



Province of Alberta

The 30th Legislature  
Fourth Session

# Alberta Hansard

Wednesday afternoon, December 7, 2022

Day 6

The Honourable Nathan M. Cooper, Speaker

# Legislative Assembly of Alberta The 30th Legislature

Fourth Session

Cooper, Hon. Nathan M., Olds-Didsbury-Three Hills (UC), Speaker  
Pitt, Angela D., Airdrie-East (UC), Deputy Speaker and Chair of Committees  
Reid, Roger W., Livingstone-Macleod (UC), Deputy Chair of Committees

Aheer, Hon. Leela Sharon, ECA, Chestermere-Strathmore (UC)  
Allard, Hon. Tracy L., ECA, Grande Prairie (UC)  
Amery, Hon. Mickey K., ECA, KC, Calgary-Cross (UC)  
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Fort Saskatchewan-Vegreville (UC)  
Barnes, Drew, Cypress-Medicine Hat (Ind)  
Bilous, Hon. Deron, ECA, Edmonton-Beverly-Clareview (NDP)  
Carson, Jonathon, Edmonton-West Henday (NDP)  
Ceci, Hon. Joe, ECA, Calgary-Buffalo (NDP)  
Copping, Hon. Jason C., ECA, Calgary-Varsity (UC)  
Dach, Lorne, Edmonton-McClung (NDP)  
Dang, Thomas, Edmonton-South (Ind)  
Deol, Jasvir, Edmonton-Meadows (NDP)  
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Eggen, Hon. David, ECA, Edmonton-North West (NDP),  
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Fir, Hon. Tanya, ECA, Calgary-Peigan (UC)  
Ganley, Hon. Kathleen T., ECA, Calgary-Mountain View (NDP)  
Getson, Shane C., Lac Ste. Anne-Parkland (UC)  
Glubish, Hon. Nate, ECA, Strathcona-Sherwood Park (UC)  
Goehring, Nicole, Edmonton-Castle Downs (NDP)  
Gottfried, Richard, Calgary-Fish Creek (UC)  
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Hanson, David B., Bonnyville-Cold Lake-St. Paul (UC),  
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Hunter, Hon. Grant R., ECA, Taber-Warner (UC)  
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LaGrange, Hon. Adriana, ECA, Red Deer-North (UC)  
Loewen, Hon. Todd, ECA, Central Peace-Notley (UC)  
Long, Martin M., West Yellowhead (UC)  
Lovely, Jacqueline, Camrose (UC)  
Loyola, Rod, Edmonton-Ellerslie (NDP)  
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Madu, Hon. Kaycee, ECA, KC, Edmonton-South West (UC),  
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Milliken, Hon. Nicholas, ECA, Calgary-Currie (UC)  
Nally, Hon. Dale, ECA, Morinville-St. Albert (UC)  
Neudorf, Hon. Nathan T., ECA, Lethbridge-East (UC),  
Deputy Premier

Nicolaides, Hon. Demetrios, ECA, Calgary-Bow (UC)  
Nielsen, Christian E., Edmonton-Decore (NDP)  
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(UC)  
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Pancholi, Rakhi, Edmonton-Whitemud (NDP)  
Panda, Hon. Prasad, ECA, Calgary-Edgemont (UC)  
Phillips, Hon. Shannon, ECA, Lethbridge-West (NDP)  
Pon, Hon. Josephine, ECA, Calgary-Beddington (UC)  
Rehn, Pat, Lesser Slave Lake (UC)  
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Sawhney, Hon. Rajan, ECA, Calgary-North East (UC)  
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Schow, Hon. Joseph R., ECA, Cardston-Siksika (UC),  
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Shepherd, David, Edmonton-City Centre (NDP)  
Sigurdson, Hon. Lori, ECA, Edmonton-Riverview (NDP)  
Sigurdson, R.J., Highwood (UC)  
Singh, Peter, Calgary-East (UC)  
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Stephan, Jason, Red Deer-South (UC)  
Sweet, Heather, Edmonton-Manning (NDP)  
Toews, Hon. Travis, ECA, Grande Prairie-Wapiti (UC)  
Toor, Devinder, Calgary-Falconridge (UC)  
Turton, Searle, Spruce Grove-Stony Plain (UC)  
van Dijken, Glenn, Athabasca-Barrhead-Westlock (UC)  
Walker, Jordan, Sherwood Park (UC)  
Williams, Dan D.A., Peace River (UC),  
Deputy Government Whip  
Wilson, Hon. Rick D., ECA, Maskwacis-Wetaskiwin (UC)  
Yao, Tany, Fort McMurray-Wood Buffalo (UC)  
Yaseen, Hon. Muhammad, ECA, Calgary-North (UC)  
Vacant, Calgary-Elbow  
Vacant, Calgary-Lougheed

## Party standings:

United Conservative: 60

New Democrat: 23

Independent: 2

Vacant: 2

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Trafton Koenig, Senior Parliamentary  
Counsel  
Philip Massolin, Clerk Assistant and  
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Janet Schwegel, Director of Parliamentary  
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Gareth Scott, Deputy Sergeant-at-Arms  
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Nathan Neudorf	Deputy Premier, Minister of Infrastructure
Mickey Amery	Minister of Children's Services
Jason Copping	Minister of Health
Devin Dreesen	Minister of Transportation and Economic Corridors
Mike Ellis	Minister of Public Safety and Emergency Services
Nate Glubish	Minister of Technology and Innovation
Pete Guthrie	Minister of Energy
Nate Horner	Minister of Agriculture and Irrigation
Brian Jean	Minister of Jobs, Economy and Northern Development
Matt Jones	Minister of Affordability and Utilities
Adriana LaGrange	Minister of Education
Todd Loewen	Minister of Forestry, Parks and Tourism
Jason Luan	Minister of Culture
Nicholas Milliken	Minister of Mental Health and Addiction
Dale Nally	Minister of Service Alberta and Red Tape Reduction
Demetrios Nicolaides	Minister of Advanced Education
Jeremy Nixon	Minister of Seniors, Community and Social Services
Brad Rutherford	Minister without Portfolio
Sonya Savage	Minister of Environment and Protected Areas
Rajan Sawhney	Minister of Trade, Immigration and Multiculturalism
Joseph Schow	Minister without Portfolio
Rebecca Schulz	Minister of Municipal Affairs
Tyler Shandro	Minister of Justice
Travis Toews	President of Treasury Board and Minister of Finance
Rick Wilson	Minister of Indigenous Relations

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Jackie Armstrong-Homeniuk	Parliamentary Secretary for Ukrainian Refugee Settlement
Tanya Fir	Parliamentary Secretary for Status of Women
Shane Getson	Parliamentary Secretary for Economic Corridors
David Hanson	Parliamentary Secretary for Procurement Transformation
Martin Long	Parliamentary Secretary for Small Business
Miranda Rosin	Parliamentary Secretary for Tourism
R.J. Sigurdson	Parliamentary Secretary for EMS Reform
Devinder Toor	Parliamentary Secretary for Multiculturalism
Glenn van Dijken	Parliamentary Secretary for Agrifood Development
Tany Yao	Parliamentary Secretary for Rural Health
Muhammad Yaseen	Parliamentary Secretary for Community Outreach

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### **Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Mr. Orr  
Deputy Chair: Mrs. Allard

Eggen  
Gotfried  
Gray  
Hunter  
Issik  
Phillips  
Pon

### **Standing Committee on Alberta's Economic Future**

Chair: Mr. van Dijken  
Deputy Chair: Ms Goehring

Allard  
Armstrong-Homeniuk  
Barnes  
Bilous  
Carson  
Feehan  
McIver  
Rowswell  
Stephan  
Walker

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

Chair: Ms Lovely  
Deputy Chair: Ms Sigurdson

Armstrong-Homeniuk  
Carson  
Dang  
Fir  
Gotfried  
Long  
Sabir  
Smith, Mark  
Yao  
Yaseen

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

Chair: Mr. Smith  
Deputy Chair: Mr. van Dijken

Ceci  
Dach  
Hunter  
Loyola  
Orr  
Panda  
Rehn  
Shepherd  
Toor

### **Special Standing Committee on Members' Services**

Chair: Mr. Cooper  
Deputy Chair: Mr. Williams

Deol  
Fir  
Goehring  
Gray  
McIver  
Pon  
Rowswell  
Sabir  
van Dijken

### **Standing Committee on Private Bills**

Chair: Mr. Williams  
Deputy Chair: Ms Rosin

Irwin  
Lovely  
Nielsen  
Nixon, Jason  
Panda  
Rehn  
Sigurdson, L.  
Singh  
Sweet

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

Chair: Mr. Reid  
Deputy Chair: Mr. Gotfried

Aheer  
Allard  
Armstrong-Homeniuk  
Deol  
Ganley  
Loyola  
Nixon, Jason  
Rehn  
Renaud  
Yao

### **Standing Committee on Public Accounts**

Chair: Ms Phillips  
Deputy Chair: Mr. Turton

Hunter  
Lovely  
Pancholi  
Panda  
Renaud  
Schmidt  
Singh  
Stephan  
Toor  
Yaseen

### **Standing Committee on Resource Stewardship**

Chair: Mr. Hanson  
Deputy Chair: Mr. Feehan

Aheer  
Dach  
Ganley  
Getson  
Issik  
Nielsen  
Orr  
Sigurdson, R.J.  
Singh  
Turton

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, December 7, 2022

[The Speaker in the chair]

**The Speaker:** Let us pray.

### Prayers

**The Speaker:** Lord, the God of righteousness and truth, grant to our King and his government, to Members of the Legislative Assembly, and to all in positions of power and responsibility the guidance of Your spirit. May they never lead the province wrongly through love of power, desire to please, or unworthy ideas but, laying aside all private interests and prejudices, keep in mind their responsibility to seek to improve the condition of all.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, it's my pleasure to introduce two groups of guests to us today: my very good friend and former president of Olds College, the current president of the Red Deer Polytechnic, Stuart Cullum, and he is joined by the vice-president of external relations at Red Deer Polytechnic, Richard Longtin. Please rise and receive the warm welcome of the Assembly.

I would also like to introduce to all members a group of Legislative Assembly Office employees who have joined the Legislative Assembly Office over the past year and are undergoing their orientation at the Assembly today. They are seated in the members' gallery, and I'd ask them to rise and receive the warm welcome of the Assembly.

The hon. Member for Camrose has a school to introduce.

**Ms Lovely:** Well, thank you, Mr. Speaker. It is my honour and privilege to introduce to you the amazing teacher Brent Anderson and his hard-working students from the New Norway school. Welcome, everyone.

**The Speaker:** The hon. the Minister of Health.

**Mr. Copping:** Thank you, Mr. Speaker. I am pleased to rise and introduce to you and through you to the members of the Assembly my three guests from the University of Calgary Students' Union: Mike Brown, external communication; Nicole Schmidt, president; and Mateusz Salmassi, external vice-president. I'm glad that you were able to join us here today. Please rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Schmidt:** Thank you, Mr. Speaker. I'm pleased to introduce friends and family of Sebastian Heemskerk, who are here to witness the tabling of a petition and listen to the member's statement that I'm going to be making about him. I'd like to introduce to the Assembly Avalon Heemskerk, Tim Heemskerk, Shaylene Cerezke-Riemer, Sherilee Crawley, Shiloh Skiffington, Hope Johnson, Lorna Thomas, Petra Schult, Jessica Williams, Holly Thomson, Carmen Nicholson, and Mariska Macklin. If they could all rise and receive the traditional warm welcome . . .

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

**Member LaGrange:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly representatives from Aspen View school board. We're delighted to welcome here

today Neil O'Shea, Aimee Hirtle, Donna Chemiwchan, Anne Karczmarczyk, Elohe Chizawsky, April Bauer, and Dennis MacNeil. On behalf of all members of the Assembly, thank you for being here today, and welcome.

**The Speaker:** The Minister of Seniors, Community and Social Services.

**Mr. Jeremy Nixon:** Thank you, Mr. Speaker. I'm honoured to welcome a number of guests that are here to participate in The Nonprofit Vote coalition's and the Alberta Nonprofit Network's day at the Legislature. These incredible individuals are leaders in the not-for-profit sector, and I would like to thank them for the incredible work that they do in our communities. Please rise and receive the warm welcome of this House.

**Ms Hoffman:** Please join me in welcoming Patricia Paradis, Queen Elizabeth II platinum jubilee medal recipient. Her record of service includes executive director at the Centre for Constitutional Studies at the University of Alberta as well as national chair of the Women's Legal Education and Action Fund, LEAF. Thank you, Pat, for being here as well as Dana Beresh, your guest. Please rise and receive our warm welcome.

**The Speaker:** The hon. the Deputy Premier has an introduction.

**Mr. Neudorf:** Thank you, Mr. Speaker. I rise to introduce to you and through you to the Assembly the amazing people from Team Lethbridge. Team Lethbridge is a group of community leaders and organizations raising awareness about the city of Lethbridge's tremendous contributions to the province and how government representatives can work with them to support long-term success for all of Alberta. I ask that everyone please give them the warm welcome of the Assembly.

**The Speaker:** The hon. the Member for Red Deer-South.

**Mr. Stephan:** Thank you, Mr. Speaker. Today I would like to welcome provincial representatives from the Schizophrenia Society of Alberta. Many of us know friends and families impacted by schizophrenia. The society operates across Alberta, supporting individuals living with schizophrenia and their families. Please rise and receive a warm welcome.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-East has a statement to make.

#### 100th Birthday of Pramukh Swami Maharaj

**Mr. Singh:** Thank you, Mr. Speaker. Today I'm proud to rise in the House to celebrate and pay tribute to His Holiness Pramukh Swami Maharaj. His Holiness is a spiritual leader of the BAPS Swaminarayan Sanstha community that brought kindness, leadership, and joy to his community. On behalf of the hon. minister of multiculturalism I would like to read a declaration being passed down from the minister's office in celebration of His Holiness' birthday.

Whereas, Dec. 7th is the 100th birthday of His Holiness Pramukh Swami Maharaj, the spiritual leader and Guru of the BAPS Swaminarayan Sanstha, a worldwide Hindu organization dedicated to promoting harmony between individuals, families and diverse communities; and

whereas, A simple, humble and spiritual personality, Pramukh Swami Maharaj was the fifth spiritual successor of Bhagwan Swaminarayan, and

whereas, Pramukh Swami Maharaj followed a spiritual path from an early age, seeking purity, renouncing material possessions, and possessing humility, saintliness, and a desire to help the people around him; and

whereas, His Holiness Pramukh Swami Maharaj spread his unique message to the world, saying that “In the joy of others, lies our own”; words that were thoughtful, meaningful and consoling, coming from a depth of profound experience and deep compassion; and . . .

whereas, when individuals who have contributed to the benefit of their community and the people around them in moral, ethical and spiritual matters, and have done it without asking for personal gain . . .

therefore, on behalf of the minister of multiculturalism I hereby declare December 7, 2022, a day in commemoration of the 100th birthday of Pramukh Swami Maharaj.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

### Opioid-related Deaths and Treatment

**Mr. Schmidt:** Thank you, Mr. Speaker. It’s my pleasure to rise today and honour the life of Sebastian Heemskerk, who tragically passed away on June 2, 2021, in Grande Prairie due to the drug poisoning crisis. Many of Sebastian’s family, friends, and people supporting his family are in the gallery today because Sebastian’s older sister Avalon has been collecting signatures for a petition to urge the government to declare a state of public health emergency in response to the ongoing opioid crisis and to seek possible solutions through increased Alberta health and social programs assistance along with a public awareness campaign. I’ll be presenting this petition later, which has over a thousand signatures, many of them from northern Alberta, near Grande Prairie.

This call for action is purposely broad so that it can have broad support. It’s no secret that the opposition and government have disagreements on this topic, but I hope the experience of the Heemskerk family can ground all of us to move forward on this emergency with compassion and empathy. The UCP government has championed recovery, and – let me be clear – having options and capacity for people to enter recovery that’s appropriate for their circumstances when they are ready is fundamentally important, but it is also important to recognize the increased toxicity of the drug supply and the need for harm reduction measures which are based on evidence. The mandate letter from the Premier to the new Minister of Mental Health and Addiction doesn’t mention either, which is a significant policy gap in the response to this emergency.

Those who join me today in the gallery have made significant efforts to reach out to this government, to share their experiences, and advocate for solutions. I really hope that the members who represent Grande Prairie and the Minister of Mental Health and Addiction can connect with them and make time to meet. I’m honoured to have met the Heemskerk family, and I’m inspired by their advocacy so that fewer people will die preventable deaths in the midst of this opioid crisis. I hope all members in this Chamber feel that inspiration as well.

Thank you.

**The Speaker:** The hon. Member for Red Deer-South.

### Canada Pension Plan

**Mr. Stephan:** Thank you, Mr. Speaker. Alberta is a young, most prosperous province. Each year CPP contributions by Alberta businesses and workers will exceed benefits to retirees by over \$4 billion. Since 2019 Trudeau has been jacking up the CPP over 36 per

cent, forcing Alberta businesses and workers to disproportionately pay for his tax increase.

**1:40**

But, Mr. Speaker, what about inflation? CPP costs exploded more than 10 per cent from last year. Next year CPP maximum will increase 7 per cent more, to \$7,500 for each Alberta employee. Do we want to get serious about confronting affordability for out-of-control inflation on a federal program?

Under an Alberta pension plan each year contribution costs for each Alberta worker of an Alberta business can be thousands lower. That is the truth. Some do not want an APP for Albertans. Are we supposed to be surprised? If Alberta saves billions, CPP costs would increase for the rest of the country. Mr. Speaker, an APP will increase take-home pay for each Alberta worker and reduce costs for Alberta businesses to provide jobs.

The great thing about this opportunity is that there is no net cost to Alberta. It is paid by avoiding transferring billions every year to everyone else. Trudeau and the NDP want to fearmonger about an APP, hiding and distorting the truth. Mr. Speaker, let’s focus on the truth informing us with the facts. An APP is a game-changing competitive advantage.

**The Speaker:** The hon. Member for Camrose is next.

### Rural Crime

**Ms Lovely:** Thank you, Mr. Speaker. I recently attended, at the invitation of the Forestburg community, a rural crime engagement session with an exceptional turnout. During this session residents of the town and surrounding area shared their experiences where they have been robbed repeatedly. These robbery instances have left community members frightened, and they know the robbers are members of their own community and continue to live amongst them.

In one instance a baby was in the car when it was stolen. Thankfully, the vehicle was returned and the child unharmed. I also heard several community members share their concerns for school-aged students who are afraid to walk to school given the threatening behaviour of one of the residents. Response from local law enforcement is slow, leaving residents feeling vulnerable. Drug use made these perpetrators – is causing even more concern.

Mr. Speaker, these folks are frightened, they are angry, and they are frustrated. They have asked for sting operations so these perpetrators can be proactively arrested. What is most frustrating for not only the residents but the local police is the fact that once these criminals are arrested, they are turned loose again, only to reoffend against the same people that they have just robbed and threatened. That’s why I as their MLA will stand up, take note, and take action. I know this government is putting additional effort and resources into reducing rural crime, but more needs to be done. We need to do better for the residents of Forestburg and the entire province.

Thank you, Mr. Speaker.

### Team Lethbridge

**Ms Phillips:** Mr. Speaker, I rise in the Assembly today to recognize the work of Team Lethbridge, a collaborative group of key organizations, including businesses, entrepreneurs, economic leaders, postsecondary institutions, school boards and local government, social services, arts, community development, and tourism organizations.

Team Lethbridge is working hard to recruit doctors to the community and address the health challenges, a task that would be

much easier if the UCP government did not declare war on doctors during a pandemic and drive them out of the community. For families to move and stay in Lethbridge, they need to have certainty they have access to basic health care. Those who are trying to attract and retain skilled labour professionals or investment tell me that lack of primary care is one of our biggest reputational challenges.

Team Lethbridge is also working on affordable housing and housing solutions more generally. There is significant concern about homelessness and public safety in Lethbridge. I share those concerns. These organizations are working hard to create solutions, but again there is a missing partner at the table, and that is the UCP government.

I will conclude with thoughts on the economy. Economic development has great solutions for innovation, investment, and entrepreneur support and how to diversify our economy. We in the NDP opposition appreciate this work and have developed thoughtful policy as part of our Alberta's Future initiative, including in areas of agriculture, technology, hydrogen. When we were in government, Lethbridge welcomed over \$1 billion in new private- and public-sector investment, but with the job-killing sovereignty act the UCP seems adamant that that will not happen under their watch.

I will look forward to what an NDP government could do by listening carefully to Team Lethbridge to create jobs in the community and create a more resilient economy for Alberta's future. Unfortunately, there's an empty seat around the table, and that's the folks with the funding and the ability to set a strategic direction. Right now that's the UCP government.

With political change in 2023 we'll be able to accomplish so much for Team Lethbridge and southern Alberta.

**The Speaker:** The hon. Member for Peace River.

### Nonprofit and Charitable Organizations

**Mr. Williams:** Well, thank you, Mr. Speaker. Christmastide is the season of giving, and I believe that showing our gratitude as elected officials towards those who donate their time and resources to help Albertans in need highlights the essential importance of the not-for-profit and charitable sector in our society.

For many Albertans this season will be particularly difficult. We are going through a serious affordability crisis, and many people in our province are struggling to afford food, let alone the gifts they would normally be sharing with their family and friends. When Albertans find themselves in this position, I'm deeply grateful that there are so many great organizations like those that we have here today, amongst many others represented by them, who step in to selflessly help Albertans and their families enjoy the holiday and provide services year-round.

Considering the extensive generosity shown by these organizations, it makes me extremely pleased to know that a delegation from The Nonprofit Vote coalition is in the House today and visiting many different government organizations. The members of this delegation are committing to supporting the nonprofit and charitable sector. They understand how crucial this sector is to our province and the difficult time that they have had over these last two years and with the affordability crisis to keep the doors open. These nonprofits need to hear from elected representatives and know that we care and desire the flourishing sector of that part of our economy and the services they provide.

