of Alberta, that the intent of this act is to, as the Member for Drayton Valley-Devon says, be a shield for the province of Alberta.

However, in the actual construction of the bill it is clear that it's only a shield for a very select few people. For everyone else it's a sword. For everyone else the outcome is likely to be that they will find themselves at the losing end of this situation, and the reason why is because the bill talks about the fact that they will only use it to protect the public interest here in Alberta. But what it doesn't do is that it doesn't clearly outline what public interest means. I'm not asking for a definition of public interest. What I'm saying is that the nonprofits and the First Nations and the farmers and other groups in the province of Alberta have learned quite clearly that often, when the public interest is raised as a reason for some kind of action on the part of the government, it turns out it is not, in fact, the wider

public interest but the interest of a very narrow or select few within the public.

12:00

This government has been really consistent on that, consistently moving money from the poor to the rich, moving power from the collective to individuals within government. And that has made people nervous. You know, I had a chance earlier in the House today to talk about Grand Chief Arthur Noskey saying that they learned from the first bill brought in by this government that the bills were not written for First Nations. They know that because the bill was intended to stop protesters who were trying to protect treaty rights. He said: we can see that it wasn't written for non-Indigenous people because they certainly didn't use it at the Coutts border crossing. He said: given that experience with this government we understand that we do not fit into public interest when the bill suggests that. This is the underlying issue that all of these organizations have, and they've seen it in many other places.

We've heard the Member for Edmonton-Manning articulate many examples when the current government has failed to work co-operatively with the federal government to bring dollars into this province. I can tell you that I've certainly heard that, too, when I go around the province, that this government has made the decision not to accept federal dollars because they want to stand off from them, and the consequence is that people here in this province lose out.

I know, for example, that this provincial government is one of the very last governments in this country to accept any kind of a deal at all on child care, which meant for months, even up to a year, people who could have had their child care subsidized did not get it subsidized. They lost money. They personally lost money. And then when it was brought into the province, the intent of the federal legislation was undermined because this government had a different idea of how child care should be funded.

One of the consequences, when I went and visited, for example, the Metis Calgary Family Services, was that their lowest income participants in their child care were actually charged more money under the Alberta program than they were previously to the Alberta program coming in, so the very poorest of the poor were the ones who ended up paying more. They did not feel like they were part of the public interest at that time, and that's the reason for this amendment. The amendment is that this government has not consulted appropriately with a wide range of Albertans to ask how they might understand public interest to include that wide range of Albertans.

As such, the fear across nonprofits and across First Nations, across institutions in the province of Alberta is that this government isn't really interested in the broader public interest but only the interests of a few within the public. If the government can't understand that, they simply need to go to the communities out there that have been telling us over and over again that that is the problem. We know, for example, that in the First Nations community they have articulated deep concerns about how this might affect their treaty rights. We know that section 2(c) was an attempt to say that it won't affect treaty rights, but we also know that that doesn't hold any sway when the rest of the bill actually does affect treaty rights. They're saying that that's what concerns them. That's what is going to be the reason why they are standing up repeatedly to ask that this bill be stopped.

Chief Tony Alexis from the Alexis First Nations, for example, has said: please at least stop the bill until the time of an election. What he's asking for is a broad consultation about how this will affect the interests of the public. Whose public interest? That's the question that they're all asking. Whose interests are involved in the public interest? It certainly isn't the First Nations, and it certainly

isn't the nonprofit societies, which is why we are asking this bill to be returned and to be stopped at this particular time. [interjection] I see that there is an intervention, and I will cede my time for a moment.

Mr. Eggen: Well, thank you, hon. Member for Edmonton-Rutherford. I like the way that you are contextualizing this, through the Speaker, of course, because if it's not for so many people that you just described – and immediately your description made me think about: to what degree is it for postsecondary, for students, for support staff, for research professors, for endowment contributors to postsecondary institutions? Again, you see this insidious reach by this UCP government over the last three years of dictating, you know, where people make their money and how they would tolerate quite serious cuts without ever talking to the actual people who were affected by those decisions.

Mr. Feehan: Thank you very much, Member. I appreciate the intervention. I think it's important that we recognize that there is a wide range of institutions in this province, and postsecondary clearly is one set of interests in this province, but those interests are unique to postsecondary. They aren't necessarily the same interests that would be of concern to, for example, nonprofit societies or may not be the same as the interests of, for example, people who are wishing to make investments in the province from a profit motive.

The point is that there are multiple interests. Each group has different concerns that they need to protect, and each group will have to live with the consequences of this government deciding on their behalf what public interests are. And what we've seen with this government is that they don't have the same values around postsecondary, for example, that the postsecondary institutions have. The postsecondary institutions have seen massive, serious cuts in this province. The University of Alberta has lost somewhere in the neighbourhood of \$700 million under this government's control, and they clearly do not feel like that has been doing anything for the benefit of their faculty, of their students, or of their staff. But they have no control because this government has decided what's in the public interest and has not allowed the people who actually know the most about education at the postsecondary level to make the decision about what public interest is. They have taken that power and brought it into the government, where it should rest in the community, and that's exactly the fundamental issue inherent in this bill.

This government is continually taking powers and moving it into the government. We've seen them do this repeatedly over the last almost four years now, and each time we stand up and say that this is antidemocratic. You are giving the power to ministers to make decisions about things that should be in the public sphere, especially in a Westminster democracy. It should be brought into this House. It should be debated in this House. It should reflect the concerns and the desires of people in the community. But this government has continually made the decision: "No. We're not going to do that. We're not going to involve the people in the decision-making. We're going to bring it in-house. We're going to make the decision in our cabinet room." In this bill they're actually attempting to do that without any reference to the Westminster democracy, of which we're all a part. They've been caught on that, and apparently there is a possibility that we might see some changes to the bill over the next little while, but of course we haven't seen any yet, so we can't really think that that is actually going to happen until it does. No evidence of it so far.

I think that all we can go on, then, is: what is the government's previous behaviour? The best predictor of future behaviour is past behaviour. In this case we've seen a government that has

undermined community values. [interjection] I see that there's an intervention.

12:10

Member Loyola: Thank you very much, Member for Edmonton-Rutherford. Through you, Mr. Speaker, to him, I'd just like to highlight the fact that, again, this is not new with this government. Over the last three years we've seen a number of bills being proposed in this House where it's the centralization of decision-making. Power is put directly in the hands of ministers, and I would like your opinion. Like, I mean, the only reason why I would think that this government would do that is because they're so focused on their own ideology and implementing their ideological approach in changing Alberta to fit what they believe is the only way. I believe that that just reeks of arrogance, and it needs to be challenged.

Mr. Feehan: Thank you for that intervention.

I think, you know, we've certainly laid out the argument for this referral amendment, that inherent in the referral amendment is a plea to go back to the community, to speak to the community about how it is that they will be affected and to not make decisions that ultimately are negative for the community. We've seen time and time again, as the Member for Edmonton-Manning articulated extremely well, as the people at the Metis Calgary Family Services told me about the child care, as the city of Edmonton experienced with regard to the province not co-operating with getting federal dollars for housing at a time when we are experiencing some of the worst housing crises in this province. We can go on and on and on and talk about the examples of when this government has really failed to understand that although they have an agenda, it does not reflect the agenda of the vast majority of the population in the province of Alberta.

The polls that we see coming out right now are telling us quite clearly that that is true. You know, it's funny. We're in this House, and we're quite used in the House to having debates where we have this sort of both sides kind of argument going on, where both sides introduce their experts and their commentators and say: well, our guy says this. But we're in a very funny situation here on this particular bill because for the first time in my life I'm standing up and instead of saying, "My guy says this," I'm starting to say; your guys say this; your conservative commentators are saying things. I mean, it's interesting that, for example, Kory Teneycke, who was the Conservative strategist for the 2022 Ontario PC election, was a campaign manager, said that, quote, it's fundamentally unconservative. He said that, quote, the solution to unconstitutionality is not more unconstitutionality.