That is in part why I introduced Bill 202 with the hope that incentivizing more charitable gifts and donations can bolster a tax credit and incentivize more Albertans to give and more Albertans to give more deeply. I'm deeply humbled by the support of many

different folks in this sector for the bill that we're bringing forward, and hopefully we can pass it in this Chamber sooner rather than later.

Anything we can do as elected representatives to support these institutions must be pursued. The charity virtue is essential. It's the watermark of our province since our inception, and I stand together with the charitable sector and with this House in supporting charities and not-for-profits.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake-St. Paul.

### Food Banks

**Mr. Hanson:** Thank you, Mr. Speaker. Well, Christmas is only 18 days away. It's been a tough year for many families. Inflation is at an all-time high. The cost of living and raising a family is through the roof. Demands on our food banks this year are at some of the highest levels ever seen.

Our government recognizes the fantastic work that our local food banks do all year every year. We have increased funding to support our food banks so they can help more Alberta families get through these tough times of high inflation and uncertainty. Our local communities, businesses, schools, and, most importantly, our grocery store owners have stepped up, recognizing the need and the great value our food banks provide.

But we recently discovered that with Christmas just around the corner, the Grinch is alive and well and working for the Canada Revenue Agency in Ottawa. The CRA last week sent a notice to one of my local food banks that due to a filing issue they would be shutting that food bank down on December 16, just nine days before Christmas. Mr. Speaker, you would have to be as cuddly as a cactus and have garlic in your soul to do such a thing. Not only would your heart have to be three sizes too small; your brain would have to be nonexistent. The CRA obviously needs to invest in some calendars for their working-at-home employees.

My local food bank's group of dedicated workers applied for an extension so they could have a chance to be in compliance with the CRA and get through Christmas but were denied. Unbelievable. No, Mr. Speaker, this isn't happening in Whoville; this is happening in Canada. Even Dr. Seuss couldn't make this stuff up. I reached out to my local MP because this is a federal issue, and I'd like to thank MP Stubbs and her assistant Tina for helping me to get to the bottom of this and at least provide this group an extension to get them through the busiest season of the year.

I ask everybody in Alberta to please step up and support your local food bank so we can all have a merry Christmas. Thank you.

### Oral Question Period

**The Speaker:** The Leader of His Majesty's Opposition.

### Alberta Sovereignty Within a United Canada Act

**Ms. Notley:** Mr. Speaker, today I stood with the former governor of the Bank of Canada, Mr. David Dodge. Mr. Dodge very articulately impressed upon Albertans how the Premier's sovereignty act, amended or not, will harm our economy. He said that it sends an international signal that investing capital dollars in Alberta carries greater risk than other jurisdictions. In a world where capital moves fast and certainty is a fundamental requirement to build big projects, Alberta will fall behind. Will the Premier admit that her bill is a threat to Alberta's prosperity and withdraw it?

1:50

**The Speaker:** The hon. the Premier.

**Ms Smith:** Thank you, Mr. Speaker. Let me get this straight: we have a Liberal appointee to the Bank of Canada who is not even from Alberta, who didn't read the bill, who didn't read the amendments – quite frankly, the Bank of Canada increased interest rates .5 per cent again today, which actually has a dampening effect on investment – coming to Alberta to tell us how to run our affairs. You know, I'm wondering who this opposition leader is going to have at her next press conference. Maybe she should just invite Justin Trudeau.

**Ms Notley:** Well, Mr. Speaker, Mr. Dodge served numerous Conservative governments, including that of former Prime Minister Stephen Harper.

Now, he explained how this act fails to meet the challenges of a modern economy, including changes to technology and business practices. Quote: whatever its final form, the act is a signal to the world that we don't know what we're doing, and if we can't get the fundamentals right, investors will look elsewhere. End quote. Why won't the Premier admit that she doesn't know what she's doing and that her bill is simply beyond saving?

**Ms Smith:** Now, Mr. Speaker, I've been waiting for the last couple of days for the Leader of the Official Opposition to retract her comment that CAPP opposed this bill, because they contacted my office and told me that that was not the case, that they neither supported nor rejected the bill, and they've asked the NDP to retract their statement on that. [interjections] Oh, I'd be happy to share it with you, the e-mail from them. In fact, I can tell you what I'm seeing with the oil sands producers. Today Canada oil sands producers are set to open their wallets and direct more capital toward their growth plans in 2023 after several years of relative frugality. That does not sound like chasing business . . .

**The Speaker:** The hon. the Leader of the Opposition.

**Ms Notley:** Well, Mr. Speaker, we know that neither CAPP nor the *Calgary Herald*, where those comments were reported, have retracted the statements, and the Premier should stop suggesting otherwise on Twitter. It does not help her credibility. Meanwhile we have so many folks who are outlining that her bill undermines the rule of law, creates a constitutional crisis, chases away investment, makes inflation last longer, kills jobs, and divides Canadians against their province. Will the Premier admit she is more concerned with catering to her base than protecting or, heaven forbid, growing investment in Alberta?

**Ms Smith:** Let me continue in telling you what exactly the oil sands companies are doing. Over the past week four of the country's largest oil sands producers have unveiled bigger capital programs for 2023, with Cenovus Energy announcing Tuesday that it will spend between \$4 billion and \$4.5 billion this year. That's four oil sands companies within the last week. In fact, when asked directly about the sovereignty act, Alex Pourbaix – he is the president and CEO of Cenovus – said: I suspect those initial comments about the bill were directed at ensuring legislation maintains investor confidence; I have not heard anything from investors worrying about it at this point.

**The Speaker:** The hon. the Leader of the Opposition.

**Ms Notley:** The fact is, Mr. Speaker, that the Premier can't name one investor who's actually in support of her bill.

## Alberta Sovereignty Act and Indigenous Rights

**Ms Notley:** Today an emergency resolution will hit the floor of the Assembly of First Nations calling for the bill to be rejected, amendments and all. [interjections]

**The Speaker:** Order. Order.

**Ms Notley:** It is expected that it will pass with fierce support. Chiefs from both Alberta and Saskatchewan are rightfully protecting their treaty rights, which they assert are under threat because of this Premier. The Premier can deny it all she wants, but this government has done zero consultation with Indigenous communities on these matters. None. Zilch. Will she apologize and withdraw her bill?

**Ms Smith:** Mr. Speaker, I asked Chief Billy Morin to be my adviser on my transition team, and all the way through this process he has been giving me feedback. It's part of the reason why asserting the rights of our Indigenous communities is central to the legislation. It's right there in the opening statements of it. We recognize the treaty rights of our First Nations. In fact, we have done so much to support true economic reconciliation. Just look at the Aboriginal Indigenous Opportunities Corporation: a \$1.1 billion deal signed by 23 First Nations to take a partnership interest in seven pipelines. That's what real reconciliation looks like. [interjections]

**The Speaker:** Order. Order.

**Ms Notley:** Wow. That's not consultation, Mr. Speaker.

Yesterday the Indigenous Relations minister actually claimed to the media that he spoke to the chiefs and they want these amendments. But I want the Premier and the minister to listen to Chief Tony Alexis speaking on behalf of Treaty 6. Quote: we are not looking for changes or amendments to this bill; we want it withdrawn; it is beyond concerning that there has been absolutely no consultation or dialogue with First Nations people; it displays a gross lack of transparency that runs against the ideals of respectful relations and reconciliation. To the Premier: why did your minister make a claim that contradicts the chiefs themselves?

**Mr. Wilson:** Well, Mr. Speaker, there have been several chiefs that have approached me to look at amendments, and that's all that I said. But I have just wrapped up calls with Chief Ivan Sawan from Loon River and Chief Allan Adam, and of course they do have concerns around this. I have committed to sit and talk with them about their concerns. This bill contains explicit language surrounding the protection of treaty rights. Let me be clear: this government has no intention in any way of infringing on the rights of First Nation people. [interjections]

**The Speaker:** Order. Order.

**Ms Notley:** By passing the bill today, before the Premier speaks with the treaty chiefs, you are infringing on their treaty rights. Chief Darcy Dixon said, quote, it is being said that Bill 1 is just part of a political game . . .

**Mr. Schow:** Point of order.

**Ms Notley:** . . . that may be true, but we see in it a disguised attempt to disregard treaty; we reject Alberta's Bill 1 and find that no amendments would be enough to repair it; it must be withdrawn. Can the Premier explain how irreparably damaging Alberta's relationship with Indigenous people is somehow a strategy for job growth? When will she stop denying her failure to respect treaty through this bill?



**The Speaker:** A point of order is noted at 1:56.

**Ms Smith:** The Alberta Indigenous Opportunities Corporation supports First Nations with loan guarantees of up to a billion dollars per project, and we've had amazing success stories on it. [interjections]

**The Speaker:** Order. Order. Order. Order.

**Ms Smith:** This is what reconciliation looks like, and this is what we're committed to. It's part of the reason why we put this bill forward. We know that there are 100 First Nations that have oil and gas development. We know that they want to work with us on getting their product to market. The only way we can make sure that we get our products to market is to make sure that we're asserting our rights under the Constitution. That's what we're going to do.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. Feehan:** Chief Tony Alexis and Chief Darcy Dixon stood up today to call on this government to scrap their unconstitutional sovereignty act. Both chiefs confirmed that the UCP government failed to uphold its legal duty to consult with First Nations. Chief Tony Alexis said, quote: we have had no conversations with any minister; only after we did a press conference there was an idea of consultation, but still to this day there is none. To the Premier. This is her flagship piece of legislation. Who's at fault for not fulfilling this government's legal duty to consult, her or her minister?

**Mr. Wilson:** Mr. Speaker, I have met with multiple Indigenous groups and have heard their concerns regarding this bill, that there was not enough consultation, and that is regrettable. That's why I am committed to continue to engage in consultation with First Nation leaders and strengthen our relationship with them as I met with several Indigenous groups this . . . [interjections]

**The Speaker:** Order. Order. The minister has the right to answer a question just like you have the right to ask one.

The hon. the minister.

**Mr. Wilson:** Thank you, Mr. Speaker. You know, there are concerns out there, and I am listening to them. They have agreed to sit and talk with me about these. As early as tomorrow we'll be meeting.

Thank you, Mr. Speaker.

**Mr. Feehan:** From the comments of the Alberta First Nations chief it is clear why they chose not to consult. Chief Alexis says, quote: let's be honest; this all comes down to land and resources; we are yet again the inconvenient Indian, standing in the way of unprotected resource extraction and other exploitation of treaty lands. And Chief Dixon says, quote: this is a warning to Canadians; if you care about these lands, if you care about your country, you should care about this bill; it is not a First Nations issue; this impacts us all. To the Premier: why is she forcing her job-killing, chaotic bill through the House when there is clear opposition from Indigenous communities?

2:00

**Mr. Wilson:** Mr. Speaker, I understand their concerns, and I speak with them on a regular basis. We are working towards some sort of resolution. When I talked to Chief Sawan this morning, his concerns were that it might infringe upon how they interact with the federal government around Children's Services. I made it clear to him that that is not the case and that our minister will be reaching out to him to discuss how we can work further, moving forward, for them to take control and look after their children.

**Mr. Feehan:** Not only will the sovereignty act put First Nations' inherent and treaty rights in jeopardy; it will damage First Nations' ability to attract investment and grow their economy. Chief Alexis said, quote: the act puts a lot of uncertainty in investment; if you have a provincial government fighting with the federal government who is not including our First Nation, it will not be easy to bring investment to this environment; it will hurt the economic fabric of our commerce in all regions. To the Premier. Indigenous leaders are saying that the sovereignty act will hurt Indigenous economic prosperity. Are you really going to stand in this House and call them liars? [interjections]

**The Speaker:** Order. Order. Order.

**Ms Smith:** I know that there has been a lot of scaremongering and fearmongering on the other side, and I can understand why it is that people have a misunderstanding of the bill. They bring forward validators . . . [interjections]

**The Speaker:** The Premier.

**Ms Smith:** I think I would encourage the members opposite to read my mandate letter to the minister of Indigenous affairs and my mandate letter to the Minister of Children's Services. I have been a supporter of Jordan's principle from the moment that it was first declared. We should be lending a hand to our First Nations to partner with them on areas where we have expertise and then work with them on economic reconciliation. I'm looking forward to doing that.

#### Chief Medical Officer of Health Vaccination Policies

**Mr. Shepherd:** Mr. Speaker, yesterday the Leader of the Official Opposition asked the Premier a simple question that should have prompted a simple answer. We know the Premier fired Dr. Hinshaw as Alberta's chief medical officer of health. Now, there were two deputies in that office as well. We've heard that both have left their roles. Can the Premier confirm that both deputy chief medical officers of health are no longer in their roles?

**The Speaker:** The hon. the Minister of Health has risen.

**Mr. Copping:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. I can confirm that both deputy chief medical officers of health have submitted their resignation. They are still continuing to work at this point in time. We are in the process of actually looking to fill those roles and support Dr. Joffe in terms of his role as the chief medical officer of health with all the support that he needs to be able to fulfill his function. [interjections]

**The Speaker:** Order. The hon. Member for Edmonton-West Henday will come to order.

The Member for Edmonton-City Centre has the call.

**Mr. Shepherd:** Thank you, Mr. Speaker. Now, Albertans are concerned about the state of health care in our province. They are concerned about the reports of day-long waits outside the children's hospital, ambulances that may not ever arrive, the sheer lack of information shared by this government about this crisis, and that list goes on and on. The Premier has resorted to having her staff screen the questions she gets at press conferences, so many Albertans are looking to the chief medical officer of health, who is now unsupported, to provide an unbiased, objective update on widespread outbreaks of illnesses that are impacting Alberta families, namely Alberta children. Can the Premier tell us why we haven't heard a

public briefing from the interim chief medical officer of health? Is there a gag order, and is it from . . .

**The Speaker:** The hon. Minister of Health.

**Mr. Copping:** Mr. Speaker, that simply is not the case. Dr. Joffe, who is an experienced physician, has taken on the role of the chief medical officer of health. He has actually provided advice and updates to Albertans. Initially, when he first came in, a press release was sent out in regard to dealing with the flu. As I mentioned in this House yesterday, he provided a letter to all parents urging, you know, parents to keep their children home, if they're sick, from schools, to be able to make the choice to go get vaccinated, and it's his department that is leading the flu vaccine awareness program.

**Mr. Shepherd:** A letter, Mr. Speaker.

We are calling for a public briefing directly to Albertans because we're in a crisis, a crisis impacting children, a crisis that I know is terrifying families who are worried they might be left awake countless hours in an emergency room with their sick child. Yesterday the Premier was asked to advocate for vaccines, not mandate them, to simply advocate for people to get their flu shot and get their COVID-19 vaccine. That's pretty standard practice for Premiers and public officials. Will the Premier just simply stand right now – no dodging, no ducking the question – in this House and encourage Albertans to get their flu shot and the COVID-19 vaccine?

**Mr. Copping:** Mr. Speaker, our government is advocating for the flu vaccine. I don't know if the members opposite received a text message like I did last week urging people to make the choice to get the flu vaccine. We are continuing to make flu vaccines and COVID vaccines available, urging individuals to make the choice to get their vaccines done, as we know that it can help them protect themselves from the various viruses that are circulating right now, and we are continuing to build capacity in our entire health care system to make sure Albertans get the health care where they need it and when they need it.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

### Affordability Plan

**Ms Armstrong-Homeniuk:** Thank you, Mr. Speaker. I've been meeting with many constituents, and consistently I hear that their biggest concern is affordability. They often bring up the fact that they feel uneasy when they go to the grocery store, particularly because of the amount they have to spend for just a few items. We know this challenge is not unique to our province, but my constituents want to know: what is Alberta's government doing to help alleviate some of the pressure being felt from today's inflation and high cost of living?

**The Speaker:** The hon. the Minister of Affordability and Utilities.

**Mr. Jones:** Thank you, Mr. Speaker. Our affordability action plan and inflation relief act provides up to an estimated \$900 or more in broad-based relief to Alberta households. This includes \$500 alone in electricity rebates, hundreds in additional potential savings on gas and diesel through fuel tax relief, and continued natural gas price protection. From January to June eligible seniors and families will receive targeted monthly relief payments of \$100 for a total of \$600 per senior or child. Targeted relief payments will also be made to vulnerable Albertans collecting AISH, PDD, and income support. We will support Albertans through this affordability crisis.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Armstrong-Homeniuk:** Thank you, Mr. Speaker and to the minister. Given that inflation has increased the cost of living, making it difficult for many Albertans to meet their basic needs, especially those on fixed incomes, and given that those living with disabilities as well as seniors and unemployed Albertans rely on social benefit programs, can the Minister of Seniors, Community and Social Services please tell the House what an increase in AISH, seniors' benefits, and income support will do to help vulnerable Albertans?

**The Speaker:** The hon. the Minister of Seniors, Community and Social Services.

**Mr. Jeremy Nixon:** Thank you, Mr. Speaker, and thank you to the Member for Fort Saskatchewan-Vegreville for her ongoing advocacy. For those listening, she's been a relentless advocate for the disability community and for seniors in her community. Reindexing AISH is going to have a huge impact, not only for today. With the folks on AISH it will be \$100-a-month increase, roughly, in their payments; for income support, roughly \$50 a month.

This is going to have an impact for folks today to be able to help so they don't get forced to choose between meals and rent, but it's also going to help ongoing so that we can make sure that the cost of living goes . . . [interjections]

**The Speaker:** Order. Order. It's not even an opposition question and I can't hear the answer.

The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Armstrong-Homeniuk:** Thank you, Mr. Speaker, and thank you, Minister. Given that the affordability crisis is hurting thousands of Albertans and their families and the Premier has given direction to increase social benefit programs and also to help strengthen Alberta's food bank network, can the same minister inform the House about the other measures his ministry is taking to respond to these concerns, specifically those of affordability?

**The Speaker:** The hon. the Minister of Seniors, Community and Social Services.

**Mr. Jeremy Nixon:** Thank you, Mr. Speaker. Since I was placed in this portfolio, I've been able to meet with many organizations that serve our most vulnerable. A big part of what we're doing is working alongside our charities, housing providers, and others to make sure that they're also resourced. We have a major challenge, especially in our social sector, when it comes to workforce, so right now I'm working with the sector to make sure that we're addressing workforce challenges, turnover to make sure that those who care for our most vulnerable are cared for. We also announced recently \$20 million in additional funding for the next two years for food banks to make sure that people who are in an immediate crisis of food shortage don't go hungry this Christmas.

Thank you, Mr. Speaker.

### Health Care Services in Lethbridge

**Ms Phillips:** Mr. Speaker, there is a significant shortage of health care capacity in Lethbridge, especially in ICU. Yesterday the Minister of Health tried to reassure us that the situation is fine since diversions have not started and diversions are common; however, people in Lethbridge are worried about where else there is to go. The children's hospital in Calgary is stretched so thin that services at the Rotary Flames House hospice have been closed, and there are dozens of hospital closures across the province. Will the Minister of Health release an action plan today to ensure people in Lethbridge and across southern Alberta can continue to access emergency and acute care?

**The Speaker:** The hon. the Minister of Health has risen.

**Mr. Copping:** Well, thank you, Mr. Speaker, and thanks to the hon. member for the question. Just to clarify in terms of the comments made yesterday, the system is under strain, and that includes the hospital in Lethbridge and a number of hospitals across our entire health care system. We know that a number of the challenges are brought in by what we're experiencing with the flu, RSV, and COVID, which is impacting not only putting pressures in terms of more people coming to the hospital but also staff. Absenteeism rates are higher.

2:10

Mr. Speaker, we do have a plan, and we are increasing capacity across our entire health care system. I was very pleased that we actually had added ICU capacity as part of our plan for Budget 2022, 50 additional beds across the entire system, of which a number of beds are also in Lethbridge. We continue to recruit staff in Lethbridge in particular, more doctors and more nurses. We are working on this, and we will ensure that Albertans have the health care that they need when they need it.

**Ms Phillips:** Given that beds are not staff and given that there were no resources behind that plan and given that when I asked the Deputy Premier to commit to supporting Lethbridge's health care system yesterday, he did not answer and given that Lethbridge's ICU is at capacity, that 40,000 people in the community do not have a family doctor, and that there's only one ob-gyn to support pregnant women, will the Deputy Premier from Lethbridge-East please stand and commit to ensuring that this government's top priority should be fixing health care in Lethbridge and across this province, not the job-killing sovereignty act or waging war on AHS?

**Mr. Copping:** Mr. Speaker, one of our government's top priorities is addressing health care. We are actually doing that. The comments made by the member opposite, that there are no resources being put towards this, are simply incorrect. We've invested \$22 billion, the highest amount ever in the province, into health care. By the way, the response to COVID and the response to getting caught up on surgeries is in addition to the \$22 billion. We are increasing that by \$600 million next year, \$600 million the year after that, and dollars have actually gone to Lethbridge as well to be able to improve the capacity there. I'll speak more about what we're doing for doctors . . .

**The Speaker:** The hon. member.

**Ms Phillips:** Given, Mr. Speaker, that the UCP would not even debate Bill 201, the Public Health Care Delivery Standards Act, and they refused to debate the children's health crisis twice, all within one week, will the Deputy Premier commit to an emergency debate about the state of health care in Lethbridge today? If not, will he please explain why health care in Lethbridge is not a priority for him? Why hasn't he answered a single question about this since becoming a minister? Why won't he defend Lethbridge?

**Mr. Copping:** Mr. Speaker, I would like to thank my colleague from Lethbridge for the tremendous work that he is doing, working with me to assist in dealing with the problems in health care. [interjections]

**The Speaker:** Order. Order. Order.

**Mr. Copping:** I would also like to thank AHS, the Chinook PCN, community stakeholders, and the members from the city of

Lethbridge for working collaboratively with our government to bring more doctors into Lethbridge. I was very pleased to comment yesterday, but I'll comment again today. We have 17 new doctors, family doctors in the queue that should be working in Lethbridge in the coming weeks.