Here we are saying this over and over again. We list the people who are conservatives in every other aspect saying that this is not reflective of who we are. However you define public interest, it is not reflecting the conservative values or understanding of what public interest is. So if the left is saying that this is not public interest, if the First Nations are saying that this is not public interest, and the conservative community is saying that this is not public interest, whose interest is it? It's a very narrow, ideological group of people that are having their interests being put forward, and that's the fundamental problem here in this particular case.

I mean, we did see minister after minister come out against this particular bill. We saw the Minister of Treasury Board and Finance come out against it. We saw the Minister of Trade, Immigration and Multiculturalism come out against it. We saw the Minister of Jobs, Economy and Northern Development come out against it. We saw the Minister of Environment and Protected Areas come out against it. We saw the Minister of Municipal Affairs come out against it.

We know all of them voted against the person who was going to bring this in. They tried to stop it, and not one of them has stood up and told us what specifically is different about this bill than the one that they voted against.

We know that the CEO of the Calgary Chamber of commerce has come out against it. We know that the CEO of the Canadian Chamber of Commerce has come out against it. We know that the CEO of CAPP, the Canadian Association of Petroleum Producers, has come out against it. Now we have the very successful campaign manager of the 2022 PC campaign in Ontario coming out against it. I mean, we literally have a list of all the people who should have been part of their community, who should have been saying that this is the right way to go. They are asking you to do exactly what we are asking you to do right now, and that is to stop this bill, to refer this bill out of the Legislature, to seek to end this bill at this particular time and bring it back at another time, after we've had some proper consultation.

I know, for example, the Minister of Indigenous Relations has suggested that some consultation is going on, yet I have literally been on the phone for days now talking to chiefs across this province who are telling me that they haven't received a phone call. They haven't heard from the minister, so if there's consultation going on, it has not had time to go very deeply into the community and, as such, does not reflect the community's interests.

Thank you, Mr. Speaker.

The Speaker: On amendment RA2, are there others? The hon. the Minister of Agriculture and Irrigation.

Mr. Horner: Yeah. Thank you, Mr. Speaker. A pleasure to rise and speak to this amendment. There's been a lot of discussion over the last few hours. It's hard to remember where we started, but in regard to this amendment and needing to consult with nonprofit organizations and municipalities, a lot was said previously about agriculture specifically.

[Mr. Walker in the chair]

I can say that, you know, 70 different industry groups – one of the groups that was mentioned previously, the irrigation districts: I actually spoke to them today. They were so concerned that they brought it up zero times while we went through a laundry list of things that they were concerned about, that we're working towards.

Much was brought up about the relationship with the federal government and the provincial government in regard to the CAP program, which, going forward, will be the SCAP program. I can assure the opposition; I know they're very concerned. I think they believe, they misunderstand, or they think that money was left on the table. That's not the case. It's a five-year program. It was signed on to by an NDP agriculture minister, and it rolls year to year. We'll be very sure to use all the money right up until the end of March, before the next program starts. I hope that provides a little clarity to how that actually works.

The 60-40 relationship: it's an important one between the federal government and the provincial government. It touches on a lot of things. It touches on, you know, things that they want to see moving forward, maybe protections on the environment, maybe efficiencies in irrigation, but also the business risk management suite, which we're all very concerned about and want to ensure is very robust for our producers and can kind of answer changing landscapes economically for farmers in every different part of the sector.

Something I did in a big way before I went to Saskatoon, and eventually after a lot of, I would say, hard-fought negotiation on behalf of the province, was consult with all of those industry groups about the federal-provincial relationship and that agreement

specifically. We held our own round-tables during the Calgary Stampede where they begged me: don't even sign it if it's a bad deal; please tell us that you're able to go there and dig your feet in the ground and don't let them back you into a bad deal.

[The Speaker in the chair]

It was usually around the idea that the federal government was going to push their emission and environmental goals to the point of making the things that are most important to our producers, the production insurance, the AgriStability program, that will keep them in business when we get those bad years. They wanted to ensure that the federal government kept out of those programs so they were actually still actuarially sound and made sense. That was the commentary and feedback that I heard in what I would call extensive consultations.