### **Affordability Plan** (continued)

**Mr. Nielsen:** Albertans are facing an unprecedented affordability crisis. The rising cost in groceries, housing, insurance, utilities, child care, interest rates, education has left most Albertans struggling and living paycheque to paycheque. While the affordability crisis is impacting over 4 million Albertans, this government's affordability plan leaves half of them without a cent. To the Minister of Finance: why did this government abandon so many Albertans during this affordability crisis?

**The Speaker:** The hon. the Minister of Finance and President of Treasury Board.

**Mr. Toews:** Well, thank you, Mr. Speaker. Our affordability response has been both broad based and targeted. We're providing relief to every Albertan with the fuel tax suspension program. [interjections]

**The Speaker:** The Minister of Finance.

**Mr. Toews:** Mr. Speaker, I'll say it again because they weren't listening. We're providing relief to every Albertan and every Alberta family through the fuel tax suspension program, electricity rebates, broad as well as targeted support. We're acting.

**Mr. Nielsen:** Broad and targeted, missing half of Albertans.

Given that car insurance has shot up 30 per cent or more for some Albertans and given that Albertans rely on their vehicles to go to and from work, pick up their kids from school, and go to the grocery store, where they're also getting hosed, and given that insurance lobbyists have been key campaign staff for the UCP for as long as I can remember, will the minister admit that he won't give Albertans a break on car insurance because it would cut into the profits made by his wealthy political buddies?

**Mr. Toews:** Mr. Speaker, I'm going to remind this House of two case studies. When the NDP were in office, they brought in a blunt rate cap to deal with insurance. In 2018, after they brought in the rate cap, insurance premiums went up by 5 per cent. We brought in Bill 41 to deal with the systemic issues that are driving up premiums. In the last 24 months . . . [interjections]

**The Speaker:** No, no, no. It's only the minister with the call.

**Mr. Toews:** Mr. Speaker, in the last 12 months – pardon me – insurance rates have gone up 2.4 per cent at a time when inflation is over 6. You tell me which plan was beneficial.

**Mr. Nielsen:** Insurance skyrocketed under your watch.

Given that the Condominium Owners Forum Society of Alberta has urged government to open up the regulations so that hundreds of thousands of condo owners that are not eligible for the rebates might see some support, given that for months our caucus raised concerns about this situation, which, described by condo owner Phil Rosenzweig, has created two classes of condo owners, leaving, quote, many shocked and disappointed, end quote, will the minister correct this failure from his predecessor so condo owners can finally get some support?

**The Speaker:** The hon. the Minister of Affordability and Utilities.

**Mr. Jones:** Thank you, Mr. Speaker. We know that Albertans across our province are struggling with high electricity prices, and we are going to make every effort to ensure that all Albertans, including those in submetered units, can participate in electricity rebates. To the member opposite's earlier points: they're incorrect. The vast majority – in fact, some measures are for all Albertans, with additional targeted measures to those with higher need, but all Albertans will benefit from our affordability relief package.

Thank you.

### Alberta in Canada

**Mr. Orr:** Mr. Speaker, time and time again Ottawa flaunts its provincial biases. Even now as Alberta fights back against the federal government's imperious and unbalanced laws harder than ever, Ottawa still mocks us. The recent news surrounding Quebec's special deal regarding carbon tax rates means they pay less than any other province, and that's blatant favouritism. I ask the government to help tell the House why Quebec only pays nine cents per litre of carbon tax on gas while Albertans have to pay 14 cents for carbon tax, a 55 per cent premium, and that's on top of the \$19 billion a year in unequalization payments.

**The Speaker:** The hon. Minister of Finance and the President of Treasury Board.

**Mr. Toews:** Well, thank you, Mr. Speaker. The federal carbon tax is unfairly applied across the country and during a time of inflation is applied unfairly to every Albertan and every Canadian. That's why while we're providing tax relief in this province to Albertans, we're calling on the feds to suspend, better yet eliminate, the carbon tax for Albertans and all Canadians.

**Mr. Orr:** Mr. Speaker, given the preferential treatment of Quebec coming out of Ottawa and considering the seriously disproportionate carbon taxes Albertans and their businesses pay due to the nature of our economy and given the federal government's resistance in making any reasonable concessions to our province whatsoever, I ask the government to tell the House: what will their response be to Ottawa in relation to this prejudicial special exemption made for Quebec?

**The Speaker:** The hon. the Minister of Justice.

**Mr. Shandro:** Well, thank you, Mr. Speaker, and thank you to the hon. member for the question. The federal government's preferential treatment of Quebec is a source of continued frustration for Albertans. We've seen billions of dollars of investment chased from our province because of the federal government's policies, only for the same government to turn around and give handout after handout to Quebec. Albertans have made it clear, their frustration to the federal government, and it's time that Alberta stood up to end this unfair arrangement.

**Mr. Orr:** Mr. Speaker, given the fact that this unfair treatment is nothing new – it's a century old, actually – and given the fact that this bias coming out of Ottawa continues to get more and more obvious and given this government's commitment to ensuring a fair deal for Alberta despite the stubborn resistance of the Laurentian elite, I ask the government to tell the House: what are we doing here in Alberta to fight back against unbalanced laws that favour other provinces at our expense?

**The Speaker:** The Minister of Justice.

**Mr. Shandro:** Well, thank you, Mr. Speaker. What we're not going to do is ask another person from Ottawa what we should be thinking here in Alberta, like the NDP keeps on doing. Last week our government introduced Bill 1 as a way to ensure that unconstitutional federal overreach has an additional tool to be addressed while we're here in Alberta, and we're not going to allow the bureaucrats in Ottawa to continue to interfere in our affairs. It's none of their business. Bill 1 means more support for our industries and less pursuit of wide-eyed, nonsensical policies from the federal government in Ottawa.

### 2:20 Alberta Sovereignty Act and Agriculture

**Ms Sweet:** Mr. Speaker, agriculture regulations are strongly intertwined at both the federal and provincial level, from food safety, international trade, export markets, interprovincial markets, and the labour force. All are dependent on a stable economy and a stable democracy. In fact, we have seen when relationships are damaged how markets can quickly be closed to our ag exports. Before the minister of agriculture stands and gives us some nonsense rhetoric, can he inform the House if he assessed the potential economic impacts to agricultural trade that may occur when his boss inevitably rams through the job-killing sovereignty act?

**The Speaker:** The hon. the Minister of Agriculture and Irrigation.

**Mr. Horner:** Thank you very much, Mr. Speaker. I would normally thank the member for the question, but that was, frankly, just a terrible question. The arm's-length agencies that the agriculture department uses federally: CFIA, PMRA, and Health. Look at what we've had to deal with just over the last year: front-of-package labelling on our ground beef products, the banning of common products needed to control insects, to control fungicide in our row cropping. [interjection] What do you want?

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

**Ms Sweet:** Well, thank you, Mr. Speaker. Given that the minister clearly did not do an economic assessment and given that Albertans pride themselves on the reputation of our world-class agriculture and given that the job-killing sovereignty act has caused nothing but reputational harm and given that we're seeing national headlines now claiming that the law is undemocratic, incompetent, and was written in crayon, can the minister explain to this House why he wants to sacrifice the reputation of our agriculture sector to play along with his leader's political games?

**Mr. Horner:** Mr. Speaker, come on. Through you to her: come on. There's only one order of government that is jeopardizing this province's agricultural reputation. We punch above our weight. We produce more than we can consume. We are a proud exporter. Countries and companies come to Alberta saying: how can I get more not just of your commodities, of your people, of your technology, of your best management practices? That's what we will continue to support through research, through programming, through the business risk management suite. We're here for the province.

**Ms Sweet:** Well, given that, again, most of that funding comes from the federal government and given that no one in the government cabinet can get it straight on what the job-killing sovereignty act actually does and given that the political climate shift in the past has led to the closure of critical export markets in China and India, can the minister inform this House if he has talked to our

international offices and apologized to them for this disastrous mess that they're causing with our international partners?

**Mr. Horner:** The only apology needed is from the opposition to Alberta's agriculture producers to sit in the House and pretend to care. The making-food-unaffordable carbon tax that's going to \$170, that they continue to support: phone the mother ship, phone Jagmeet Singh, say that we've had a change of heart. All we know is that Alberta is punching above its weight. We'll continue to. We're creating jobs. We're bringing investment. We're leading the country. We're leading the world.

### Social Supports Funding and Provincial Grants

**Ms Goehring:** Albertans are struggling right now with a cost-of-living crisis that is making it harder for families to put food on the table, keep the lights on, and heat their homes. I want to firstly thank the volunteers and staff of Alberta's nonprofits, who every day go above and beyond to serve the less fortunate. The very last thing that these organizations need, though, Mr. Speaker, is the uncertainty and chaos caused by this government's job-killing sovereignty act. Can the Minister of Seniors, Community and Social Services commit today that not a single cent of funding support that Alberta's nonprofits rely on will be jeopardized by his support of the sovereignty act?

**The Speaker:** The hon. the Minister of Seniors, Community and Social Services.

**Mr. Jeremy Nixon:** Thank you, Mr. Speaker, and thank you to the member for that question. I'm so thankful for Alberta's not-for-profits and the incredible work that they do in our community. They're key as well, not just the employees but the people who volunteer, the people that donate and are involved with that. They're so critical to our communities. This government will continue to work with and support, partner with our not-for-profits to make sure that they have the resources and the tools to do the amazing work, the critical work that they do in our community.

**Ms Goehring:** Given that we know that many nonprofits rely on funding from the other levels of government, funds, I might add, that often off-set the horrifying cuts imposed by the UCP government, and given that we know that the city of Calgary is concerned with the prospect of what the job-killing sovereignty act could mean for its affordable housing strategy, will the minister commit to backfilling any lost funding and investment that the sovereignty act could drive from Alberta's nonprofits, or does he wash his hands of any responsibility for the consequences of his actions?

**The Speaker:** The hon. the Minister of Seniors, Community and Social Services.

**Mr. Jeremy Nixon:** Thank you, Mr. Speaker. I am pleased to say that that's not what this bill is about. This bill does not put at risk the federal funding. This bill is about protecting Albertans, defending Albertans, and making sure that the federal government does stay in its lane. In regard to the federal funding, because I've heard a few comments over the past couple of weeks about us not taking full advantage of the federal funding, I'm happy to set the record straight: we are using every single federal dollar available to us as we speak, and we will continue to work with our federal partners as well as provinces across this country to make sure that our federal strategy matches our provincial . . .

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

**Ms Goehring:** Given that we know that the Premier has directed her ministers to call organizations to threaten their funding when they do things that the Premier doesn't agree with, including protecting their workers, and given that the list of activities that this Premier disagrees with runs large and she's made it clear that she's got no qualms threatening to withhold grant funding as a punishment, a threat that is only intensified with the undemocratic power she's trying to give herself with the sovereignty act, will the Minister of Seniors, Community and Social Services join me in condemning the Premier's threats to withhold funding for the nonprofits that she doesn't agree with?

**The Speaker:** The hon. the Minister of Culture.

**Mr. Luan:** Thank you, Mr. Speaker. Let me get the record straight here. Not only do we defend Alberta's interests, but we also collaborate with additional resources the federal government can provide for us. I went to the national conference for territorial, provincial, and federal ministers. Let me tell you this. I give them credit that we had a very candid dialogue. Not only do they support local priorities; they also have additional resources coming to us. I'm looking forward to having more resources coming to Alberta.

**The Speaker:** The hon. Member for Calgary-Hays.

### Deerfoot Trail

**Mr. McIver:** Thank you, Mr. Speaker. A lot of time has passed since the expansion of Deerfoot Trail has been needed. I know that many constituents of Calgary-Hays are tired of a long commute on a road that should be four lanes but in some places gets choked down to two lanes. This causes unneeded backups and delays. To the minister of transportation: when will we be seeing smoke and dust fly on this project, which means when will construction begin?

**The Speaker:** The hon. the Minister of Transportation and Economic Corridors.

**Mr. Dreeshen:** Thank you very much, Mr. Speaker. I'm happy to say that this spring construction will happen; we'll see dust flying on Deerfoot. I know there's lots of discussion in this Chamber about staying in your lanes constitutionally, but on the Deerfoot in Calgary we're going to be adding new lanes, both sides going north and south, and there'll be seven new bridges, there'll be seven new kilometres of lanes in Calgary. That's just this government helping Calgarians improve their lives just a little bit by being able to get home 15 per cent faster, going home at night, and then 22 per cent faster . . .

**The Speaker:** The hon. Member for Calgary-Hays.

**Mr. McIver:** That was a good answer, Minister. Now, given that the conditions on Deerfoot Trail that I've been hearing the very most about are on the section between Anderson Road and Glenmore Trail and given that these concerns not only include the backups and delays but the real safety hazards, especially during the winter, to the minister: what can be done right now to improve the safety on this particular section of Deerfoot that I think we all agree needs help?

**The Speaker:** The hon. the Minister of Transportation and Economic Corridors.

**Mr. Dreeshen:** Well, thank you, Mr. Speaker and to the member. I'm happy to say that 180,000 vehicles pass through this area every

day, and that's something that we provide about \$9 million in winter maintenance for, that's been allocated to the Deerfoot. Carmax, the maintenance contractor for the Deerfoot, works hard all winter to ensure that snow and ice are plowed and that the Deerfoot is safe for winter driving for Calgarians and all Albertans that drive on the Deerfoot.

**The Speaker:** The hon. member.

**Mr. McIver:** Thank you, Mr. Speaker. Now, given that the minister has just confirmed that this project is going to go ahead and given that this expansion will benefit hundreds of thousands of Calgarians and visitors to Calgary every single day, to the minister – this is the question people want to know despite your previous answer and on top of that – when will construction be complete to the point where Albertans will be able to enjoy the newly repaired and expanded Deerfoot Trail?

**Mr. Dreeshen:** Well, Mr. Speaker, it is my pleasure to say that, within a year, from 64th Avenue to McKnight will be completed, and Calgarians will get the benefits of this expansion.

Let's just contrast that, Mr. Speaker, with how the NDP views provincial construction projects. They want to bring in restrictive contract arrangements just to start a labour war in Alberta, just to appease their big union bosses. We've seen what that has done in B.C. with the NDP. That adds about 20 to 30 per cent higher construction costs, longer construction delays, and fewer bidders on projects in the province. That's something we'll never see here in Alberta with this government.

**The Speaker:** The hon. Member for Edmonton-North West.

2:30

### Postsecondary Tuition

**Mr. Eggen:** Thank you, Mr. Speaker. The students' union at the University of Calgary recently forced administration to delay voting on a fourth consecutive tuition fee increase. The university had failed to consult with students or even make them aware of the coming tuition and fee increases. Once student leaders were finally made aware of the tuition proposal, one of the administrators said that the university is not obligated to consult students. This minister must set and enforce standards for tuition consultation. Has the minister spoken to the U of C to compel them to consult and come clean on what is driving these unaffordable increases?

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

**Mr. Nicolaides:** Well, thank you, Mr. Speaker, and thank you to the member for the question. Of course, tuition increases are a matter that is within the purview of the board of governors for them to consider. Of course, it is the expectation of government, but apart from just an expectation it's actually enshrined in regulation that the university has an obligation to consult with students. I met, just as recently as this morning, with the students' union from the University of Calgary to get a better understanding of what more robust consultation can look like, but we leave that with the university.

**Mr. Eggen:** Well, Mr. Speaker, given that according to the Alberta tuition and fees regulation, postsecondary institutions are required to provide a four-year tuition outlook and specific information on where their student fees go, especially when this government has been jacking those fees up so much, and given that it wasn't until the students' union went to the media that the university hastily provided some information – it was your unprecedented cuts that forced these record increases. How can students be expected to keep

up with the impact of ever-increasing costs to their ability to get an education here in the province of Alberta?

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

**Mr. Nicolaides:** Well, thank you, Mr. Speaker. There continues to remain a cap on the maximum allowable tuition increases. That cap, of course, exists in legislation. In addition, as I mentioned a moment ago, all universities and colleges have an obligation, which is enshrined in regulation, to consult with student associations and student bodies. I'm happy to continue to consult and work with student leaders to see if there's more that we can do from a government standpoint to make those requirements around student consultation a little bit more robust and clear. It's important that students are involved in that decision.

**Mr. Eggen:** Well, Mr. Speaker, given that tuition hikes are, sadly, a constant under this UCP government and this minister and given that they come as a direct result of generational cuts to postsecondary funding by this UCP government and given as well that this minister has failed to stand up for students and affordable postsecondary education during his entire tenure in office, can the minister now tell the House what it will take for him to do his job and build a coherent plan and stop jacking up fees for Alberta's students?

**Mr. Nicolaides:** Well, Mr. Speaker, we have a coherent plan. We've developed, for the first time in over a decade, a 10-year strategic plan for postsecondary education, something that never existed when the members opposite were in government. I'm happy, as I mentioned, to consult regularly with our student leaders, as I did as recently as this morning and yesterday as well, to find out what more there is that government can do to help and support students. I call on the members opposite, though, to help take action by calling on the federal government, calling on the mother ship, to repeal the carbon tax and make life more affordable for students.

### Child and Youth Advocate Recommendations

**Ms Pancholi:** The Child and Youth Advocate has reported that since April, 56 children and youth who received child intervention services within the last two years have died. Fifty-six. This year is on track to be much worse than even last year, which was horrific. In this same period the UCP has had three different Children's Services ministers, but despite years of alarms being raised by front-line workers, the Child and Youth Advocate, and the opposition, outcomes for children and youth in Alberta are getting worse. Will the Minister of Children's Services commit to implement all 11 outstanding recommendations from the Child and Youth Advocate and finally take some action on this crisis?

**The Speaker:** The hon. the Minister of Children's Services.

**Mr. Amery:** Thank you very much, Mr. Speaker. The death of any young person is a terrible tragedy, and our hearts go out to any of the families grieving these losses. I am proud of the work that the office of the Child and Youth Advocate is doing, and I am certainly committed to implementing all of the recommendations in those reports. We are pleased to report that the vast majority of those recommendations have been implemented, and many more are simply awaiting confirmation.

**Ms Pancholi:** Eleven recommendations remain outstanding.

Given that the office of the Child and Youth Advocate saw a 62 per cent increase last year in the number of deaths that triggered a

mandatory review and now needs a budget increase to manage all these additional reviews and given that the ministry's own report on deaths of young people in care from this spring notes that opioid deaths are disproportionately higher for young people in care and given that the advocate has repeatedly called for a specific and co-ordinated youth opioid strategy, not one-off announcements, will the minister commit to developing and putting into action a fulsome youth opioid strategy immediately? It is long overdue.

**The Speaker:** The hon. the Minister of Mental Health and Addiction.

**Mr. Milliken:** Thank you, Mr. Speaker, for the question. We have heard from many professionals that, of course, improving mental health wellness is a top priority for our government. With regard to the opioid crisis and the addictions crisis that we are facing, our jurisdiction is no different than the other jurisdictions across Canada. We are working with professionals in order to build out a recovery-oriented system of care and focusing on ensuring that all kids, all individuals who are looking for the supports they need can get them.

**Ms Pancholi:** So that's a no. No youth opioid strategy coming from this government.

Given that the Premier's mandate letter to the Minister of Children's Services makes no mention of added resources for kinship care, which keeps children and youth connected to their culture and their family, and given that the UCP repeatedly refuses the advocate's recommendations for government ministries to report publicly on their work to support youth and children in care and given that this government is failing to act not only on this child intervention crisis but the youth opioid crisis and now the crisis in children's health care, how can this minister or any member of this government expect Albertans to believe that they are actually committed to protecting the children of this province?

**The Speaker:** The hon. the Minister of Children's Services.

**Mr. Amery:** Thank you very much, Mr. Speaker. I don't think that the hon. member heard any of the responses from this side of the House when we gave those answers earlier. We are absolutely committed to not only the safety but the well-being of children in this province. As long as I am Minister of Children's Services, I will make that my absolute number one priority, no mandate bullet point needed.

Thank you.

**The Speaker:** The hon. Member for Calgary-Beddington.

#### Children's Medication Supply and Health Care

**Ms Pon:** Thank you, Mr. Speaker. Across my riding for well over a month now, parents have been trying to deal with the growing shortages of children's medications like Tylenol and Advil. Late last month over 1 million doses of medicine arrived for all of Canada, with only an offer of 500 expected within the coming weeks. In light of that, to the Minister of Health: can you confirm that you have secured five times what Ottawa could find and that 5 million doses are on the way to help Albertan parents access these critical medications?

**The Speaker:** The hon. the Minister of Health.

**Mr. Copping:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. I'm happy to confirm that we are securing 5 million doses of acetaminophen and ibuprofen from Atabay pharmaceuticals. Currently we're in the midst of Health Canada's

expedited approval process to allow Atabay to send us the 10 shipments of the children's medication. This process is expected to take two to four weeks, and I'm thankful to Health Canada and the federal government for expediting it. Once Health Canada gives their final approvals, the shipments will be on the move and soon be filling Alberta pharmacy shelves. The same distributor which distributed the vaccines will also be distributing the medications.

**The Speaker:** The hon. Member for Calgary-Beddington.

**Ms Pon:** Thank you, Mr. Speaker and to the minister. Given that parents are desperate for the medications but want insurance that the quality of this medicine is entirely safe and given that you found the source from abroad, again to the same minister: can you assure parents that the medication is as good as any generic medication they would give to their sick children?

**Mr. Copping:** Thanks again to the hon. member, Mr. Speaker. Yes, I'm happy to reassure the member, this House, and all Alberta parents that the medication that we are securing is held to the same high standards as all medication in Canada. What we're doing with these 5 million bottles of children's medication is answering a need for Albertans, and we made sure that we had both the quantity and the quality for those shipments of medication. Atabay already exports raw materials for their pharmaceutical products to Canada, and they also export retail products to other countries around the world. Right now supplies of acetaminophen and ibuprofen are running low, but very soon the shelves will be stocked.

2:40

**The Speaker:** The hon. member.

**Ms Pon:** Thank you, Mr. Speaker, and thank you to the minister. Given that in April of this year Canada's Premiers called for the Prime Minister to provide predictable and sustainable federal health care funding, and as with the children's Tylenol – given the Prime Minister did very little in responding to this cause, again to the same minister: what is the government of Alberta doing to provide predictable and sustainable funding to our health care system?

**Mr. Copping:** Thanks once again to the hon. member for the question, Mr. Speaker. Our government is committed to providing sustainable system funding for health care. As talked about many times in this House, we have done that by increasing funding to the highest levels we've ever seen, with commitment to increase more. We're working with my colleagues in other provinces and territories, who are doing the same thing, responding to the challenges that are being faced, quite frankly, across the country and asking the federal government to step up to do their share to be able to provide funding to assist our ability and all provinces to deliver the health care that Canadians deserve.

**The Speaker:** Hon. members, that concludes the time allotted for Oral Question Period, and in 30 seconds or less we will continue to the remainder of the daily Routine. But before you go, I'm sure you'll join me in wishing a very happy birthday to the hon. Member for Calgary-Glenmore.

#### Presenting Petitions

**The Speaker:** The hon. Member for Edmonton-Gold Bar has the call.

**Mr. Schmidt:** Thank you, Mr. Speaker. I'm pleased to rise and present a petition with a total of 1,068 signatures. The signatories petition the Legislative Assembly to urge the government to declare a state of public health emergency in response to the ongoing opioid crisis and to

seek possible solutions through increased Alberta Health and social programs assistance along with a public awareness campaign.

Thank you very much, Mr. Speaker.

### Notices of Motions

**The Speaker:** The hon. Member for Lethbridge-West.

**Ms Phillips:** Thank you, Mr. Speaker. I rise to give notice that at the appropriate time under Standing Order 42 I intend to move the following motion.

Be it resolved that the Legislative Assembly acknowledge the current lack of access to health care in Lethbridge, including the local intensive care unit at Chinook regional hospital being near capacity, potentially resulting in some new patients being diverted to other communities that are facing similar capacity challenges, the chronic shortage of family doctors accepting new patients, resulting in an estimated 40,000 people who do not have access to primary care and are reliant on emergency care, and reduced access to obstetric and birthing care due to only having one full-time obstetrician and gynecologist working in the community; express its concern about the negative impact on residents in Lethbridge resulting from the severe lack of access to health care; and urge the government to make public as soon as possible a plan to increase access to health care in Lethbridge.

Mr. Speaker, I have the requisite copies here.

### Introduction of Bills

**The Speaker:** The hon. the Minister of Affordability and Utilities.

#### Bill 2

#### Inflation Relief Statutes Amendment Act, 2022

**Mr. Jones:** Thank you, Mr. Speaker. I request leave to introduce Bill 2, the Inflation Relief Statutes Amendment Act, 2022. This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of the bill, recommends the same to the Assembly.

Our province's economy has recovered strongly, yet Albertans are struggling under record inflation and high cost of living to make ends meet. Families are eating less and less nutritious food and wondering if they can keep their children in activities. Seniors and vulnerable Albertans, generally on low and often fixed incomes, are being forced to make increasingly difficult budget decisions. Inflation is causing Albertans hardship across the board. They feel it in their groceries, gas, utilities, and more. We are experiencing an affordability crisis.

Providing relief from runaway inflation is a top priority not just for this government but for all Albertans. That's why we are providing the largest relief package in Canada, enabled through this legislation and supporting regulations. If passed, this bill will enable us to deliver both broad-based cost-of-living supports and targeted relief for families, seniors, and our most vulnerable when and where they need it. This legislation will also provide utility relief, protection, and stability this winter. It will index the Alberta child and family benefit and personal income taxes and suspend the full provincial fuel tax from January to June next year. In short, this bill provides real relief. It is my honour as the Minister of Affordability and Utilities to deliver critical broad-based inflation relief to all Albertans and additional targeted supports for families, seniors, and our most vulnerable.

Mr. Speaker, I hereby move first reading of the Inflation Relief Statutes Amendment Act, 2022.

**The Speaker:** I will refer the hon. the Minister of Affordability and Utilities to the Minister of Justice's introduction of a bill yesterday for future introductions.

[Motion carried; Bill 2 read a first time]

### Tabling Returns and Reports

**The Speaker:** Are there tablings? The hon. Member for Edmonton-Glenora, followed by the Member for Drayton Valley-Devon.

**Ms Hoffman:** Thank you, Mr. Speaker. I have the requisite number of copies of survey results that I referred to in my question yesterday in question period, the Alberta classroom pulse research, which shows that 85 per cent of teachers have seen a dramatic increase in the complexity and diversity of student needs in their classrooms this year, among other things. I think it's interesting, and I encourage all members to read it.

**The Speaker:** The Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, Mr. Speaker. In accordance with section 19(5) of the Auditor General Act as chair of the Standing Committee on Legislative Offices I am pleased to table the report of the Auditor General of Alberta, November 2022. Just for everybody's note, electronic copies of this report will be provided to all members.

**The Speaker:** The hon. Member for Edmonton-Rutherford.

**Mr. Feehan:** Thank you, Mr. Speaker. I have the five requisite copies of a paper referenced in debate yesterday called Running Afloat the Separation, Division, and Delegation of Powers: The Alberta Sovereignty Within a United Canada Act, written by Martin Olszynski and Nigel Bankes.

Thank you.

**The Speaker:** The hon. Minister of Service Alberta and Red Tape Reduction.

**Mr. Nally:** Thank you, Mr. Speaker. I have the 2021 report An Act to End Predatory Lending. This report provides information on the status of the payday loan industry in Alberta. I have the requisite five copies.

### Tablings to the Clerk

**The Clerk:** I wish to advise the Assembly that the following documents were deposited with the office of the Clerk: on behalf of hon. Mr. Copping, Minister of Health, pursuant to the Regional Health Authorities Act Alberta Health Services 2021-22 annual report; pursuant to the Health Professions Act College of Alberta Psychologists 2021-22 annual report, College of Acupuncturists of Alberta annual report 2021-22, College of Hearing Aid Practitioners of Alberta 2021 annual report, College of Registered Dental Hygienists of Alberta 2021 annual report, Physiotherapy Alberta College + Association 2021 annual report.

**The Speaker:** Hon. members, we are at points of order. At 1:56 the hon. the Government House Leader rose on a point of order.

### Point of Order

#### Questions about Legislation

**Mr. Schow:** Thank you, Mr. Speaker. I do rise about a point or order today that was called against the Leader of the Opposition while she was asking a question to the hon. Premier. At the time,



mentioned by you, Mr. Speaker, it says “By passing the bill today, before the Premier speaks with the treaty chiefs, you are infringing on their treaty rights.”

Mr. Speaker, it is contempt of *House of Commons Procedure and Practice* to presuppose the outcome of a bill. I’m not sure why the member opposite would do such a thing. This is not her first kick at the can nor her first rodeo. I would ask that going forward, the member opposite, the Leader of the Opposition, refrain from presupposing the outcome of bills in this Chamber and allow us as Members of the Legislative Assembly to do our job, robustly debate these bills, and vote on them according to the will of our constituents and what’s best for Alberta.

2:50

**The Speaker:** The Opposition House Leader.

**Ms Gray:** Thank you very much, Mr. Speaker. The Government House Leader is not sure why the Leader of the Official Opposition may make such a statement when on Monday they introduced a closure motion, a time allocation motion, and they used it on Tuesday. On Tuesday they introduced two more time allocation motions. They’re probably going to use those today. That is the thinking. That is the pattern we’ve seen from this government.

That being said, conversations about this topic, which at the time of this point of order we were debating the sovereignty act putting First Nation inherent and treaty rights in jeopardy as well as damaging First Nations’ ability to attract investment – I believe tempers were hot. Certainly, we would not want to presuppose the actions of this government. That being said, I think we can all guess what’s about to happen. We certainly would be happy to withdraw the comment if the Speaker would like us to do so.

Thank you, Mr. Speaker.

**The Speaker:** Is there anyone else that would like to provide any additional comments with respect to the point of order before the Assembly?

I am prepared to rule. I’m curious to know from the Government House Leader’s perspective what is the citation which he speaks to. Of course, there are parliamentary requirements with respect to privilege in terms of showing documents that are the Assembly’s or advertising outside of the Assembly that would presuppose a decision inside the Assembly. I’m not sure that a member can’t opine upon what the Assembly may or may not do.

Of course, it would be inappropriate of the Speaker to presuppose a decision of the Assembly or the government to, and I know that this has happened on numerous occasions. I’m sure members of the opposition will be aware and some members who’ve been around long enough will also be aware of times in which the government has done that externally and exposed dollars based upon a decision that may come of the Assembly.

I’m not convinced that there’s a point of order. Perhaps I’m happy to be educated. The Speaker is not infallible as well. With respect to this I don’t believe it’s a point of order. If there’s a requirement for a clarifying statement tomorrow, I will be happy to provide one. This is not a point of order, and I consider the matter dealt with and concluded.

### Motions under Standing Order 42

**The Speaker:** At the appropriate time the hon. Member for Lethbridge-West rose on Standing Order 42. She has up to five minutes to convince the Assembly of its merits.

### Health Care Services in Lethbridge

**Ms Phillips:**

Be it resolved that the Legislative Assembly acknowledge the current lack of access to health care in Lethbridge, including the local intensive care unit at Chinook regional hospital being near capacity, potentially resulting in some new patients being diverted to other communities that are facing similar capacity challenges, the chronic shortage of family doctors accepting new patients, resulting in an estimated 40,000 people who do not have access to primary care and are reliant on emergency care, and reduced access to obstetric and birthing care due to only having one full-time obstetrician and gynecologist working in the community; express its concern about the negative impact on residents in Lethbridge resulting from the severe lack of access to health care; and urge the government to make public as soon as possible as plan to increase access to health care in Lethbridge.

**Ms Phillips:** Thank you, Mr. Speaker, and thank you for the opportunity to rise pursuant to Standing Order 42 to request that the ordinary business of the Legislative Assembly be adjourned to debate a motion that is urgent and pressing and which I read out under Notices of Motions. I would like to acknowledge that pursuant to SO 42 I’ve provided the members of this Assembly with the appropriate number of copies.

Mr. Speaker, the reason why this is a pressing and urgent matter is that as the representative for Lethbridge-West I am urging all members of this Assembly to show the people of Lethbridge and of southern Alberta more broadly that addressing the health challenges there is a key priority for all of us here.

I will note that Team Lethbridge comes to Edmonton every year. They all dutifully file onto buses every year, a wide group of business leaders, entrepreneurs, leaders in community and social services agencies, school boards, local government representatives, arts organizations, tourism organizations, the Sport Council, you name it. They come here to ensure that Lethbridge is heard because, in their experience and, quite frankly, Mr. Speaker, in mine, too, if we do not advocate for southern Alberta and for Lethbridge, we will get ignored.

That is why, Mr. Speaker, when we hear of such a pressing and urgent limitation at the Chinook regional hospital, we must grapple with it here in this Chamber. Lethbridge is facing multiple and overlapping challenges in health care which have now culminated in capacity constraints at the Chinook regional hospital. This affects more than just the 100,000 of Lethbridge but, rather, all of the communities in southern Alberta that rely on Chinook regional. I would argue, too, that it affects the people of Medicine Hat and more broadly because those communities are anchors for access to acute care, emergency services, primary care, and so much more specialist care throughout the region.

Yesterday we heard new information, Mr. Speaker, about how stretched the intensive care unit is. The Chinook regional hospital was over 100 per cent capacity over the weekend. It was at the point that if any more people came in, patients would have to start being diverted to other communities. This is due to a number of factors, not the least of which is staffing shortages that come as a culmination of a three-year UCP war on front-line health care workers during a pandemic. It is deeply concerning since communities across the province are also having capacity issues, so if we have capacity issues, there is nowhere else to go. Our health care system is at the point where the Rotary Flames House, a children’s hospice, is needing to pause services to move more staff to Alberta Children’s hospital in Calgary. Children in

Lethbridge and surrounding areas also rely on those services and that hospital.

The situation is dire, and the people of Lethbridge and all across the province deserve to hear directly from us today on what is being done, a specific resourcing and staff recruitment and retention plan. Beds are not people, Mr. Speaker, and intensive care and all of those sorts of services require staffing. There are no robots for this work.

Lethbridge also has an extreme lack of access to pregnancy and birthing care. In October I stood with the Leader of the Official Opposition and a local health care provider, Vicki Todd, highlighting how concerning this is. Families need to have certainty that they can have a baby in their own community. Doctors specializing in maternity are also fundamentally important for high-risk births. Lethbridge only has one full-time obstetrician gynecologist right now, and aside from pregnancy and childbirth women do not have access to a range of women's health and reproductive health care services. It is not just women of birthing age; older and elderly women and menopausal women need access to ob-gyns quite often, and they do not have that access in southern Alberta. The UCP needs to highlight the importance of this and display that they are taking it seriously. Hundreds of thousands of people rely on it.

Finally, there has got to be some sort of action on access to primary care. We are still without appropriate access to walk-in clinics. We still don't have family doctors that can send lab results anywhere; rather, patients that can have lab results sent to a family doctor. Without adequate access to primary care people are more reliant on the emergency room, but we have already talked about that.

We need this debate, Mr. Speaker. We need a plan. Thank you.

**The Speaker:** Pursuant to Standing Order 42 a member of Executive Council does have up to five minutes to respond to the matter of urgent and pressing necessity of the motion.

I would just like to provide a very brief comment before calling upon what appears to be the Minister of Health that over the recent days we have heard during discussions of Standing Order 42 that this is a request for an emergency debate. I want to be clear that Standing Order 42 is not a request for an emergency debate; it is a motion, available to members under the standing orders, Standing Order 42, of urgent and pressing manner, which is different than a Standing Order 30, which, of course, is an emergency debate. I think it's important that we provide some clarity around those things and encourage members to speak directly to the appropriate motion.

The hon. Member for Calgary-Varsity, or the Minister of Finance, has up to five minutes to respond to the urgent and pressing matter.

**Mr. Copping:** Thank you, Mr. Speaker, and thank you for the elevation to the position of Minister of Finance. That's greatly appreciated.

**The Speaker:** No. No.

**Mr. Copping:** Yes. That's not a problem.

I want to thank the hon. member for raising the issues of the challenges that our health care system is facing, particularly in Lethbridge, and I want to thank – I see some members in the gallery from Team Lethbridge are here, and I want to thank them for the work that they're doing in representing the city of Lethbridge. As well, I just take the opportunity to thank my colleague for the work that he is doing as well in representing Lethbridge. I understand that the Member for Lethbridge-West suggested that government isn't listening to Lethbridge and that they, you know, have to come here and there's a need, an urgent need, for this particular debate.

I can tell you that we are indeed listening, not only through my colleague and the representations that he is making to me, but quite

frankly, Mr. Speaker, I was able to go to Lethbridge earlier this year, held a workshop. We had many of the members – the Lethbridge mayor, Lethbridge city councillors; we had doctors; we had AHS employees – to talk about, you know, the challenges facing our health care system: what's working, what's not working, and things we can do to improve, to make it better.

3:00

Mr. Speaker, I can say that we are listening. One of the biggest items highlighted by the doctors in Lethbridge was looking at, you know: how do we make it easier for changing the system of pay so that doctors and family physicians could see more patients? We heard that feedback, and we acted on it. Actually, that action showed up in the AMA agreement we reached, that was ratified in September by over 70 per cent, and we have implemented that already in terms of being able to improve access to family physicians.

We appreciate that this has been a challenge in Lethbridge in terms of access to family physicians, and we have taken action. As I indicated in this House earlier, Mr. Speaker, there are 17 family physicians who have accepted positions in Lethbridge. A number of them are going through the various certification processes with the CPSA. Some of them have already started practising, and more are on the way.

Mr. Speaker, as I indicated earlier in this House during question period, we are taking action and investing in expanding capacity across our entire system, including in Lethbridge. We have added 50 additional ICU beds across the entire province, and a number of those beds we put in Lethbridge, and we put the money behind that to staff those up. In addition, we are adding resources to be able to hire more. We are hiring more across the entire AHS system, including in Lethbridge, and there are ongoing searches for staff where they are short right now. I can tell you, you know, that I'm very pleased that AHS, the chamber and city council of Lethbridge are all working together to attract and retain not only doctors but other health care professionals, and we are actually having progress in that regard.

We're going to continue to do more because we know that there is a shortage of health care professionals. We're not only seeing it in Alberta, but this is what we're seeing across the entire country. That is why, Mr. Speaker, you know, our government has invested in expanding seats in postsecondary education across the entire province, to get more nurses, to get more allied health professionals because we know we need them. We have hired them. Quite frankly, we have more nurses, more doctors than ever before working in this province, and we are going to continue to focus on recruitment, training, attraction, and retention to be able to get the people where they need it.

Now, the hon. member across the way spoke of the challenge that we have in our health care system, and these are challenges being faced, again, right across the country. Part of that challenge is in regard to absenteeism because RSV, flu, and COVID are circulating, and that impacts our health care staff as well. We haven't had to transfer out any patients from Lethbridge, but that's the beauty of our system, that when we need to do that, we can do that, and we have done that on occasion in the past. Now, we're looking to build capacity so we don't need to do that in the future. I am hopeful, when we look at the overall rates of flu and COVID circulating in the province – and it looks like we've peaked on flu initially. That will be coming down.

We are continuing to add capacity, and for that reason, Mr. Speaker, you know, we have a plan, we're acting on our plan, and we don't need a special debate on this matter.

[Unanimous consent denied]

**The Speaker:** Ordres du jour.

**Orders of the Day**  
**Government Bills and Orders**  
**Second Reading**

**Bill 5**

**Justice Statutes Amendment Act, 2022 (No. 2)**

**The Speaker:** The hon. the Minister of Justice.

**Mr. Shandro:** Well, thank you, Mr. Speaker. I wasn't prepared for first reading of this. I can advise that I'm now more prepared for moving second reading. I'm pleased to rise and move second reading of Bill 5, the Justice Statutes Amendment Act, 2022 (No. 2).

Mr. Speaker, Albertans look to government to improve their day-to-day lives. They look to government to reduce red tape. They also look to us to increase access to the justice system and to feel safe and secure when they visit the Legislature Grounds. This omnibus bill will do all of the above and more. It will reduce red tape, it will increase access to the justice system, and it will allow legislative security to carry firearms.

Mr. Speaker, this is a bill which proposes to change a number of laws. Specifically, there would be changes to the Legislative Assembly Act, to the Provincial Court Act, the Interjurisdictional Support Orders Act, the Referendum Act, the Sale of Goods Act, and the Trustee Act.

I'll begin by addressing the amendments to the Legislative Assembly Act. Mr. Speaker, as you are aware, following the tragic 2014 shooting on Parliament Hill and the high-profile event that occurred here at the Legislature Grounds in 2019, the Sergeant-at-Arms and your office initiated a security review. Since that review, we've also seen other incidents throughout the world, like the attacks on Congress on January 6, 2021, and now the review has concluded that the Legislative Assembly security service should be allowed to carry firearms in the Legislature Building and surrounding precinct as a preventative measure. With more and more Albertans enjoying the Legislature and its grounds, we're taking these steps to make sure that they can continue to enjoy it in a safe and peaceful setting. The Legislative Assembly security service protects our democracy, and they do that by ensuring the security of the Legislature, the safety and security of those who are in this Chamber and come to visit the precinct.

[The Deputy Speaker in the chair]

Changes to the Legislative Assembly Act would allow Legislative Assembly security to be treated as peace officers under the Criminal Code. This means they would have the authority to carry firearms. The security personnel would receive the necessary training to equip them with firearms and secure the Legislature Building and grounds of the legislative precinct if ever needed. Providing these officers with the tools that they need, including firearms, to protect all of those in this building – staff, visitors, and themselves and their fellow officers, Madam Speaker – is a top priority for our government. This change will bring Alberta as well in line with many other jurisdictions.

It's also been pointed out to me, Madam Speaker, that we have an obligation as employers to ensure the health, the safety, and the welfare of employees and to provide them with the right tools and the personal protective equipment to ensure their safety and to ensure the safety of other employees here within the precinct.

I think it's also worth noting that all of our LAS officers currently are former members of the Edmonton Police Service, and many if not most have specialized training, and many have served on the tac team of EPS. As I said before, Madam Speaker, these are folks who come to work every day to protect democracy.

Next I'll address the proposed changes to the Provincial Court Act. Madam Speaker, these changes would lay the groundwork to expand the civil claims that can be filed through the Provincial

Court, which we have now renamed the Alberta court of justice. Currently this limit for what many call the small claims court but what is called officially the civil claims division of the Alberta court of justice is \$50,000. There is concurrent jurisdiction with the Court of King's Bench as opposed to other jurisdictions like Quebec, who have distinctions in the jurisdiction between those two courts. We have concurrent jurisdiction, and people have a choice here in Alberta whether they want to take their claim to have final resolution in the Alberta court of justice or in the Court of King's Bench.

Now, the amendments that are proposed here in Bill 5 will permit government to adjust the limit, an ability that they've always had, by regulation up to a maximum of \$200,000. This would give more Albertans the option to resolve their civil legal disputes by filing a claim in the Alberta court of justice. This court for Albertans is easier to navigate, which means that more Albertans could represent themselves, which saves legal costs. Madam Speaker, at the same time it would free up the time and the resources in the Court of King's Bench to focus on more complex matters. Ultimately, this makes the justice system more accessible to all.

We're also proposing changes to the Interjurisdictional Support Orders Act to make it easier for Albertans to collect child and spousal support payments. Specifically, this is earmarked for families living in different parts of the country from their former partners and former spouses. All we're doing is allowing in legislation the electronic transfer of certified family support documents between reciprocating Canadian jurisdictions. British Columbia, Saskatchewan, Manitoba, and Nova Scotia all already have completed comparable legislative amendments in support of a transition like what's being proposed in this bill. The remaining provinces are working towards completing their own changes, and this amendment will greatly reduce the time needed to collect, to exchange, and to process information and to improve family support enforcement here in Alberta for those who are often going to be the most vulnerable.