We did go to Saskatoon. We did sign another five-year deal. I think there was a lot of give-and-take. In fact, on the side of the road, over a Zoom call, I spoke to all of those industry groups again to just explain to them the rationale behind why we said yes to the things we did, what we gained on, what were our hills to die on, so to speak, and how we came to an agreement. In the end, the program was substantially increased; it hadn't seen an increase in over a decade, certainly not during the time when the NDP signed an agreement. We were able to see the money increased, we were able to use it well, and we came to some real compromise. I think that should be the goal of our relationship with the federal government.

12:20

If you're going to sit there and say that all of those things are in jeopardy because the province of Alberta uses this act like a shield and then these things will be in jeopardy, well, then, I'd say that we probably have a bigger problem to talk about, because we're talking about a federal government supporting the agriculture sector across the country. If we have to worry about a five-year agreement that we signed on to in good faith to deal with all of these things, from production insurance to the environment and these pursuits that both of us share, if those are truly in jeopardy: what are we talking about here? I think we have a far bigger problem.

I would say that I didn't hear from any of those groups that they were concerned about this jeopardizing that. If that is what those members are saying, I think maybe they should phone Jagmeet on the mother ship and say: what the heck is going on, boss? Unless that's your intention. If that's what you're saying, then come out and say it. But all I would say is that this amendment is silly. This bill has been talked about. We're here to stick up for Alberta, we're here to treat it like a shield, and if any of those things are in jeopardy, we have a far bigger problem.

The Speaker: Are there others on amendment RA2? I see the hon. Member for Edmonton-West Henday on the amendment.

Mr. Carson: Thank you, Mr. Speaker. It's a privilege to rise early in the morning in the Legislative Assembly here to speak to the amendment before us, the reasoned amendment, again, stating that Bill 1, [the] Alberta Sovereignty Within a United Canada Act, be not now read a second time because the Assembly is of the view that the government has failed to adequately consult with nonprofit organizations and municipalities on the potential risks this bill presents to federal funding for their projects, including critical infrastructure and housing initiatives.

I didn't plan on reading all of that, but I did.

You know, there are a few pieces within this reasoned amendment that I plan on supporting for a number of reasons. One of the topics that stands out here and that has been discussed to some extent at length is the relationship with the municipalities. We

see, even in Edmonton here, that my councillor has been vocal about their concerns regarding Bill 1, kind of relating it back to: imagine if we gave these types of powers to – obviously, municipal governments are a little bit different – the current mayor or the next mayor, what kind of concerns that might raise.

Again, we have our own municipal partners raising concerns. It's not only this battle that this government is considering taking up with the federal government. But whether it's an innocent bystander or not, Mr. Speaker, our municipalities are going to be stuck right in the middle of this. We talk about – and I think that the Member for Edmonton-Manning, as did many other members, spoke to several important programs that are potentially going to be put at risk or stakeholders that might be concerned about the changes being proposed in Bill 1.

Just looking back to some of the decisions that this government has made, the previous member made an important point about housing, that the city of Edmonton is now having to fund for themselves because the provincial government is not willing to take up their role as a partner. At that time, when those discussions have been happening over the last weeks, the Finance minister – the only thing that they could put together was that there might be more funding in the next budget, which is obviously an inadequate answer considering we are losing lives right now.

This relates back to our relationship with municipalities and the need to adequately consult with nonprofit organizations. Again, when we look back to the relationship that this UCP government has had with the federal government over the last several years and especially through the pandemic, obviously, coming from very different directions, the Member for Edmonton-Rutherford made the very clear point that this UCP government, I think, makes many decisions that are not generally popular with the majority of Albertans and are making decisions, whether it's about funding, whether it's about legislation that they're putting forward, that clearly are not supported by the majority of Albertans.

In this case, through the pandemic, we saw money left on the table. A report at the time – I believe it was January 2021 – showed that the provincial government left more than \$675 million in federal money on the table for a number of programs: essential worker wage top-ups, job training in hard-hit sectors, rapid housing initiatives, long-term care supports as well as help for early childhood educators. I'm sure that list isn't extensive, but again, when we look at the decision of this government to not support the city of Edmonton in ensuring that there are adequate shelters and adequate funding for potentially temporary housing, they had an opportunity to fix this. There were federal dollars on the table through the pandemic specifically earmarked for rapid housing initiatives, but I think that in this instance the provincial government didn't have an adequate plan in place to access the entirety of those funds. The minister of housing can correct me if I'm wrong. Maybe he wants to make clear how many federal dollars were actually left on the table. Again looking at the report, it does say that it was because there wasn't an adequate plan in place to access those additional dollars.

So when we look at the relationship between the federal and provincial governments and how it relates to Bill 1 as well as, of course, how that is going to affect our municipalities, who have to bear much of the cost of the unhoused population, I think it's important to point out that the provincial government had an opportunity to work with the federal government but, for one reason or another, did not access those tens of millions if not hundreds of millions of dollars for, specifically in this case, rapid housing initiatives, and now we find ourselves in a situation where municipalities are having to fund that themselves.

When we look at the issue around affordable housing or shelter space or, even further, when we talk about, you know, rehabilitation and the direction that this government has taken, I have grave concerns, if the federal government is putting money on the table, that because of a disagreement about who should be able to accept that money, the type of person, whether they are trying to get out of addiction, whether they are just at the front end of that process, there are so many questions left to be answered about what this government, again, in section 3 under resolutions, describes as “anticipated to cause harm to Albertans.” I mean, again, it is such a general concept or general subsection that they’ve included in here, and beyond that, of course, Mr. Speaker . . . [interjection] I see an interjection, that I’m happy to take.

Thank you.

Member Loyola: I want to thank, Mr. Speaker, through you, the Member for Edmonton-West Henday. I’d like to express my gratitude, really, to all the members who have gotten up and spoken to this reasoned amendment, highlighting the implications of Bill 1 and how it could have a really drastic impact on individuals within our own province here. You know, the Member for Edmonton-Rutherford was expressing how, well, it’s not in the interest of Indigenous people, it’s not in the interest of the nonprofit organizations, and now the Member for Edmonton-West Henday is talking about the most marginalized people in our society, people that need access to housing now. I don’t think this government has given it enough thought about the implications that this sovereignty act and the relationship that we have with the federal government – I just find it astounding that hundreds of millions of dollars are being left on the table by this government.

12:30

Mr. Carson: Well, thank you for that, Member. I really do appreciate that. I truly and completely agree with that point, that there really seem to be many unintended consequences, not only when we look at the economic consequences but the consequences of our relationship with nonprofit organizations, municipalities as listed in this reasoned amendment. Of course, again, that’s not an extensive list, but these are some of the organizations and stakeholders who could be dramatically impacted by the fight that potentially could take place because of this legislation.

Again, looking back at the idea that this government and this cabinet wants to give itself such extraordinary powers, specifically under the resolutions clauses: “anticipated to cause harm to Albertans.” How do you quantify that, Mr. Speaker? “Anticipated to.” We’re talking about changes that the federal government not only in this legislation clearly shows that they have already taken – that’s one thing, of course – but that they are anticipated to take. We don’t even know that they’re planning to do it. We haven’t seen the legislation that the cabinet and provincial UCP is saying that they might be doing. I mean, it seems quite absurd, and to threaten our relationship with stakeholders and other partners and levels of government is just a recipe for disaster.

Again, looking at the concerns around rapid housing initiatives and ensuring that, especially as things get colder and colder here – we’ve seen a drastic drop – we should all be working together to ensure that things like housing initiatives are moving forward and not held back because of a difference in opinion based on, you know, this current government’s direction compared to the federal government, compared to previous provincial governments or municipalities.

It’s quite clear, through the discussions that we’ve had on Bill 1 this evening and previously, that this government and this Premier have not adequately consulted with municipalities. That has

become very clear from the comments that have been made by municipal leaders in Edmonton and across the province. This government has not been able to show adequate evidence that nonprofit organizations have been consulted on this. It seems quite clear that they haven’t been. Again, beyond municipalities that are potentially going to be affected by this, as previous members have said, nonprofit organizations have a lot to lose in this fight that this current UCP government wants to start as well.