3:10

The next piece of legislation we're adjusting is the Referendum Act, Madam Speaker. Amendments to this act will strengthen democracy by ensuring that Albertans have a direct say on important matters. We're simply making it clear that only constitutional questions require a resolution be made in the Legislature.

Next we'll amend the Sale of Goods Act. Changes to the Sale of Goods Act will eliminate unnecessary record-keeping requirements for buyers when grain is sold and delivered at a grain elevator. They would also make the language in Alberta's Sale of Goods Act the same as the federal legislation, which is the Canada Grain Act, just to help avoid any confusion.

Then, last, being the proposed amendment to the Trustee Act. This change would make it clear that a trust would not fail if there is temporarily no trustee. The proposed change would remove the transfer of trust property to the court, allowing the trust property to move directly to the new trustee once appointed.

In conclusion, Madam Speaker, all of these changes will improve the experience of Albertans when dealing with the legal or court processes or if they're visiting or working in the Legislature. With that, I move second reading of Bill 5.

**The Deputy Speaker:** Other members wishing to join the debate on Bill 5 in second reading? The hon. Member for Edmonton-Whitemud.

**Ms Pancholi:** Thank you, Madam Speaker. It's a pleasure to rise and speak in second reading of Bill 5, the Justice Statutes Amendment Act, 2022 (No. 2). I appreciate that some of the

changes that have been made in this act are intended to expand access to justice for Albertans, which, of course, is something that I think we're all committed to. I appreciate many of the changes. I mean, we have some questions as well, but I think overall there are some changes here that we can certainly be supportive of. For the sake of those Albertans who may be watching this scintillating debate on Bill 5, I would like to go over a little bit of what the bill contains and the various pieces of legislation that they amend.

I thank the Minister of Justice for reading his bill and for understanding it and speaking to it today in the Legislature. He's not batting a hundred on that in the House so far this session, but certainly on this one it appears he is familiar with the content of the bill, so that's fantastic. I will review some of the provisions and the various enactments that are amended by this legislation just to summarize sort of why they may be important.

The first piece, of course, is the amendment to the Interjurisdictional Support Orders Act. While that sounds like a very fancy term, Madam Speaker, it essentially means that when there is a family law support order, some kind of, you know, dispute in another jurisdiction – we know that when there are arrangements as well as agreements and orders that are in place that affect, for example, custody as well as child support payments, families don't stay in the jurisdiction in which their children were born or even where they lived. We know that, of course, people move around, and one of the challenges that has existed for some time is that if a family support order is in place in one province, in Alberta there has been a sort of onerous process by which that parent can seek to enforce that order when in Alberta.

I actually had to deal with this a little bit myself, Madam Speaker, in my prepolitical life. I did a lot of work for school boards who were regularly dealing with parents who may have different custody arrangements and different orders in place and the challenges of ensuring that the proper documentation was there to enforce their rights as guardians and parents here in Alberta. Of course, under education law here in Alberta and under our statutes and regulations parents and guardians have very specific rights and responsibilities, but it has to be clear as to who is the legal guardian and who is the parent in order to access, for example, their child's personal information, to be able to access student information. Certainly, one can particularly imagine challenges around, you know, who can pick up the child after school if that child is seeing a counsellor or something like that. There are certainly a lot of privacy provisions.

I dealt with and supported many school boards who would be faced with a parent producing an order that was from another jurisdiction, and unfortunately, due to sort of the stringent requirements that we currently have in Alberta around those documents being sworn and certificated within Alberta in order to be valid, it caused, honestly, some significant confusion and challenges, both with guardians and with school boards and teachers and, frankly, of course, the implication that that had on the student.

I'm certain that there are people in this Assembly and Albertans who are dealing with it on a more regular basis, but I can just say that I appreciate how challenging that was, to not have those orders recognized properly in Alberta without going through, quite honestly, a number of significant, you know, hoops in order to prove that.

**Mr. Dach:** Intervention, Member?

**Ms Pancholi:** Oh, certainly.

**The Deputy Speaker:** No. Sorry. Interventions aren't allowed at this stage of the bill.

**Ms Pancholi:** Thank you to the Member for Edmonton-McClung for seeking to intervene.

As I understand it – this actually was new to me; I was not aware of this – you know, Alberta is a little bit of an outlier in terms of requiring those strict requirements, so if the changes as proposed in Bill 5 will actually make it easier and bring Alberta more in line with other jurisdictions, I think that's definitely a positive step.

The specifics in Bill 5 are, you know, that it removes the need for documents that are produced by a guardian to be sworn documents, meaning that they don't have to be sworn by a notary or a commissioner, removing the need for certified documents and providing a little bit more flexibility. One key change in Bill 5 around this, which I think is important, is allowing for documents to be sent in either by e-mail or telephone transmission of documents.

I want to pause on that point just to note that there are opportunities from the pandemic where we have learned in terms of how to facilitate access to justice in a time when, of course, people couldn't physically attend courthouses. We saw that there was a lot of flexibility in terms of how, you know, documents could be provided and, of course, how testimony could be provided, and I certainly hope that some of that can be carried over not only in contentious sort of family law disputes such as this bill refers to – a bit of a tangent, Madam Speaker, but I'm recalling conversations that I had in my visits and discussions with folks at the Zebra centre, which is a fantastic organization, a child advocacy centre here in Edmonton.

Of course, there are many across the province that support children who have been abused and who are often having to give very sensitive testimony, and they do remarkable work at the Zebra centre to really support those children and wrap them in love and security so that they can feel comfortable talking about things that are really challenging. One of the things that I know the Zebra centre has advocated for is that during the pandemic children were allowed to testify remotely, from kind of the comfort of being in a place that was familiar, at the centre, with people around them that they knew and, of course, the support of fantastic support dogs at Zebra centre. They sort of certainly hoped that that kind of ability for children, in particular, to be able to provide testimony in more comfortable settings, where they feel safe and it's not as scary as being in a courtroom, they hope that can continue.

I just want to pause and say that we think about access to justice. This bill certainly opens up some avenues for increased access, but certainly there is lots we can do and lessons that we have learned from the pandemic to really support individuals who may be particularly vulnerable in being able to have their story heard, to present their evidence in a safe environment. Certainly, I hope this will pave the way for consideration of other amendments.

With respect to the other legislative changes in Bill 5, as the Minister of Justice noted, you know, there were some changes, of course, to the Legislative Assembly Act, which does provide, for example – I think there are a number of changes within the bill, but one of them is that it does allow the Speaker to, I guess, authorize Legislative Assembly security staff to be able to have weapons. I think that's certainly something that I'd like to know a little bit more about. I know that the Minister of Justice gave some examples of situations, both in 2014, that happened at Parliament, but also many of the members in this Assembly will be very familiar with the situation of what took place in 2019, where many of us were present when – it's very unfortunate that a man committed suicide right outside our building. I guess I'd like a little bit more information as to how weapons in that case or arming the LAS could have affected or changed or in any way altered the course of events that took place that day or certainly how they anticipate that it could going forward. I just have some questions about that piece, and hopefully we will get some clarification on that.

3:20

I do note that Bill 5 also makes changes to the Provincial Court Act which increase the threshold amount for which a claim, a civil claim, can go to the Provincial Court for resolution. The Provincial Court civil claim process is a lot more – I don't want to say informal because, of course, it is still a court process, but it is far less stringent than, say, going to the Court of King's Bench. I just want to note that's the first time I've actually said it out loud, and I said, "Court of King's Bench." I'm very happy that I caught that.

Rather than going to the Court of King's Bench, which can be, of course, a very intimidating process – we know that it's heavy on procedure as well as the requirement to have legal representation. For many years, of course, we have had this threshold where we're saying that civil claims can go to the Provincial Court if the claim is for an amount less than \$50,000. That's basically, like, a small claim sort of idea – right? – addressing those claims in a more informal setting to provide more access to justice for claimants.

I understand that under Bill 5 the threshold would change from \$50,000 to up to \$200,000. Again, increasing access to justice is really important, and it's an important thread. Certainly, I know it underlines many other challenges in the court system around access to justice, but I guess I'd support the idea of more people being able to resolve issues and legal claims in a more informal process that doesn't require being able to afford a lawyer to be able to have your matter heard and resolved.

I'm curious as to why \$200,000 is the threshold. What thinking went into that? Was it looking at the kinds of claims that have come forward, obviously potentially looking at the Court of King's Bench claims and seeing, you know, what difference it would make if the threshold was raised to \$200,000? Does that mean that a number of those claims would be moved, and what are those numbers? I'm hoping some assessment was done as to what that would mean. While that may relieve pressure, for example, on the Court of King's Bench – perhaps it will; perhaps it won't – if it relieves pressure, are there the corresponding resources available to the Provincial Court in order to accommodate what would likely be an expanded caseload?

As we know, our court systems are very strained, under enormous pressure, and we're seeing long delays in terms of cases being heard, so while it's important to provide access to justice, I would appreciate hearing sort of an assessment or any analysis that was done by the Minister of Justice or the government to determine whether our court system has the capacity to handle those increased claims. You know, if it's still going to be a very, very long delay, as they say, justice delayed is justice denied. We have to be cognizant of the additional pressures.

On that note, you know, when we talk about access to justice, Madam Speaker, I'm struck, of course, by the ongoing dispute – "dispute" is probably not even the proper word for it – the challenges right now around individuals being able to access justice through having a legal aid lawyer assigned to them. We know that right now the funding model that has been presented by government is unsatisfactory. We know that many Albertans are being denied their procedural and, frankly, constitutional rights to have a criminal matter heard and to be able to defend themselves by having a lack of access to legal aid.

I would certainly like to hear some significant steps being taken by this government to address that, to ensure that all Albertans, particularly those, when we're talking about the criminal justice system – failure to have proper representation could mean that somebody loses their liberty and is actually in jail. We need to make sure that those individuals have access to proper representation. It's a core, honestly, of both our criminal justice as well as our

democratic systems, protecting those procedural rights. I encourage the government to consider those issues as well.

One other change that has been made within Bill 5 is that we know that it makes changes to – I think these ones, I mean, are relatively noncontroversial – the Sale of Goods Act. I understand that section 25 of the act has been changed to align with what I understand is federal legislation, to remove the need to keep a record of the vehicle and registration that delivered the grain to an elevator and changes "track buyer" to "grain dealer." It seems to be a small – I will defer to anybody else who may have more expertise in this area to comment on the significance of that, but it does seem to be aligning with federal legislation and is something that, generally speaking, would be noncontroversial.

Another piece of legislation amended by Bill 5 is the Trustee Act. You know, we had the Trustee Act come before us I believe a couple of times in this session of the Legislature. I'm looking at my colleague the Member for St. Albert because I know she's very familiar with the Trustee Act as many individuals with disabilities and their families often rely upon that act for governing the estates and property of persons with disabilities.

I appreciate that in, you know, previous sessions – and forgive me, Madam Speaker; I can't remember exactly which one it was – we did have Bill 12 come forward, which made changes to the Trustee Act. I believe, if I recall correctly, those changes were really meant to reflect some work that had been done over a period of time, maybe even by I want to say the Alberta Law Reform Institute, but I'm not entirely sure that that's accurate. I know that there had been a lot of substantive legal assessment as to the changes that needed to be made to the Trustee Act to bring it up, to modernize it, to make it more reflective of the needs of individuals.

I believe this change in Bill 5 to the Trustee Act is really meant to clarify something that was put into Bill 12, because there was really concern that the changes would apply additional pressures onto the court system. As I understand it, Bill 5 would amend the Trustee Act to ensure that where there is no trustee in place, the trust will not fail. This is only when there is no trustee in place temporarily. Typically what would happen is that if there was not a trustee in place, the trust would essentially fail and would go back to the courts, and then the courts would have to, you know, appoint a new trustee. Really, that process of going back to the courts was adding additional pressure onto the court system.

The idea here, as I understand it, is that if a trustee is just temporarily not available or not named, rather than it going back to the courts, it could be held until such time as a new trustee is appointed without having to go back to the courts. Again, while I support removing pressure from the court system, I go back to: how does this align and how does this work with changes around the threshold for civil claims to go to the Provincial Court? Have we addressed those challenges in the court system?

I do want to mention, too, going back a little bit to the Provincial Court changes, that those changes around access to the civil claims system are often used in landlord and residential disputes. Not solely, of course, because we also do have the landlord-tenant residential dispute system. I totally misnamed that: the residential tenancy dispute system. Anyway, I got the name wrong. Simply put, this is where more significant matters that fall outside of that residential resolution dispute service lie. Again, what are the pressures, what are the implications for the Provincial Court system, and are they going to be significant?

**Member Irwin:** The residential tenancy dispute resolution service.

**Ms Pancholi:** Thank you. Residential tenancy dispute resolution service. I could remember the acronym RTDRS.

**Member Irwin:** You did well.

**Ms Pancholi:** Thank you very much. I got sort of all the words but in the wrong order. Thank you to the Member for Edmonton-Highlands-Norwood for that.

The last change that Bill 5 makes is to the Referendum Act. As many in this Assembly will recall, we, of course, saw the Referendum Act come before us. I believe that the intention of the amendment would be to clarify that bringing a resolution to this Assembly prior to a referendum would only happen in the case of a constitutional referendum. I guess my question on that is that it's hard not to think about these changes, Madam Speaker, without the context of what we have been sort of struggling with over the last few weeks, which is sort of a confused understanding, whether it be deliberately trying to circumvent democracy or whether it's simply members of the government cabinet not understanding the bills that they drafted and voted on or that they just simply didn't care. But, you know, it's hard to not think about the fact that there is a lack of understanding around when things do and do not come back to the Legislature from the government caucus.

Certainly, if we're talking about a motion from the Legislative Assembly to authorize a constitutional referendum, my question would be: why wouldn't we have a motion from the Assembly to authorize any referendum?

3:30

As we know, referendums require a significant amount of investment to do properly, to actually, you know, properly frame the question, to do public education campaigns to make sure that the public is aware. Of course, then there are the administrative costs related to actually having an election and having a referendum through the normal election process, maybe sometimes outside of an election process, too. That's entirely possible. So why wouldn't this Assembly get a chance to weigh in on a motion to approve any referendum that's going forward?

Those are certainly some of the questions that we have. I'm looking forward to a spirited and thoughtful debate by the members of the Assembly on Bill 5. A number of questions that we've asked related to, you know, the effect of changing some of the provisions around access to the provincial court system, around the referendums, why we shouldn't have a motion for all referendums that are brought forward, and really just sort of understanding the decisions that were made and providing clarity as I think we should all hold the government to account on those kinds of questions.

With that, Madam Speaker, I will cede my time, and I look forward to the debate in the Assembly.

**The Deputy Speaker:** Other members wishing to join the debate? The hon. Member for Edmonton-McClung.

**Mr. Dach:** Thank you, Madam Speaker. I'm pleased to join the debate this afternoon on Bill 5, the Justice Statutes Amendment Act, 2022 (No. 2). I thank the Member for Edmonton-Whitemud for much of her learned input regarding the various pieces of this bill. I think that most of the questions that members might have had were partly raised in debate by her, but I hope to bring a couple of little pieces of new elements that occurred to me to seek some clarification on myself.

The bill itself, of course, according to the Justice minister, was seeking to improve the day-to-day lives of Albertans. Of course, the day-to-day lives of Albertans right now are impacted by many, many things, not many of which are actually covered by this Bill 5, Madam Speaker, because indeed we're looking at the day-to-day lives being completely unaffordable. There are some of these elements of this bill, the Justice Statutes Amendment Act, 2022 (No. 2), that might actually

make things more expensive to Albertans. Of course, by practice of, perhaps, sins of omission, the real things that could have been done to make life a little easier financially for Albertans were omitted or avoided.

The Member for Edmonton-Whitemud herself alluded to one that occurred to me. Of course, it's the legal aid funding model, that is in great dispute right now between the legal aid lawyers and the province. It reached an unprecedented boiling point where, in fact, the legal aid lawyers and their organizations were in the streets protesting in absolute desperation for their clients, who they serve, to be served by a legal aid system that actually functions because they've been able to attract legal aid lawyers to the system because they're paying them enough. I mean, the funding model is outdated. The legal aid lawyers have been making representations incessantly to the government without result and finally ended up on the streets. Indeed, there were the stated terms of the Minister of Justice that this legislation was seeking to improve the day-to-day lives and improve access to justice, then, in fact, this would seem to be a very natural aim of the bill, to address the legal aid funding model that is acutely affecting access to justice in Alberta today.

I served as a court intake worker, a volunteer, in the Solicitor General's department when I was going to university. Unfortunately, Madam Speaker, some of the same problems then in terms of underfunding of the legal aid system are still current now. I'd never seen it get to the breaking point that it has been now. To see legal aid lawyers in the streets should have told the government that this needed to be urgently and immediately dealt with, and it's not happening. [interjection] Madam Speaker, an intervention. Go ahead.

**Member Irwin:** Thank you to the Member for Edmonton-McClung. I was very curious to just learn a little bit more, and perhaps you were going there, about your own work. I mean, you, like me, well – you're not a lawyer, but you did have some experience working with legal aid, and you started to say that, interestingly enough, some of the challenges remain the same. So I would just be curious to hear a little bit about what some of those challenges were. I don't know if you said when that was; I'm guessing it was a couple of years ago. Just what some of those challenges were.

I would imagine, as my colleague from Edmonton-Whitemud pointed out, we know that there are incredible challenges currently with legal aid that we're not seeing addressed by this government. I know I've heard from a number of lawyers who are certainly concerned about some of the significant challenges that folks across Alberta, including many of my constituents in Edmonton-Highlands-Norwood, are encountering when it comes to the system of legal aid. So I would ask the member to elaborate a little bit more on that and to talk about some of those challenges because, again, as we've seen – I'm not getting cut off here – we're not seeing a whole lot of action. I think that's what it was . . .

**The Deputy Speaker:** The buzzer's not working.

This is just a great place for the Speaker to intervene and provide some caution in the remarks for the speaker to come, that they are relevant to the second reading of Bill 5. The hon. Member for Edmonton-McClung.

**Mr. Dach:** Thank you very much, Madam Speaker. I do see the relevance myself, because what the Member for Edmonton-Highlands-Norwood was indeed speaking about was the omission of the legal aid funding model amendments that we were hoping to see in any Justice Statutes Amendment Act, and it's a glaring omission from this piece of legislation that I speak to this afternoon.

Now, the member mentioned that she wanted to hear a little bit about what my experience was in the court systems. It was a few years

ago; it was in the middle '80s. Nonetheless, my role as a volunteer court intake worker was to sit in courts of first appearance, courtrooms 63 and 65, and be present so that if indeed the judge presiding decided to pass a sentence of probation, I was there to ensure that the individual sentenced to probation did not leave the courtroom prior to signing probation orders and prior to me assigning that individual to a probation officer.

That time that I spent – and it was two, three days a week over the course of over two years, Madam Speaker, while attending university. It was morning courtrooms, and in that time frame, after hearing dozens and dozens of cases, what I witnessed time and time again was that many of the accused would attempt right in front of the judge, sometimes without duty counsel – because they hadn't taken the time or weren't aware that duty counsel or legal aid lawyers, as they were referred to, were available to discuss their situation with them, and even if they were, they had only moments to do so prior to the accused taking the stand and their case coming before the judge.

What would happen in many cases: just to be expedient, the accused would simply try to plead guilty, and that is no service to justice, for an individual to suffer consequences that were perhaps entirely avoidable by putting in a not-guilty plea and going to trial and perhaps having their case heard in a much broader light and having consequences which would have been much different than the judge would have available to him or her in sentencing if indeed the guilty plea was accepted. In many cases the judge would caution the individual about the guilty plea and arrange for the individual accused to speak to duty counsel and advise that they were going to be having that individual reserve their plea rather than going straight to a guilty plea, which would have life-changing consequences for that individual should they have that guilty plea accepted and have that indictment, a charge on their record for life. The opportunity has been missed in Bill 5, I think, to address a very acute justice issue, and that is the legal aid funding model in this province.

3:40

I was disappointed to see that, Madam Speaker, and perhaps the Minister of Justice in the near future will see fit to address this model. It has been not loud in the news lately. I hope to learn that the Minister of Justice is really intently negotiating and in fair negotiations with the legal aid lawyers' representatives to reach a resolution, a long-term resolution, which will satisfy the need for legal aid lawyers to be properly compensated and for them to be able to attract more individuals to the profession of serving in a legal aid capacity.

It certainly is a fundamental first entry right of individuals who are in the justice system who have no capacity to hire their own lawyer to have a legal aid lawyer appointed for them and to them and available to them right at the first appearance and ongoing throughout their case so that they actually do have access to justice, which was the minister's stated goal in bringing forward Bill 5, the Justice Statutes Amendment Act, 2022 (No. 2). That is one element that I wanted to expound upon a little bit. It was an omission by the Justice minister in Bill 5.

Something else that caught my attention with respect to this bill was the Sale of Goods Act amendment that was required by the minister's changes that were made to align with federal legislation under section 25, which removes the need to keep a record of the vehicle and registration to deliver grain to an elevator and changes "track buyer" to "grain dealer" in terms of definitions.

I imagine, Madam Speaker, that the point at which the legislation was made to actually require that a record of the vehicle and the registration used to deliver the grain to elevator was implemented that there was a reason behind that. At the moment I'm only speculating

upon it, but I had been, in the past, a critic for Agriculture, and I know that one of the things that I heard from producers is that indeed the fairness of the weighing of their grain is something that was in dispute. There were complaints about them being potentially cheated out of the weight. [interjection] I have another intervention.

**Member Irwin:** I know. I didn't actually want to interrupt, so I was going to sit back down, but you took the words out of my mouth. I was thinking, you know – as the critic for Agriculture I was going to ask you what your speculation was. As I was looking through this bill, I must admit I know very little about the Sale of Goods Act, but why would it be that it would remove the need to keep a record of the vehicle? I'm curious. I know there are a few farmers in this Chamber, but there are many UCP MLAs who represent a whole heck of a lot farmers. I'm just hopeful. I'm having memories from yesterday of government members not speaking to their own bills. I'm hopeful that some of them will stand up and weigh in on some of these. Perhaps they could answer some of our questions. They could ask their own questions if they've all read the bill.