Again, I understand, as previous members have, that there are grievances that we have with the federal government. By no means do I agree with many of the decisions that they make, but the fact is that when we talk about leaving money on the table, this government, well, has done quite an exceptional job of that, again looking at the figure of \$675 million through the pandemic that this government left on the table in federal funding. For what, Mr. Speaker? Because they have a difference in opinion on whether essential workers should be getting a wage top-up? I mean, these are decisions that have drastic impacts on the people in our community.

Mr. Speaker, I think that the idea of the early childhood educators and the \$10-a-day child care funding agreement has come up as well. For one, that it took so long for this provincial government to get that agreement in place has impacts on Alberta families as well as nonprofit organizations in our communities.

Beyond some of those issues that I’ve brought up, I know that the issue of climate change and taking action, whether it be lowering emissions or lowering our electricity bills because of the extensive growth of our bills across the city and across the province because of this government’s unwillingness to take meaningful action, whether it’s community leagues, whether it’s nonprofits from various sectors, you know, looking to access federal funding for green initiatives, again, if we have a provincial government that’s saying, “Well, we don’t agree with your, you know, decisions around emissions” or “We don’t agree with your decisions around how you’re funding green initiatives in our community, so we are not going to match those funding agreements,” that is going to have a negative impact on our community as well.

So it really goes back to the priorities of this government, that they aren’t willing to adequately consult. The fact is that it seems quite clear that the Premier – definitely the Deputy Premier, because they made the statement that they had not even read the legislation to a journalist at the time. That was the Deputy Premier from Lethbridge-East, I believe, Mr. Speaker. But many, many of the government members and the cabinet members who at one point completely disagreed with this legislation are now willing to put federal funding at risk for important projects in our community, are willing to put their relationships with municipalities and their relationships with nonprofits in jeopardy because they aren’t willing to stand up to this rather draconian piece of legislation.

So again I ask all members in the House this evening, or this morning, to please consider supporting this reasoned amendment because the fact is that it’s very clear over the weeks that we’ve been discussing this legislation that this government has not adequately consulted with nonprofit organizations, with municipalities, and that there is grave concern about critical infrastructure and housing initiatives across this province.

We’ve seen previously – I think that we had a little bit of clarity this afternoon in question period from the Premier that there isn’t a plan to go back on the Springbank dam project, but, you know, that, apparently, was only cleared up today, and there are many other initiatives, whether we’re talking about the green line in Calgary, the funding around that, in Edmonton the valley line west LRT, where we had committed the provincial funding to match the federal funding under our time in government. There was a moment

where there was some concern around that because of decisions and comments that the minister, the UCP minister, at the time was making. So, again, when we look at these important infrastructure projects that could be put in jeopardy because of a disagreement between the federal and provincial governments, that is very concerning to me and should be very concerning to all Albertans.

I think from the push-back that we've seen, again, from all sides, not simply from progressives – you know, we have seen many conservatives very concerned with this as well about what it might do or what it will do to our economic environment, the stability, ensuring that the rule of law is upheld in our province, that it is not going to have a negative impact on our relationships between stakeholders, Mr. Speaker.

Thank you.

The Speaker: Are there others on amendment RA2? The hon. Member for Edmonton-Riverview.

Ms Sigurdson: Thank you very much, Mr. Speaker. I'm happy to join the debate on RA2, which indicates that we should not now read a second time Bill 1

because the Assembly is of the view that the government has failed to adequately consult with nonprofit organizations and municipalities on the potential risks this bill presents to federal funding for their projects, including critical infrastructure and housing initiatives.

To even go more broadly than this amendment, I just wanted to go right back to the legislation as it relates to the RA2 amendment. It describes a provincial entity in quite a bit of detail, you know, and the reasoned amendment is indicating how nonprofits, of course, are impacted, municipalities are impacted, but it's also even broader than what we're suggesting here.

It's talking about

- (i) a public agency as defined in the Alberta Public Agencies Governance Act,
- (ii) a Crown-controlled organization as defined in the Financial Administration Act,
- (iii) an entity that carries out a power, duty or function under an enactment,
- (iv) an entity that receives a grant or other public funds from the Government that are contingent on the provision of a public service,
- (v) a regional health authority . . .

I'm not even half done.

This list is extensive. It is so broad ranging. I am very curious and perhaps concerned also whether the government can actually manage all of this, to understand what provincial entities – they've created legislation that is so unwieldy that it's going to be impossible to implement or even to understand.

12:40

The other piece that is, again, extremely wide ranging is that "federal initiative" means a federal law, program, policy, agreement or action, or a proposed or anticipated federal law, program, policy, agreement or action." These are the things that this legislation is supposed to regulate and that are extremely – I don't know. Really, a very broad ranging, significant number of organizations in this province would be impacted. Of course, as many of my colleagues have spoken about already, so many federal initiatives, based on the definition I just read, are, you know, intersecting with all of these organizations that serve Albertans.

If we even just look at one area, let's look at affordable housing, the annual report of seniors and housing 2021-22. It talks about federal money that they get. It talks about the Canada infrastructure program, the Canada housing benefit – for people who don't know, that's the rent supplement program – capital grants from the

national housing strategy, and the social housing agreement. These programs in one year alone invested from the federal government \$91 million approximately. So we're not talking about just a little bit of money; we're talking about a significant amount of money that is fundamental to Alberta's affordable housing in our province that serves vulnerable Albertans. This legislation really shakes that all up and makes those bodies that receive that funding very concerned.

We already have difficulties, Mr. Speaker, in terms of the provincial government being willing to work with the federal government on these programs. You know, one of the things that the UCP did when they first came into government was that they cut the rent supplement program by about \$16 million. Of course, we have matching funds with the federal, so if we cut it here, then we're not going to get the federal money.

I've heard time and time again from so many stakeholders that the province is missing in action. They actually are going directly to the federal government, working with their local municipalities. I hear this from so many housing management bodies, nonprofits all across this province. They say that the province is missing in action. They're not investing. What did they do since they've become government? They wrote a report – that's about all they've done – and they talked about privatizing affordable housing and selling off a whole bunch of our assets, doing a real estate review to see where they can get rid of assets. And then they say – this is back to Bill 78 – that that will go back into affordable housing, yet the legislation, of course, never indicated that, so that was an amendment that we brought forward for that, to support affordable housing in our province.

Regardless, this government has really dropped the ball on housing. I mean, I suppose it seems kind of ridiculous for me to say this, but it perhaps indicates how little this government cares about affordable housing. They've even just amalgamated a whole bunch of stuff into one ministry. Seniors and housing are all in Seniors, Community and Social Services. Housing doesn't even have a title anymore in a ministry. You know, it used to be with seniors and housing, which gave it some – our government gave it some importance, of course, by having a ministry that was specifically focused on those two aspects. But this government has just amalgamated a tremendous amount of very important supports for vulnerable Albertans into one ministry.

I'm sure it's overwhelming for the minister because it's untenable. How can he be able to manage all of that? Really, I have heard hardly anything from him since he's come into office except for his own personal sharing of his experience working in the nonprofit sector. No investments in affordable housing. No movement on that area.

These investments we receive from the federal government are not trivial, and I think the housing sector has every right to be, you know, extremely concerned about this legislation. That's why this amendment to Bill 1, RA2, is so important, and I urge all the people in this Legislature to vote in favour of it because we really haven't given a voice to those housing management bodies, to nonprofits in the sector.

You know, I've said this many times in the House: we know that we have less affordable housing than is needed in our province. We have less than the national average; about 4.3 per cent of housing is affordable. Here in Alberta it's only 2.9 per cent. We're behind. We need to invest significantly, but sadly this government has not chosen to. If they're not going to work with the federal government and their robust programs like the ones I've indicated to you here – the Canada housing benefit, capital grants from the national housing strategy, and the social housing agreement – we're not going to have the housing we need, and indeed that's our situation at the moment.