I would ask the Member for Edmonton-McClung to speculate a little bit more because, honestly, I'm curious, in a bill like this, justice statutes, why that piece would be included in there. I would love to learn a little bit more.

**Mr. Dach:** Thank you, Member, and I certainly do hope to learn more myself. The nature of my comments regarding this section are interrogative more than declarative. I hope to learn exactly what the reasoning is to remove the requirement to keep a record of the vehicle and registration that delivered grain to the elevator. It doesn't seem to be a huge load of red tape to unpack. The Minister of Justice seems to think that this is a red tape item that will smooth things out for farmers, but I can think of a couple of reasons myself why indeed even today one might want to continue recording the vehicle and registration that delivered grain to the elevator perhaps. If there was ever a dispute about the weight of that grain, Madam Speaker, and the payment to the farmer who delivered it, an important piece of the argument could rely upon the weight of the vehicle that actually delivered that grain, because, of course, as you weigh grain on the scales, you're looking at the GVW, or gross vehicle weight, of the vehicle, the empty weight versus the weight of the vehicle when it's loaded with grain. Of course, you subtract, and you end up with the weight of the actual load of grain.

Indeed, if there is a dispute over the weight, it would be very good to have, I would think, a record of the vehicle and the registration of that vehicle that delivered the grain to the elevator. That makes me wonder: are we losing an opportunity here to maintain the integrity of the weight or the ability of a farmer to dispute a payment on the basis of an inaccurate weight, removing the ability of that farmer, that producer to verify indeed that the weight was incorrect based partly upon the weight of the vehicle that was used to deliver that grain and that sat on the scales to actually ascertain the weight of the grain in that truck?

I'd like to really hear more detail on that, Madam Speaker. I'd like to hear who actually was asking for this. Of course, if something like this has changed in legislation in the Sale of Goods Act under Bill 5, the Justice Statutes Amendment Act, 2022 (No. 2), in all likelihood it didn't come while the minister was brushing his teeth. It probably came as a result of some lobby group, farmers, an agricultural organization. It could be the grain buyers. I'm not sure who actually came up with this idea to ask the minister to make this change, but it would be very informative to see from what end of the grain world this came. That I hope to learn.

Also, there's another aspect to this, Madam Speaker. As the critic for transportation I'm very interested in the improvement and the

maintenance of our roads, particularly our rural roads. As you may know – you’re from a rural area – I have rural backgrounds as well, and I know that the country roads that serve our agricultural producers are fairly soft, especially in the spring. But in the fall, when a lot of the loads are being delivered to the elevator, they still have maximum load limits on those rural roads, on the county roads, and even on our highways.

I’m wondering if section 25, the removal of the need to keep a record of the vehicle and the registration that delivered the grain to the elevator, indeed limits the ability to enforce – or an opportunity, at least, at that point to enforce – the legal load limits that a truck might carry. It’s certainly an opportunity to see if somebody is trying to sort of double up on their load and make one or two fewer trips to get their grain to the elevator by overloading the truck beyond what the weight limits of the roads leading to the elevator might be. It’s one way of certainly ascertaining that somebody was carrying too heavy a load for the roads. That’s a question that I have as well: have we lost an enforcement tool to protect our rural roads by not requiring that the vehicle that delivered the grain to the elevator record the registry and the type of vehicle that delivered the grain? So questions that I have that occurred to me as I was reading through the legislation. [interjection] Go ahead, Member.

**Member Irwin:** My final intervention. Yeah, I just wanted to get on the record here, too, because I was perusing how the Sale of Goods Act was amended there. You know, there’s a little bit more in the bill itself, but again it talks about presently that “the buyer acquires a good title to the grain” and “keeps a record [of] the kind of vehicle,” that sort of thing. Again, being someone who’s from a rural area as well and who’s lived in various parts of rural Alberta, I’d be curious and wanted to put on the record my appreciation for your speculation around the impact on rural roads. That’s something that – oh, man, some of those rural Albertans get pretty fired up about the roads, as they should because some of those rural back roads in particular are quite hard to navigate.

Again, I’d like to ask the government members to let us know, because we’re quite curious, particularly around section 25 and the amendments there. I just would love to know some of the background there, and again perhaps some of those members from rural areas will be able to give us a little bit more information so that we, I and the Member for Edmonton-McClung, aren’t left to speculate.

3:50

**Mr. Dach:** Thank you, Member. I think that’s the purpose of the debate this afternoon, to seek clarifying answers to questions we have about the legislation brought forward. Of course, we’re all intent on protecting the integrity and safety of our roadbeds, whether they be rural or major highways, and the weight restrictions are there for a reason.

It makes me wonder if indeed we are, as I said, giving up an enforcement opportunity to confirm that overweight vehicles are not travelling on our rural roads, particularly the ones that are leading from farm to elevator, in many cases where they are gravel roads, or we used to call them macadam roads, which are of a softer roadbed and more prone to damage from overweight vehicles. Of course, that’s why we have load limits and road limits in the spring, to protect the roads.

In the fall heavy loads are travelling on grain trucks going to elevators to allow farmers to get their grain to market. We all, as a community of producers in Alberta, want to make sure the roads are protected and that nobody is breaking the rules and putting the roads at risk. This would be one way of, I think, keeping a record of overweight vehicles or determining if overweight vehicles were

actually coming to the elevator. I’m wondering if that element of the question was being considered by the Justice minister when he indeed formulated this change to the act to remove the need to keep a record of the vehicle and the registration that delivered the grain to the elevator.

Hopefully, there will be some answers forthcoming to those questions. I hesitate to find how this bill in fact will, quote, unquote, improve the day-to-day lives of Albertans. The Minister of Justice had that as his head goal or leading outcome that he wanted to achieve by this bill. Many of the items here are housekeeping items. I know that the changes that were brought forward . . . [Mr. Dach’s speaking time expired] I will continue my thoughts later.

**The Deputy Speaker:** We’re having some buzzer problems today, so forgive me if my interjections are a little bit odd.

The hon. Member for Edmonton-City Centre on second reading of Bill 5.

**Mr. Shepherd:** Thank you, Madam Speaker. I appreciate the opportunity to rise and speak to Bill 5, the Justice Statutes Amendment Act, 2022 (No. 2). Now, as my colleagues have been noting, there are a number of different changes that are put forward in this act, a relatively brief bill covering a few different things. One that stood out to me, of interest, as I was taking a look through things is some of the changes to the Legislative Assembly Act, changes to bring Alberta in line with some other jurisdictions in terms of allowing for the arming of security personnel that are under the purview of the Speaker.

Now, certainly, we’re aware of some of the history of this place. We’ve all been over at the gold elevator at the front of the building, where we, in fact, have a bullet hole from an individual many years ago who was able to sneak a weapon into the Legislature and get off a shot. Certainly, we’re aware of the challenges that have arisen over the last few years. We’ve seen the changes to security here around the Legislature Grounds, a reinforcement of the gate arms at the gatehouse to the east of the Legislature, and some of the other changes that have been brought in. Certainly, we deeply appreciate the consideration of the safety of members, those that are visiting here at the Legislature, and we certainly appreciate the important work that all of our sheriffs do.

Certainly, I’m looking forward to reading a bit more and better understanding some of these changes, how it’s operating in other jurisdictions, and will be taking the opportunity to delve into that a bit more, but one thing that also stood out to me as part of this provision is that what’s included here in these changes is that the Speaker will be responsible for investigations of wrongdoings by officers, but that will be clarified in changes to the Police Act for increased civilian oversight of law enforcement personnel. Now, the reason that stood out to me, Madam Speaker, is because we are still waiting to see those changes to the Police Act.

Now, this is a process that began during our time in government, broad stakeholder engagement on the future of policing that began in June 2018 and began to move forward since then, and this is a process that has been going on ever since on a very important issue, Madam Speaker. This is regarding how we set up our civilian oversight of policing services and the discipline process for officers of the law. Of course, we have had a great deal of discussion as a society about this issue, again noting that this is something that is included here as part of this bill, noting that a future piece of this bill is going to be adjusting for those changes to the Police Act. This is a process that is still in place and is still ongoing under this government.

I know that it has moved forward, Madam Speaker. Again, it began in 2018 and sort of moved on up through the election, where



in that time they gathered perspectives from Albertans to determine some of the critical areas of the Police Act, the police service regulation, and Alberta provincial policing standards that needed to be amended or reformed, looking specifically to hear from folks about how we go about modernizing policing, how we ensure Albertans feel safe and confident that justice is being done and ensure that police are accountable to the communities that they protect, much as it discusses in the bill here that for the current time the Speaker will be responsible for investigations of wrongdoings by officers, but that will be clarified when there are changes to the Police Act, of which I am speaking now.

Now, Albertans shared their thoughts on policing under this government, so under the new ministers of Justice, through an online survey from December 3, 2020, to January 4, 2021. According to the information online from the GOA, in that period the Alberta government held 13 engagement sessions that were attended by approximately 200 different organizations representing law enforcement, health and social services sectors, municipalities, and Indigenous communities, and I would imagine, perhaps, that some of the Alberta sheriffs were indeed involved in those conversations as well.

In addition, there were about 15,000 Albertans that completed a public survey that covered several topics related to law enforcement such as the role of police in the community, processes for handling complaints from the public, and officer discipline, which, again, I noted is being discussed in the act here, in this case where officers would see discipline should there be concern of wrongdoing, first an investigation that would be undertaken by the Speaker, of course to later be clarified by changes to the Police Act for increased civilian oversight, which I'm speaking of here.

Now, as of February 23, 2021, the then Minister of Justice, now minister of— and I forget the exact title because we've had a number of changes—essentially labour under a different name, appointed Dr. Temitope Oriola, an associate professor of criminology at the University of Alberta, who has been appointed for a six-month term. He was appointed for a six-month term on February 23, 2021, to provide independent advice to the government as it weighed those policy options raised in the ongoing stakeholder discussions that had begun the previous fall. Now, Madam Speaker, that six-month term, of course, ended last year. The report from Dr. Oriola was delivered to the minister, so that has been on the minister's desk. I would certainly hope there has been some progress made, but so far we have not seen any further movement or any further action from the government regarding these important reforms, which again relate directly . . . [interjection] Yes.

**Member Irwin:** Thank you for allowing me to intervene there. I know you were on quite a roll there. I really appreciate your digging into the Police Act a little bit. You know, the Member for Edmonton-McClung dug into some of the other aspects of the bill. Again, I'm hoping that some of the members in the Chamber will be able to weigh in, especially on the Police Act piece.

You, the Member for Edmonton-City Centre, have done so much consultation, obviously, with your race-based data bill and pieces like that. You've heard from a lot of community members, and I know you've consulted with Dr. Oriola as well. I'm just sort of curious if you can expand a little bit on what you're hearing from folks in the community. You know, like you said, there's really not been any action from this government to date when it comes to what we're seeing right now, actually, in Bill 5, Justice Statutes Amendment Act, 2022 (No. 2). So if the member could expand a little bit on some of those pieces, which, of course, Madam Speaker, are relevant to the bill in front of us.

I'm not sure if the timer is working again, but I will pass it back to the Member for Edmonton-City Centre.

4:00

**Mr. Shepherd:** Thank you to the Member for Edmonton-Highlands-Norwood for that question and those comments. Certainly, I will touch on what she was talking about in terms of what I'm hearing from the public in regard to this. Again, we are talking about Bill 5 here, this provision under Bill 5 where the Speaker will be responsible for investigations of wrongdoings by officers to later be clarified by changes in the Police Act for increased civilian oversight of law enforcement personnel, which has been part of this ongoing review with government. Indeed, as the member noted, there has not been significant action or movement or, indeed, announcement from government in some time.

I can understand, Madam Speaker, perhaps why that is. We know the government has been wrapped up in a considerable amount of its own drama and intrigue, which led to the leadership race and the installation of a new Premier and, of course, now an interesting preoccupation with the job-killing sovereignty act, and all of that internal turmoil and rancour, frankly, has led to some distraction of the government from perhaps some of the more important issues, which we're of course discussing here around Bill 5 and that review of the Police Act. What we do know is indeed that . . .

**The Deputy Speaker:** Sorry, hon. member. I hesitate to draw the correlation between the Police Act and Bill 5, which is the bill we're debating right now. Maybe it's time to course correct here. I'll give you the opportunity to do as such, but I'm having a hard time finding the relevance. Please continue with your debate.

**Mr. Shepherd:** Thank you, Madam Speaker. I will attempt to continue to show relevance. Of course, we are talking about Bill 5 here. Under Bill 5 the provision that they are making changes to bring Alberta in line with other jurisdictions which allow for the arming of security personnel under the purview of the Speaker and within this bill, again, a new section is clarifying that the Speaker is responsible for the security of the Assembly and, allowing for the continuation of the current system where both sheriffs and legislative security have jurisdiction in different areas as per agreement with the minister of public safety, that the legislative security personnel powers and duties will align with those of peace officers and officers not put under the act to maintain the independence and the jurisdiction of the Speaker, and of course, again, the connection, then, with the Police Act, which I've been discussing, which is that the Speaker will be responsible for investigations of wrongdoings by officers, but that will later be clarified by changes to the Police Act for increased civilian oversight of law enforcement personnel.

[The Speaker in the chair]

Of course, the Speaker is currently responsible for investigations of wrongdoings by officers, or at least that is what this legislation is proposing. What I am discussing is if indeed this is perhaps the correct approach. Is this the way we should go? We are still awaiting that review from the Minister of Justice or perhaps the minister of public safety. I'm not quite sure how the two are correlating or how their duties are divided on this particular issue. There, again, has been a bit of confusion as we've had the new alignment of ministries and certainly nearly two-thirds of the current government caucus appointed as either ministers or parliamentary secretaries.

That said, as I was discussing, there certainly has been robust public discussion since 2020 and the unfortunate murder of George Floyd about the role of police in some aspects of public interaction, particularly when we're talking about things like wellness checks

for individuals in mental distress, which we know that at times our officers, the sheriffs, here at the Legislature have in fact had to deal with. These are real challenges that we know that we need to consider.

With that, the Member for Edmonton-Highlands-Norwood is asking what I've been hearing from the community. Certainly, we've seen that there has been growing discussion about how public dollars are allocated to promote the safety of individuals in the public, whether that should be better allocated to police or to other community organizations on those particular aspects of the work and how those two can interact. Of course, that's a portion that we would perhaps consider, certainly recognizing that the officers here at the Legislature would be in a bit of a different position in terms of their interaction in that regard. We recognize that that debate has become quite heated. Certainly, at times it has become a very divisive debate. Certainly, I have seen that here in my position as the MLA for Edmonton-City Centre and some of the discussions with city council and the Edmonton Police Service, and I have heard from constituents about this.

I think one way that we could certainly help defuse some of that tension is by looking at some of these reforms, which, again, are noted here as we're looking at the Speaker sort of temporarily taking on the responsibility for these investigations of wrongdoings by officers but which may shift in the future with these changes to the Police Act, recognizing that this is something where law enforcement and the public and those calling for reform are pretty much in agreement. These are pieces where the police themselves, to the best of my understanding, and most law enforcement bodies no longer want to be responsible for these areas of oversight. They would like to see some form of independent body in existence to be able to review when there is an accusation of wrongdoing against an officer of the law and indeed to consider how that discipline should go forward. In this case, of course, we know we are taking about, under Bill 5, the Speaker being responsible for those investigations of the wrongdoings by officers, but that may be future clarified when we see the completion of the review of the Police Act.

It's unfortunate, Mr. Speaker, that the level of distraction, the level of drama, that has gone on under the government over the last year and a half has put us in a position where some of these important things to the people of Alberta are getting put off. I had really hoped to see those changes come forward in this legislative session. Instead, what we have is Bill 5, where we have it briefly touched upon as we consider how yourself as the Speaker would be responsible for investigations of wrongdoings by officers, but looking at how that may change under the future changes of the Police Act, we do not have those pieces of the Police Act here for consideration in this Assembly. [interjection] Yes, Member for Edmonton-Highlands-Norwood.

**Member Irwin:** Thank you to the Member for Edmonton-City Centre. I just wanted to thank him for clearly making that connection between what we see in Bill 5, the Justice Statutes Amendment Act, and the connection to the Police Act.

I think he's posing to this Chamber some very important questions. You know, why is it that we still have not yet heard from the review? Again, I would really love if the minister responsible for – I may get his title wrong – public safety, perhaps other things, could give us an update. As the Member for Edmonton-City Centre has noted, he's heard from a lot of his constituents. I have as well, similarly conversations with municipal leaders, too. It's a little bit interesting that there has been radio silence, but as that member noted, we can imagine, with the great deal of chaos inherent in this government, that there's been no action.

**Mr. Shepherd:** Well, thank you to the Member for Edmonton-Highlands-Norwood for those comments. It occurs to me as well, you know, that this is a power that is being awarded, Mr. Speaker, and certainly I respect the work that Speakers of the Legislature have done and certainly recognize that they assume many of these responsibilities in terms of essentially being a de facto head of HR or sort of responsible for all the staff of the Legislative Assembly as well and sort of take on some of that role and quite a bit of authority and responsibility with that. Certainly, it is a significant new responsibility to ask that the Speaker would be responsible for investigations of wrongdoings by officers at the Legislature.

Now, I certainly believe that the Speaker would be able to avail themselves, I'm sure, of many resources and expertise and other things should that be the case and should they have to undertake such an investigation. I imagine that has occurred in the past when there have been other requests for investigations or concerns that have been raised about staff at the Legislative Assembly. But I would say that this takes on another level of responsibility for the Speaker in so doing.

I think that moving forward with that review of the Police Act, in that context, would be very helpful as well in providing that clarity and perhaps being able to provide an alternative in line with what we will hopefully see for other police forces, other law enforcement bodies in the province of Alberta where we will see increased civilian oversight though, again, recognizing that the legislative area is somewhat different from, you know, regular policing, that sort of thing, in terms of public interaction, some of those other aspects, but then, again, recognizing that, of course, our sheriffs here at the Legislature – the Legislature is here in the heart of our city, in the middle of Edmonton-City Centre, where we have seen an increased number of individuals who live houseless, where we have seen great impacts from the ongoing drug poisoning crisis. Certainly, I'm sure those are issues that have impacted not just across the downtown of our city but also here on the Legislature Grounds. So, certainly, we want to be able to ensure that as part of all of these conversations we are being able to provide the best support we can for the important work that our sheriffs do and do very well, I will say. I've certainly appreciated them in all their interactions. [interjection] Yes, the Member for Edmonton-Meadows.

4:10

**Mr. Deol:** Well, thank you, hon. member, for giving me the opportunity to add some comments and for providing the information. As you recall, hon. member, we were invited to the event in Calgary during the past month – actually, the month of October. Similarly, what I was hearing in my riding – and I believe you have had many, many meetings, actually, into the similar stakeholders' concerns – they are concerned about the cuts to the Human Rights Commission, particularly cuts to human rights education funding. Particularly what had happened, the process of appointments of the Human Rights Commission itself really actually impacted not only their ability to seek justice in a situation but also the way they were frightened. They were afraid.

Thank you.

**Mr. Shepherd:** Well, I appreciate the comments from the Member for Edmonton-Meadows. I certainly recognize the Alberta Human Rights Commission would be another one of those independent bodies which is providing oversight, to the best of my knowledge has perhaps less involvement when it comes to law enforcement but certainly is an important part of protecting the rights of Albertans in many areas. Ultimately, what we are talking about here is a question of public safety.

The provision in this, again, I understand is that this is something that has been done in other jurisdictions, brings Alberta in line with other jurisdictions to allow for the arming for security personnel under the purview of the Speaker. Certainly, I will be undertaking the opportunity, then, to review some of these other jurisdictions. Having just received the bill recently, I haven't had the chance to delve into that yet, but I'll certainly be interested to see how that has come into practice in other jurisdictions, what steps might have been taken.

Certainly, you know, this puts me back in mind, I suppose, of the gentleman that made his way into the Parliament building back in I believe it was 2014, under the time of Prime Minister Harper. I remember the concerns that were raised there. Indeed, I remember visiting the Parliament that fall for the first time, in September of 2014. I believe that was the year because that was when I took the trip. I recall sort of considering and just for the first time really experiencing that level of security and how things were protected and indeed being warned as I, in taking pictures, wandered a little too closely to the doors of the Chamber.

I certainly recognize the importance of this in the current atmosphere, where we find, unfortunately, increasingly heated political rhetoric, both from politicians and from individuals, certainly, as with the events that we saw, unfortunately, during the midst of the COVID-19 pandemic, where some have chosen to fan the flames of conspiracy and, unfortunately, continue to do so, and that can put us in a position, unfortunately then, where that does impact the safety of legislators and potentially all of us here at the Legislative Assembly. So this is an item worthy of consideration, and I appreciate it being brought forward as part of Bill 5.

I look forward to the opportunity to delve a bit deeper into this act and some of the other provisions that are put forward and get a better sense perhaps as we do of where the government's next steps will be in regard to that review of the Police Act and its importance to Albertans.

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

**Mr. Deol:** Thank you, Mr. Speaker. It's my pleasure to rise in the House and speak to Bill 5, Justice Statutes Amendment Act, 2022 (No. 2). This bill actually makes quite a few changes. Some are minor, some are important, and some are really worth paying attention to because even if they seem a step in the right direction, that needs still a lot of explanation how its implementation or lack of implementation is going to impact the people of the province.

Section 1 of this bill makes changes to actually speed up the process to bring child support orders in line with most of the other provinces, I believe. It says the other provinces, but it doesn't say, like, all the other provinces or most of the provinces. It removes some of the requirements in place right now so the support can be in place in a speedy process. It removes the need for sworn documents, and it removes the need of certified documents to provide flexibility for certification.

Also, the section allows that – you know, definitely, it's important these days that people can transmit their documents electronically via e-mail or also confirm and testify via telephone. It removes the requirement of statutory certified copies and provides a designated authority the ability to require certified copies if determined as necessary.