Municipalities are doing the best they can. I mean, we know we're in a crisis. I don't know. What did someone say to me? Like, with the wind chill and everything it's, you know, more than minus 30 below today or something like that this evening. I know that people are living rough out in the community in the Edmonton area, and they need that housing. They need permanent supportive housing because we know that vulnerable people with mental health and addiction issues – providing them just with the bricks and mortar of a building is not enough. We must provide them wraparound services.

The city of Edmonton has been crying, honestly, literally, for a long time, trying to move this government to see the importance, and their asks haven't even been that significant. You know, I think it was about \$9 million they looked for for operating these wraparound services for permanent supportive housing. This government has kept turning away, turning a blind eye. Literally, people are dying in our city, and we know that people are losing limbs because of being frozen. Horrific things are happening in our community, and this investment in affordable housing is so key to making sure that people are safe and that they live with dignity.

So that's why RA2, voting in favour of that, is so important. We need every dollar we can get. We need the province to step up, but for some reason they haven't decided that this is an important part. Even though we have a significant surplus, it's not an important part of what they see as key for helping our city, our province. We know that, you know, it costs more for someone to live rough. It costs us as the public more than to give them affordable housing. Anyway, there are just a million arguments. There are human rights, economic arguments to having enough housing for people. Of course, we want to work very closely with the federal government to ensure that happens, and if this sovereignty act isn't willing to work with the federal government, which it certainly seems to indicate it won't, we think: whoa; we need to slow down, and we need to make sure that we understand the consequences of this very significant legislation.

12:50

Has the UCP consulted with the housing management bodies? We have the Greater Edmonton Foundation here, that serves seniors. About 4,000 seniors live in lodges across the greater Edmonton area. In Calgary we have Silvera, which does amazing work serving seniors in keeping them well housed and supported. We also have sort of our affordable housing partners like Sevita and the Calgary Housing Company. These are the big four, we call them, that do

significant work to support Albertans who are vulnerable. Has the UCP spoken to them about any concerns that they might have regarding how this legislation will impact the receipt of dollars?

Also, not long ago I was at the grand opening of a facility in Calgary, and it was kind of a unique joint venture between HomeSpace and Inn from the Cold. The city of Calgary put in millions of dollars, the feds put in millions of dollars, and the province put in very minimal. People are overcompensating for the province instead of the province stepping up.

You know, some of what this bill could create, even more difficulty in the sector, seems to be already manifesting. It's not only in this area but in other nonprofits that certainly do tremendous work, certainly nonprofits that work with vulnerable Albertans that use drugs: Jasper Place Wellness Centre, some of the inner-city agencies like Boyle community services, Bissell Centre, those places. Those are also nonprofits that are so important to making sure that vulnerable Albertans are supported.

We know that because of the UCP's very narrow view of what needs to happen for people who use substances, use drugs – of course, we know that evidence shows that we need a continuum of services. We certainly do need to have detox centres. We need to have residential treatment. We need all sorts of the things that the UCP likes to call recovery.

But we need harm reduction services, too, and that's one area that the UCP wants to cut back in and has already, so much so that we already know that they have cut federal funding or have not received federal funding or they have received federal funding that they have rejected. That's already happened. We know that the different harm reduction programs – or they've delayed harm reduction programs because of their very narrow ideological view on what people who are using drugs need. But we know – I mean, one of the things that we certainly say is: how can anybody go into recovery if they're dead? We need to support people where they're at, so harm reduction services are fundamental. Right now we really continue to be in a significant crisis, so working with the federal government to make sure that there is a significant investment in that area is important.

With that, Mr. Speaker, I will adjourn debate. Thank you.

[Motion to adjourn debate carried]

Mr. Williams: Mr. Speaker, I move that we adjourn the Assembly until 1:30 tomorrow afternoon, December 6.

[Motion carried; the Assembly adjourned at 12:54 a.m. on Tuesday]

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For inquiries contact:

Editor

Alberta Hansard

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875

E-mail: AlbertaHansard@assembly.ab.ca