It clarifies section 19, the court's ability to set aside an order, and it provides the ability to determine if an order is not authentic and parameters for doing so.

It makes changes, as I heard from my colleague the hon. Member for Edmonton-McClung, our former critic, as well, for Agriculture,

who raised some questions around this change, in section 25 that remove the need to keep a record of the vehicle and registration that delivers the grain to the elevator and changes "track buyer" to "grain dealer". We understand this change as we read it, but it would have been really helpful . . . [interjection] Yeah. Go ahead, Member.

**Member Irwin:** Sorry to cut you off mid-phrase there. You know, of course, the member, for those opposite not paying attention, was referring to the Sale of Goods Act, section 25, and some changes around grain being delivered to elevators.

I noted earlier that, you know, the Member for Edmonton-McClung was left speculating as to why those changes would be needed in this Justice Statutes Amendment Act. I can honestly admit that I can't quite figure it out. Without referring to the presence or absence of members, there are some new folks in this Chamber who most certainly represent rural Albertans, many of them, in fact. So I would just again urge these government members to weigh in on their own pieces of legislation and perhaps answer some of the questions that not just folks like me and members of the NDP have but the public as well, your stakeholders, your key stakeholders, in fact.

**Mr. Deol:** Thank you, Member. You know, well said. That was my concern and question around this change to section 25.

You know, it's good to learn, and I think the members of the government caucus have a great opportunity as well as I'll be happy to learn and listen more from the Minister of Justice on how this change actually helps and who gets help, like, who needs help from this, and how it's going to change the process. Who were the stakeholders? What was the consultation around this? Who, basically, requested this change in this piece of legislation we are discussing here?

We just understand that the requirements to keep the records have been waived. The question around this to members like us is that we do not know the specific questions, concerns, or the advocacy behind this, what this change is going to exactly do – help the dealer or help the registered owner? – or actually where this demand was coming from.

4:20

Also, this bill makes changes to the new Trustee Act in section 26. This act removes the need for a trust to be transferred to the courts if there is no trustee and clarifies that in these situations the trust remains intact until a new trustee is appointed. I don't see, like, much of the concern as also being a trustee of some of the accounts. [interjection] Thank you, hon. Member for Edmonton-Mill Woods. Go ahead. Yeah, I'll take your intervention.

**Ms Gray:** Yeah. Well, thank you to my colleague from Edmonton-Meadows. I appreciate the comments he's putting on the record on Bill 5, the Justice Statutes Amendment Act, 2022 (No. 2). I know that as I'm looking through Bill 5, I see much that I am certainly supportive of.

He was talking about the Trustee Act changes. One of the things that I think is really positive is that the proposed change is intended to make sure that a trust won't fail if there is temporarily no trustee. In listening to the member, I know, I think, I'm supportive of this. I think that's a really important move and something that has needed some clarity. In looking at Bill 5 overall and seeing some very positive things, this Trustee Act change to ensure there will not be a failure when there is temporarily no trustee strikes me as a very positive change. I was curious if the Member for Edmonton-Meadows might agree with that and have any thoughts from his constituents.

Thank you.

**Mr. Deol:** Thank you, hon. Member for Edmonton-Mill Woods, for asking your question. Yeah. You know, as I said, I do have a situation where I am the trustee of an account. By saying this, that is a very kind of comprehensive and complex process that takes, actually, time. It takes months and months to get established and get through the process. Definitely, actually, this change, I recall, was from Bill 12 from the spring session. This change certainly is helpful if in the situation where the trustee expires or the trustee is no longer there to deliver his responsibilities. For the new trustee the same whole process is going to start again, so it's a bit of help to bring the new trustee in with a smooth or kind of a fast process, I would say. So I definitely support this actual amendment and the change in this piece of legislation.

Also, as I said, this legislation impacts, actually, a number of sections in the law. One of them makes it clear about the nonconstitutional referendums and constitutional referendums. It says in section 3 of this piece of legislation in clarification that a constitutional referendum requires the passage of a motion by the Legislative Assembly prior to being ordered. Some of them also clarify that nonconstitutional referendums do not require a motion to be passed by the Assembly first. Yeah. On this it would also be quite helpful to know where this change is coming from and who demanded this, who was actually working for it, and why this minister or the government House members, like – anyone who has better knowledge on this is most welcome to step up. [interjection] Thank you. I'll give it to you once again, Member for Edmonton-Mill Woods.

**Ms Gray:** Thank you to the Member for Edmonton-Meadows, who's going through and doing quite a thorough discussion about Bill 5. Certainly, the change to the Referendum Act is a piece that also caught my eye because a referendum is such an expensive and wide-impacting thing to have happen in the province, and the change that we see in Bill 5, which I'm not opposed to, essentially means that there will not be a role for this Assembly, this Chamber, when it comes to determining types of referendums unless, of course, if I've understood this correctly, it's around a constitutional referendum, so making clear that only constitutional questions require a resolution to be made in the Legislature. I'm surprised by this one but looking forward to the discussion at Committee of the Whole in particular. Prior to this for referendums there needed to be a discussion here in the Chamber and MLAs needed to be part of that.

**Mr. Deol:** Thank you, Member, once again. Yeah. That was exactly the kind of question I was, you know, putting forward and would love to hear. I know we will have an opportunity to discuss this bill probably in the next coming days as well, but I would love to have clarity on this because this is a very important change in this piece of legislation. That is concerning because a referendum itself – you know, with the name “referendum” kind of you can understand the impression and impact it will put forward in society when it says “nonconstitutional.” It probably seems like nonconstitutional is not something very important, but it affects the society, actually, in many different ways.

Why would somebody put forward the referendum if it is not going to affect anything? You know, who can bring this kind of referendum forward? Who is going to decide the authenticity or ethical behaviour behind this lobby or the referendum that is going to be called without it being discussed in the House by the representatives in this House, the legislative members? These kinds of behaviours are, to my understanding – I don't know. I really need to learn. People can choose these kinds of opportunities to just – I don't know – impact or set narratives or change narratives. Maybe it wouldn't do much directly changing or challenging the Constitution, but also it will

definitely impact the society and the popular narrative in the society. So why would somebody do it? Like, where exactly is this coming from? It will be very, very helpful if – I will be able to provide much better feedback on this if we know this. What was the reason behind these sort of changes?

Another change that is really concerning – you know, I can't really say exactly good or bad itself – that it says is that what is being purported in sections 3 and 5 changes the responsibility to the Minister of Justice, and section 9 allows cabinet actually to increase the maximum decision under civil courts from \$50 K to \$200 K. This would be the highest level in the country, so that is concerning, what really triggered this government to do this, because this is not common practice. This is not common practice, but I would love to hear more around these concerns from the minister in the coming days or from any government House members.

With this, I will conclude my remarks and also move to adjourn debate on this one. Thank you.

[Motion to adjourn debate carried]

4:30

**Bill 4**

#### **Alberta Health Care Insurance Amendment Act, 2022**

[Debated adjourned December 6: Mr. Nielsen speaking]

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

**Ms Pancholi:** Well, thank you, Mr. Speaker. It is a pleasure to rise and speak at second reading of Bill 4, the Alberta Health Care Insurance Amendment Act, 2022. I paused a little bit to allow some time for government members to potentially rise and speak on Bill 4. We've heard repeatedly from members of this Assembly how important they claim health care is to them now. It's not Bill 1 – Bill 1 is, of course, the sovereignty act – but certainly we've heard talk at least from the Minister of Health that he cares deeply about health care, so I thought for sure these government members would be eager to speak to addressing Bill 4, which is an attempt, I believe, by the government to amend for the years of chaos that they have initiated and which we are all suffering as a result of in this province.

It began with the legislative change that Bill 4 is seeking to amend, so it's quite a shock to me that none of them would, like, perhaps want to stand up and apologize to Albertans for their decision to allow a provision, Mr. Speaker, that gave the government of Alberta the sole authority to terminate unilaterally a contract with doctors. Of course, they introduced that in fall of 2019 and then quickly exercised that authority to end the contract. Simply on their own volition, with no input, they unilaterally ended that contract. I can't remember the precise timing of when they exercised that and how far before the onslaught of the pandemic it was. I believe maybe a month or two. [interjection] February 2020.

Oh, that's a time that many of us will remember as the time when a global health crisis came and affected all Albertans, whether it be their health, their business, their schools, their kids – everybody was affected – and that mere weeks before, when, of course, many of us knew the writing was on the wall with respect to this pandemic as well, many experts had said was coming: that's when the United Conservative Party government decided that they would begin a war with doctors.

Now, I just want, for the context of the Assembly, to read again what that provision was in the Alberta Health Care Insurance Act and that was in Bill 21. In fall of 2019 the government introduced section 40.2 to the Alberta Health Care Insurance Act. That provision, subsection (2), allowed the Lieutenant Governor in Council by order to terminate an agreement, the AMA agreement, which would be the

Alberta Medical Association agreement, or any other agreement between the Crown in right of Alberta and the Alberta Medical Association or any other person respecting compensation matters. That's really what it did. It allowed them to just tear up that bill.

Now, what's interesting, Mr. Speaker, is that I decided to go down what ended up being a very dark path of reviewing the debate on Bill 21 in the fall of 2019, multiple days of debate on Bill 21, as some of the members may remember. Actually, they may not remember, but I'll get to that next. This was actually an omnibus piece of legislation. It contained many of the most egregious changes that this government brought in early in their mandate. There were many more egregious decisions to come, of course, but this was one of the first bills of some really outrageous decisions by the government, who decided to, for example, balance our budget or seek to try to balance the budget because they also actually had increased the debt significantly and lost 50,000 jobs by this time.

But they sought to balance the budget on the backs of people with AISH, for example. Bill 21 took me down that dark path of remembering the hypocrisy of the members in this Legislature on the government side who had just previously, a year prior, when they were in opposition, stood in favour of indexing AISH and spoken about the need for compassion for those individuals who are on AISH and then, in Bill 21, decided in one fell swoop to deindex AISH.

Now, what was remarkable to me, Mr. Speaker, as I was looking back on the Bill 21 debate to see if I could find some statements made by government members on why they thought being able to unilaterally terminate the AMA agreement was so important – as I went down that path of reading the Bill 21 debate, it was remarkable. Oh, gosh, there were at least 12, 13 days of debate on this bill. Not one single government member other than the Minister of Finance when he introduced these egregious bills, who, of course, smoothed over . . .

**Member Irwin:** Not one.

**Ms Pancholi:** But not one single member . . . [interjection] Yes. I'll give way.

**Member Irwin:** Thank you for giving way to me, to the Member for Edmonton-Whitemud. Is it déjà vu? It's just incredibly intriguing that this government, that these UCP members, who I know – and I talked about this at great length yesterday. I know they are hearing about health care from their constituents because I've talked to their constituents. I've talked to their constituents in Edmonton-South West, in Medicine Hat – oh, my goodness, where else? – Sherwood Park, in many ridings in Calgary, in St. Albert and Morinville because I've knocked on doors. And the fact that this . . .

**Ms Pancholi:** Leduc.

**Member Irwin:** Leduc. The list goes on. I've been all over this province. The list goes on.

The point is that you are hearing about health care. Spruce Grove-Stony Plain: I'm getting CCed on a number of e-mails to Spruce Grove-Stony Plain. Listen, the point is that health care is a concern to all of your constituents, and the fact that these UCP MLAs refuse to speak up and either support or, you know, not even try to defend their bills is quite alarming to me. I just had to get that on the record.

**Ms Pancholi:** Well, thank you to the Member for Edmonton-Highlands-Norwood. I agree. It seems to be that this is a pattern of behaviour. They couldn't stand up and say why they thought it was okay to deindex AISH and why it was okay for them to be able to unilaterally end the agreement with doctors, which started the war

on doctors and our health care systems and our health care professionals at a time of a pandemic. They didn't want to speak about it then, and they don't want to speak about it now. They don't want to say: I'm sorry; we were wrong; we were wrong to do that. But the thing, I believe, Mr. Speaker, is that Albertans know that they were wrong, and they do know they were wrong, because this is why they're trying to sneak this in. I notice, too, by the way, that there is very little eye contact being made right now, many, many members avoiding looking up and acknowledging that they thought it was fine.

Now, Mr. Speaker, I'm very proud, in Edmonton-Whitemud, to represent a constituency that actually has a lot of physicians, has a lot of doctors, a lot of nurses, a lot of respiratory therapists, a lot of OTs and SLPs, like, a lot of health care workers. You know, as I door-knock in my constituency, there has been a consistent theme that I've seen. First of all, we know – and we've heard these stories, and I've heard it first-hand from my constituents – of doctors who said: "You know what? I could not go on practising under this government. It was an affront to everything that I have done as a medical professional." They chose to retire early.

Just a couple of weeks ago I was door-knocking, and I came across a doctor who said: "You know what? I would love to vote for you in the spring; however, I'm moving. I'm moving to B.C. I don't want to practise medicine in this province anymore." By the way, B.C. is undergoing a massive recruitment campaign, which will be taking Alberta health care professionals because – guess what – health care professionals do not want to work in Alberta given the circumstances of this government and the complete disrespect. I can't recall how many pieces of commentary I heard that said that the decision of this government to go to war on Alberta doctors and health care professionals during a pandemic was quite possibly one of the most foolish decisions ever.

That is probably why, when we saw that, we saw approval levels for this government and the former Premier be the lowest in the country. I mean, that, of course, and there's the Best Summer Ever and the extremely high numbers of people who died in Alberta per capita from COVID due to this government's lack of action or delayed action. That had real implications for people's lives, Mr. Speaker.

But that decision to not veer away, to not take a step back and think about what the province was actually experiencing but to pursue doggedly an ideological agenda absent evidence and fact – well, actually, we're seeing a repeat of that behaviour. We see it with the introduction of Bill 1, the sovereignty act. These folks just don't seem to learn. They don't seem to even take responsibility for their actions. None of them seem to be standing up to be able to say: we made a mistake. It's all fine and good that they want to bring forward this Bill 4 and remove the ability to do what they should have never empowered themselves to be able to do in the first place.

4:40

I've reviewed the debate on Bill 21 and saw speaker after speaker from the opposition stand up and speak out against both the deindexing of AISH as well as the decision to unilaterally end, be able to terminate, the contract with doctors. In fact, I want to give credit to my colleague the Member for Edmonton-City Centre for his very clear conviction, during debates on Bill 21, about the impact this would have on the trust and the relationship. Mr. Speaker, when we look at the health care challenges that our province faces right now, they all revolve around trust and value and respect. It's why we have an incredible shortage of health care workers. [interjection] Yes. I'll give way.

**Mr. Dach:** Thank you, Member. I'm pleased to intervene to ask a quick question involving trust and the trust that is dissolving faster

every day in light of the government's inability to actually paint a clear picture of what's happening to the number of doctors in the province. Of course, we in the opposition point out that doctors are leaving the province. The government responds by saying: oh, no; we've got more doctors in the province than we've ever had before. In fact, the number of doctors supposedly should be increasing as we increase in population. I'm wondering indeed, since there is simply a real huge doctor shortage, because many, many people can't find a family doctor, what the government's picture is lacking, in your estimation, in terms of describing the real picture about doctors in the province and the numbers that are here and those that are leaving and why there's still a shortage.

**Ms Pancholi:** Thank you to the member for the question. You know, actually, when I think about what the challenges are in terms of the trust in the relationship, I think about just a few minutes ago. When I mentioned that I'm proud to represent a constituency that has a lot of doctors and health care professionals who work in it, some government member over there scoffed about that and made a little noise like: oh, of course, they do.

That, Mr. Speaker, is exactly the problem. This government has disdain for the professionals who are on the front lines of our health care system. They express it in every way, and they expressed it legislatively in Bill 21 back in 2019. What they said was: we don't care about your working conditions. Let's not forget that it wasn't just the ending of the contracts, right? Of course, there was all the billing codes and the Minister of Health at the time, who was on driveways screaming at doctors or going after doctors and finding their personal phone numbers and calling them up to berate them.

Then it was, you know, just the idea that we currently have a Premier who talks about the fact that the health care shortage was manufactured, which completely flies in the face of the everyday lived experience of health care professionals, not even just during the pandemic, Mr. Speaker. These health care professionals are strained. They have not had a break. They haven't had a break, and it is continuing, one public health crisis piled on top of the other. It's happening right now with children's health care.

We have a government that has disdain for science and for medical expertise. We have a Premier who won't even stand up and encourage Albertans to get a flu shot. She sends her Minister of Health to say it because he'll say it – that's great to hear – but the Premier won't. The Premier has been given multiple opportunities to stand up and encourage Albertans to get a flu shot, and she won't do it. What she's saying to health care professionals is: "I don't care if more people get sick. What I'll do is that I'll make sure that there's medication. That's a key issue."

**Mr. Rutherford:** Point of order.

**The Speaker:** A point of order has been called.

#### Point of Order Relevance Imputing Motives

**Mr. Rutherford:** On 23(b) – we are not on topic; I think we are very far off it – and also on 23(i). To say that the Premier doesn't care if people get sick, I think, is a comment that the Member for Edmonton-Whitemud should apologize and withdraw.

**The Speaker:** The hon. Opposition House Leader.

**Ms Gray:** Thank you very much, Mr. Speaker. On 23(b) I have to disagree. I've been listening to the member. It has been related to

Bill 4 but also the events that have led up to Bill 4, which, yes, can get broad, but we are at second reading. I think it's all been in order. That having been said, I did not actually hear the comment under 23(i) that the member is referring to, that specific language, so I will have to defer to you, Mr. Speaker, if there was a point of order. I would suggest likely not, but I will leave it to you.

**The Speaker:** The Speaker is prepared to rule unless there are any other submissions. I agree with respect to the matter around relevance, and I – without the benefit of the Blues I'm not a hundred per cent sure exactly what the member said. If she did say that, it probably is a point of order. Certainly, she has made a number of statements specifically directed at a member of the Assembly that could be construed as accusations about a member, and it's . . . [interjections] Order. Order.

This always moves us down a trail of language that's likely to create disorder, and if the hon. member would like to make references to the government or others, it certainly depersonalizes the debate and I would encourage her to do so.

The hon. Member for Edmonton-Whitemud.

#### Debate Continued

**Ms Pancholi:** Thank you, Mr. Speaker. When the government does not send a message to Albertans about encouraging them to take preventative health care actions that are very clear actions that can be taken to relieve pressure off the health care system, the message that the government and the leader of the government are sending to health care workers is that we are not interested in alleviating the work and the stress and the strain that you're experiencing. Instead, we've heard a government take a position of wanting to increase capacity. Their focus is always on more sick Albertans, and their frustration is that we don't have capacity for more sick Albertans. What I can tell you is that not only is that not comforting as a parent or as an Albertan, that my government wants to see more people sick rather than address the core issues that would actually minimize illness, but it also sends a message to health care workers that we think that you will just keep on going, that you will keep on handling the enormous strain.

We have all heard messages in this Chamber, Mr. Speaker, from health care workers, front-line health care workers, who are talking to us about how burned out they are, about working doubles, about not finding somebody who is able to take over and they continue on in the shift. We're seeing horrific stories out of children's hospitals right now, stories that are a parent's nightmare. The idea of not being able to access the health care, not just not being able to access but the quality – I am terrified as a parent in this province right now of something happening to my child that requires me to go to a children's hospital because I don't know the conditions and how long they'll be waiting. I know that the staff have been working far too hard for two and a half years to compensate for the lack of judgment from this government, from disdain from this government, from disrespect for the working conditions and continuing to layer on more and more challenges onto our health care system.

It began with this, Mr. Speaker. It began with what Bill 4 is attempting to address. Of course the government is now able to stand up and say that they'll repeal the ability to unilaterally terminate a contract with the Alberta Medical Association because they already exercised it. They did what they wanted to do. They didn't have the courage to speak to that when they did it, and they don't have the courage to speak to it now when they're trying to atone for it. I can say that that means it's not much of an apology – is it? – when they won't even say the words. If it's no longer necessary for this provision to be there, they should explain why they thought it was necessary in the first place, because this has been two and a half years of an attack

on our health care system which began with this provision, which began with a Minister of Health who was disdainful towards the very professionals which our Albertans and our health care system have relied on during a public health crisis that we hadn't seen in a generation. [interjection] I give way.

**Member Irwin:** You know, sorry to interrupt, but probably good for you to take a short break because you are – and I'm not even being facetious – very passionate about this. You and the Member for Edmonton-City Centre in particular have been incredibly vocal on children's health in particular, and I know many Albertans appreciate that so, so much.

I just think back only, oh, gosh, 24, 48 hours ago, Monday, our first opportunity to speak about the discharging of folks from Rotary Flames House – of kids; I shouldn't say folks – receiving respite services. Of course, at our earliest opportunity we put forward an SO, a standing order, for an emergency debate on children's health, and it was denied by this government. Moments later our leader put forward a private member's bill to address the crisis in health care. It was denied by this government, the same government members who right now refuse to stand up and speak to and defend their actions on health care. Says a lot.

4:50

**Ms Pancholi:** Thank you to the Member for Edmonton-Highlands-Norwood. I agree. I think this is a pattern, right? We don't see an actual acknowledgement of the wrong that was done here, and then it's pretty much impossible without that for Albertans to actually think that this government has learned any lessons or is changing course at all.

While I have certainly remained frustrated that this is the health care bill that's brought in, that we're not seeing an action plan, which is what hospitals and what health care professionals are asking for, to actually address, for example, the most pressing health care crisis that we have right now, around children's health, although it's by no means the only health care crisis because we know continuing care and individuals who are seeking surgical treatments and procedures are also still delayed – but we're not seeing any acknowledgement that any of the actions taken so far by this government on these issues are failing. What we have seen is more chaos.

This Bill 4 is meant to address the chaos that began in 2019, but we are seeing the escalation of that chaos: firing the chief medical officer of health, firing the entire AHS board, now we hear that the deputy chief officers of health have also resigned. This is not the picture of a government that either (a) is able to handle the crisis that they're facing right now or (b) is even aware of the fact that they are contributing exponentially to the chaos in our health care system.

No lessons have been learned, Mr. Speaker, and I think all Albertans can't move forward unless we actually hear that, until we actually hear that they understand that they were wrong then and they continue to be wrong now. Until we have a Premier who is also willing to lead on actually taking the actions that our health care system needs by encouraging Albertans to go out and get their flu shots – let me do that. I encourage all Albertans to go out and get their flu shot for our kids and for our public health, to make sure that we are not putting more pressure on our health care professionals, whom we rely on desperately and whom we are very, very grateful for.

Thank you, Mr. Speaker.

**The Speaker:** Are there others?

Seeing none, I am prepared to call the question or have the minister to close debate.

**Mr. Copping:** Mr. Speaker, just so I can know, how much time could I have to close debate?

**The Speaker:** Fifteen minutes.

**Mr. Copping:** Okay. Thank you very much, Mr. Speaker. Thank you very much, colleagues, for the debate. Happy to move to close debate on Bill 4. First of all, I want to say to members across the aisle: thank you for supporting this bill. It is greatly appreciated. You know, I've had the opportunity to hear much of the debate that has gone on in this Chamber over the last few days since we introduced this bill, and I just wanted to make comments on two key facts.

First, although I appreciate the fact that the members of the opposition are willing to support the bill, I've also heard some of their concerns. They're suggesting that the challenges being faced in our health care system at this point in time, which are real, Mr. Speaker, are a result of past actions and past policies that were taken by this party earlier on in our mandate. I just want to comment that, if we look around the country, the same challenges are being faced by other provinces at the same time, for the same reasons, COVID. That belies the assertion that it was caused by past policy choices; it, rather, is because of the significant challenges that have been posed by COVID and the impact that it's had on our health care system and on our health care human resources. I would suggest that that assertion being made by the other side, quite frankly, is not correct.

The other general comment that I've heard from the other side on this is what's not in the bill even though they may agree to removing the one aspect of 40.2 in the Alberta health insurance act. What the concern is is what's not in the bill and suggesting, quite frankly, that the challenges that we're facing in Alberta in terms of strains on our health care system and lack of staff in certain areas of the province can be fixed by legislation. A member earlier just commented that the private member's bill would address these crises in health care. Mr. Speaker, the ways to address these issues in health care that we're facing and every other province in the country is facing are not necessarily through legislation that's simply going to say, "We're going to measure," which is in essence what we already do; it is through concrete actions and concrete plans that our government is already taking to address these challenges.

Mr. Speaker, you know, we talk about building capacity in our health care system. We are spending more money than we've ever spent before, \$22 billion this year. We're increasing that amount. There are additional amounts on top to deal with COVID and to get caught up on surgeries. We are actually investing this money in every part of our health care system.

We are focusing on prevention. I am very pleased that we announced MAPS, modernizing Alberta's primary care. We know that we need to focus on primary care to keep people out of the hospitals when they're the sickest, and we can learn from other countries on how we can be more effective doing this. I'm very much looking forward to their interim recommendations on what we can do as quick hits to be able to improve access to primary care but in addition their longer term vision, because we know we need to migrate towards that. We need to look at a model, quite frankly, of primary care, community-based care, home-based care. Mr. Speaker, we need to look at prevention.

I was very pleased not only that, you know, we talk about prevention. The hon. member across the way just recently mentioned this in terms of one thing is getting your flu shot. We are running a campaign. Our government is running a campaign right now. Text messages have recently come out on this asking people to make the choice to get their flu shot to protect themselves, especially as we're going through a

challenging flu season this year, having not had, basically, a flu season prior to last spring for a number of years.

We know, Mr. Speaker – and this brings it back to Bill 4 – that retention and attraction of health care professionals is a challenge. It's a challenge being faced here in Alberta, particularly in rural areas. It's a challenge being faced across the entire country. You know, we are having some successes on this. We have more doctors, we have more nurses than ever before in this province. Now, quite frankly, they're not enough, but this bill delivers on a commitment that our government made in agreement with the AMA, and that agreement follows three key themes.

It's about partnership, working with the AMA. We know we need to work together to provide the services that Albertans need to be able to attract and retain doctors in this province. Even though we have more doctors than ever before, we still know we need more, and we need them in the right places, in the right specialties.

Secondly, it's about stability. This agreement adds approximately 750 million additional dollars over the next number of years to be able to attract and retain doctors.

Quite frankly, third, it's about innovation. We know that different methods of pay need to be put in place, and we need to work jointly with doctors. The fee-for-service model may work good for some specialties, but for others it doesn't promote allied health professionals working together. It doesn't promote dealing with patients particularly who need complex care and seniors. Changing that method of pay: there's an commitment in this agreement to work on that.

Once again, I'm very pleased that we reached this agreement with the AMA, with over 70 per cent ratification rate, and that this can help form the foundation for retention and attraction of doctors. Once again I want to thank the hon. members on the other side of the aisle for agreeing to support this bill.

With that, Mr. Speaker, I would like to close debate.

[Motion carried; Bill 4 read a second time]

### Bill 3

#### Property Rights Statutes Amendment Act, 2022

[Adjourned debate December 6: Mr. Hanson]

**The Speaker:** Is there anyone else wishing to join the debate? The hon. Member for St. Albert has risen.

5:00

**Ms Renaud:** Thank you, Mr. Speaker. It is my pleasure to rise and speak at second reading to Bill 3, Property Rights Statutes Amendment Act, 2022. I'm surprised, actually, that none of the government members jumped to their feet. I have heard for many years now in this Chamber how important these issues are, so it's a little bit disappointing that no members have decided to jump up and weigh in. In any event, I'm going to do my best to go through this piece of legislation and offer some thoughts. Actually, I have a few questions, so hopefully at later stages we'll be able to get some clarification or some answers.

Bill 3 is really sort of not a correction but, I guess, the next step of Bill 206. People will probably remember that Bill 206 was, I think, originally introduced by the Member for Cypress-Medicine Hat, and then I think there was unanimous consent to change the member, and it became Brooks-Medicine Hat. All of that happened in 2020. The UCP at that time brought forward that piece of legislation, which, sadly, at the time actually failed to address a number of the issues related to property rights that Albertans had been calling for for quite some time. So, as we have said previously, we support this legislation to bring property rights and remedies in line with legislation in other provinces in the country.

In fact, what happened with Bill 206 – there were a number of issues that were identified in Bill 206. I can't remember exactly what happened at the time and didn't have a chance to read through *Hansard*, but ultimately it did get referred to the Select Special Committee on Real Property Rights, which issued a report in June of 2022. I was not on that committee, so it was quite helpful to have the report to look at and to see. It was actually quite interesting, Mr. Speaker. I think the report sort of lays out in detail the consultation that was involved, which is terrific, and I will talk a little bit about the various consultation processes that have impacted or resulted in what we see today with Bill 3.

What Bill 3 does is that it provides some clear rules within and across jurisdictions that can help create some economic certainty and good relations, actually, between neighbours and businesses. My colleague from Edmonton-Whitemud yesterday, I think, did a really good job about sort of putting on her lawyer hat and telling us, giving us a little bit of background about why this was essential and where some of the confusion would come up under property rights, and that was quite helpful. It's easy to understand why there would be some confusion or potential conflict between neighbours and businesses. Clear rules that are created as a result of extensive consultation on this subject, consultation with subject experts, with people that are requesting these changes, is really important.

[The Deputy Speaker in the chair]

Now, you know, strangely enough, what will likely happen tonight as it relates to Bill 1 is that the government, who are unwilling, clearly, to hear more about why Bill 1 is just a disaster and needs to go, is shutting down debate, and they haven't done their homework in terms of consultation. Now, they've likely talked to their friends and insiders and Rebel media or whatever they talk to, but they have not done a good job in consultation. My colleague the critic for Indigenous affairs, I think, has been very clear about: we have a duty to consult before we bring this legislation forward, before we start having these debates and voting. Clearly, that has not been done. Now, members opposite have said the opposite and said, you know, "Yeah, we picked up the phone" or "Someone called me" or "We did this," but there's no clear consultation process.

A meaningful consultation process requires time and effort, as you'll hear a little later in this bill debate. That has not happened with Bill 1, and that's unfortunate, because I think most of us can agree that when we take the time to actually speak to the correct people – and putting political parties aside or alliances aside, when you actually take the time to identify who the subject experts are, who are the people that will be impacted by the legislation, when you take the time to speak to them and hear their ideas, you just create better legislation. Obviously, that was not done with Bill 1, as Bill 1 is more of a political game, I would say.

In any event, this bill, the property rights amendment act, is an example of a bill drafted after consultation, after receiving advice from communities and stakeholders and experts, one of those experts being the Alberta Law Reform Institute. We know the bill was the subject of public consultation as discussed by a legislative committee over several weeks. As such, the bill provides an example to the UCP, as I mentioned, about what is an appropriate and lawful process for powers of the legislative branch.

The bill acknowledges the role that the courts and the judicial branch must play to arbitrate disputes and provide remedies between parties. In short, the bill and the process to draft it run absolutely contrary to the UCP's Bill 1. It's not lost on me that this particular bill, that took a whole lot longer to develop than Bill 1, is actually in line with our jobs. That's our job as legislators, to create legislation and to debate legislation but to create legislation by



using a process. So for us to sit in this place and think that we have the answers for all things and to develop legislation without actually speaking to the people who are impacted, you have to know that it's not going to be the best piece of legislation possible.

In contrast to Bill 1, which received no public consultation and, in fact, will have very little debate time because this government is clearly a government not onside with enhancing democracy or letting democracy flourish in any way, as we see for the framework of Bill 1 but also the work that they did creating Bill 1 – their lack of consultation and all of that was not drafted on the advice of constitutional law experts, obviously, and it does not respect the separation of powers. I would just like to again add to the record that Bill 1 is such a good contrast to this particular piece of legislation.

I don't mind saying that I am quite happy that Bill 3 came with as much work as it did. I think for those of you that have not had a look at the Select Special Committee on Real Property Rights final report that was issued in June 2022, I would encourage you to do that. [interjection] Go ahead.

**Ms Gray:** Thank you very much to my colleague. I think the contrast between Bill 3 and Bill 1 is an excellent one, particularly given when you look at the public report from the select special committee and you see how many public members were able to come and make presentations, when you're able to see how many submissions were received and, really, the in-depth process. Now, of course, we know Bill 3: these issues have been introduced into the Legislature repeatedly, often through private members' bills of various forms, so in the end we have a piece of legislation that has been incredibly well canvassed and has multiple perspectives reflected in it. I really just wanted to comment that I think the line of comparison between Bill 3 and Bill 1 is quite stark. We have within the caucus now a bill in Bill 3 that we can support.

**Ms Renaud:** Thank you to the member. That is an excellent point. I think the differences between Bill 1, which is the job-killing sovereignty act, and this bill, Bill 3, are just very stark. One took a long time to develop, and I think, as the member noted, that it came through private member bills and it has been debated, actually, over a number of years. Then to have the special select committee take a deep dive and, you know, do the road show like they did, I think, was a really terrific idea to make sure that everybody had a chance to weigh in.

But, you know, this . . . [interjections] Hope I'm not interrupting you over there. The bill is an example of the government realizing that it got it wrong in its 2020 bill, and it went back and did some significant consultation and committee work to correct the bill, which I actually do appreciate. You know, Madam Speaker, I would say that none of us always gets it right, for sure. Nobody's perfect. We all make mistakes. Sometimes we forget steps in a process that we need to take. That's completely normal. It happens. I think it takes a big person or a big government – that's odd, that I'm saying that. You guys are a big government. It takes a mature government, maybe let's say, to realize: "You know what? We can make this better. We can stop and really consult and make it better."

**5:10**

I wish, Madam Speaker, that those would be sort of the tools that would be used for other bills because so many times we have seen things arrive here and then get jammed through with time allocation. You know, time is cut off, we're not able to debate as long as we'd like to, and things just go ahead, and then these unanticipated consequences, and then harm continues, and it's really, really difficult to undo that damage. [interjection] Go ahead.

**Member Irwin:** Thank you to the Member for St. Albert for letting me interject. I just wanted to point out, you know, the mention of the fact, from the Member for Edmonton-Mill Woods as well, which was a very apt point, about the level of consultation. I know some of our members have spoken to this bill and talked about the committee work and the deep level of consultation, of course, all coming through private members' bills. I just can't help but again point out on the record that there have been some really important private members' bills. There's been bipartisan support on some of those bills but not for our bills, not for opposition bills. Just on Monday Bill 201 from our leader, from Edmonton-Strathcona, was shot down, right? So it's frustrating to hear this government's talk about the importance of consultation, the importance of getting their legislation right when they're not even willing to allow for opposition members to have the same opportunity to get their legislation right. They don't even get the chance to debate it.

**Ms Renaud:** Thank you to the member for those comments. She's, you know, quite right. There are very different standards for government members and for opposition members. Rarely are the bills that we bring forward given the same treatment that private member bills from the government side are, which is, again, not great. I am quite thankful that there was a bit of a change, that our bills will not go to committee, but then again we saw the shenanigans that happened the other day when our bill, our first private member bill, was introduced and then got shoved down to the bottom of the Order Paper, so we're never going to be able to debate it. So once again you see a government that is really – they don't seem to be really big supporters of democracy, let's just say.

In any event, you know, I did want to put something on the record. Again, I am giving props to the government for taking their time and doing their work and doing the best job that they can to get this right. It's really important to Albertans. Property rights, obviously, are essential. You want to get it right. But I so wish – and you're probably hearing a theme between the people standing up and asking questions or sharing comments, and that is that there is stark contrast between this, which obviously seems to be important to the government, and other pieces of legislation, that are very important to Albertans but don't get the same treatment.

I want to take you back a little bit to contrast with Bill 21, that we saw in 2019. There was – and perhaps I'm wrong, and the government can correct me. I don't think there was any consultation there, and that was the bill, the omnibus bill, if members will remember, that included pretty much everything but the kitchen sink, and it was a lot of damage.

One of the damaging changes that was contained in that omnibus bill was deindexation of benefits, and not just AISH; that was deindexation of benefits for low-income seniors. Yes, I'm contrasting with this bill, Madam Speaker. That particular piece of legislation is unlike this. What we tried to say at that time was: "What you're doing here is going to harm people. We know this. It's going to add pressure to food banks. We know this. It's going to contribute to homelessness. We know this." And now three years later we see it has happened. I hope that, like Bill 3, we will all have an ability to – when we are saying, "Look, this is a problem; this is going to harm a lot of people," the government will listen and actually do their jobs and consult and find out: "Are we correct? Is that correct? Is that information correct? Can we actually prove or say with certainty that this bill will not harm Albertans?" That has not been the case.

We urge the government to use its own Bill 3 as an example of how the legislative process can and should work. For example, when the landowners have a dispute, they can refer to the clarified guidelines. Clarification is always very good and appreciated. When the courts . . . [interjection] Oh, go ahead.

**Ms Pancholi:** Thank you to the member. I just wanted to ask. I don't want to cut you off before you go down this too much, but I think that in terms of clarification, you know, as the member said, this bill is a way to really clarify and take responsive action to consultation – right? – to really engage with people, and to hear what would be clear. As you mentioned, this is not something we have seen happen very often with some other government member bills. In fact, when you talk about a clear process and clarification that is happening under Bill 3, I'm wondering if you can contrast that to – for example, there was a very unclear process under the government's Bill 1, which was introduced in this very same session, which actually provided a lot of uncertainty and chaos and continues to do so whereas this bill seems very much focused on trying to actually make it clear to Albertans how to exercise their rights and how to seek that guidance from the courts where necessary but also how to resolve matters themselves. So is there a contrast here that you see between those two?

**The Deputy Speaker:** I'm just going to take the opportunity to intervene here. While interventions may be broadly about anything, the debate on the bill must be about the debate on the bill.

The hon. Member for St. Albert.

**Ms Renaud:** Thank you, Madam Speaker. Again, I mean, it couldn't be more clear, stark with this particular piece of legislation. Actually, there was a lot of thought put into it, there was a lot of consultation, and I wish we could say that about other pieces of legislation, particularly Bill 1. I think that Albertans will recognize when somebody – I mean, when you're having a conversation with someone, when you're talking to someone and they're trying to shut you up, there's a reason. That's what it feels like, that this government has introduced a piece of legislation and doesn't want to talk about it very much. So it's been a few days of, you know, a lot of opposition, a lot of comments in the public, a lot of concerns, a lot of questions with no answers, and it is very confusing. Now we find out that likely we're not going to have much more time to debate. But, in any event, Bill 3 is not that. I am grateful for that.

Now, there are three concerns that we as a caucus do have. I'm really hopeful that at later stages we'll get some answers from the government side. I'm not hugely optimistic because their MO seems to be: say nothing; don't make eye contact; run away.

The three concerns that we have. First of all, we would like the Assembly to be exceedingly clear that Indigenous and treaty rights will be respected, are respected in the context proposed in this legislation. That would include First Nations, Métis, and Inuit right holders. Will the government make clear on the record its intent with respect to Indigenous rights holders; for example, with respect to exercising treaty rights and traditional activities?

A question for the government: did the government consult Indigenous communities on the legislation? It's a really easy answer, and it would be very disappointing if we heard again from the minister responsible for Indigenous affairs that – you know, we ask about consultation. We get things like, "Well, yeah, you know, I contacted a couple of people" or "They called me up." That's not consultation; those are phone calls. Consultation is a process. It's a well-thought-out process that looks at: who are the stakeholders, and who will be impacted? It usually takes time, often costs money, but it's really important and essential. We want to know what happened. What was that like with First Nations, with Métis people, and with Inuit right holders? What was that consultation like, and can you tell us what the result was? Are they happy with this piece of legislation?

The second concern. The Alberta Law Reform Institute in their blog from August 2021 – that was Stella Varvis – has proposed that a

tribunal, ombudsman, or alternate dispute resolution should be considered along with the legislative amendment so that it doesn't create unnecessary capacity issues for the courts. Now, obviously, we often hear this when we are debating legislation: let's not inadvertently add pressure to systems that are already overwhelmed; let's not inadvertently create more difficulties. It can be very difficult and expensive to go through the courts. You know, did the government do all of the work they needed to do to ensure that that wouldn't happen? One of the concerns we have is that it will add pressure to the courts.

5:20

Also, another question that we have, that hopefully the government members or somebody will answer in later stages, is: can the minister and the government outline the planned steps that they're taking to address additional capacity issues in the courts if, in fact, that ends up being the vehicle or the direction that they go?

**The Deputy Speaker:** Are there other members wishing to join the debate on Bill 3 in second reading? The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, Madam Speaker. I'm pleased to speak to Bill 3, the Property Rights Statutes Amendment Act, 2022. You know, since being elected to this Legislature in 2015, I represent a rural riding. While I haven't had a great number of constituents come into my office to discuss this issue, I have had some, so I wanted to stand up and speak this afternoon to Bill 3, which I think is a bill worthy of support.

In many of these cases, when I've had a constituent come into my office, they're concerned about a property line that maybe has been misdrawn, a fencing line, or it's perhaps a neighbour who has, in putting in a driveway to their farmyard, gone across a property line, often not knowing they've done that but having had that occur.

In many of the cases the issues had been created many years prior to the constituent coming into my office. You know, it often happened when the land was being cleared or the farmyard was being graded and the farmhouse was being put on the property and it was discovered, maybe even many years later, that the offending landowner had crossed a property line.

They were reluctant now to move that fence or they were reluctant to move that driveway, sometimes at great expense. Sometimes the offending landowner would then come back on the registered landowner and claim that they should be able to keep the property because of adverse possession rights.

Of course, the constituent that would come into my office would be a little frustrated, maybe a great deal frustrated because in many cases they had never even heard of adverse land rights, or squatter's rights, as sometimes they call it in my neck of the woods.

Bill 3, the Property Rights Statutes Amendment Act, is designed to stop people from taking ownership of someone else's land. The Property Rights Statutes Amendment Act, 2022, will ensure that the registered owners of a piece of property are protected from the individuals who claim ownership through adverse possession, or squatter's rights; that is, if they've occupied the property for at least 10 years.

Interestingly, adverse possession claims can only be made against private landowners. Public land, municipal land, irrigation districts: they're all exempted from adverse possession. It's the private landowner that has sometimes had a problem with a neighbour that has claimed adverse possession rights.

Now, if passed, the Property Rights Statutes Amendment Act, 2022, will update the Law of Property Act, the Land Titles Act, and the Limitations Act in order to eliminate claims of adverse possession. It will remove the burden from registered property owners to be

continually monitoring their land in order to prevent people from taking possession and over a period of time claiming squatter's rights.

This legislation, should it be passed, will allow registered property owners to get a court order at any time to regain possession of their property from someone who illegally occupies it. It's providing a legal capacity or a road to be able to redress what is obviously an issue.

In a country that has a strong rule of law, we believe in the right to own property and to be able to purchase property and to be able to maintain a capacity to decide how that property will be used and by whom that property will be used. This bill, Bill 3, moves us forward in helping private property landowners to be able to protect themselves and their property.

The Property Rights Statutes Amendment Act will abolish the ability of squatters to make a claim, and it will give private landowners the same protections that were once reserved only for the government of this province. If someone is possessing land for which they are not the registered owner, the registered owner can go to court to regain possession at any time.

Over the last 10 years advocates and past governments have pushed to abolish adverse possession. For instance, in 2016 the Property Rights Advocate office recommended abolishing adverse possession. In 2021 this government created the Select Special Committee on Real Property Rights. This committee was formed, and it travelled across the province speaking to stakeholders. The MLA Select Special Committee on Real Property Rights did extensive public consultation in 2021, and it received multiple requests to abolish adverse possession.

Now, the Alberta Law Reform Institute identified nine cases in the eight years leading up to 2020 where adverse possession had become an issue in the province of Alberta. In April 2020 they provided the government with seven recommendations to end squatter's rights. These recommendations were and have been placed into the report and placed into the law or the legislation, the bill that we are looking at today. The committee tabled its final report in June 2020, and in its final report they recommended the abolishment of adverse possession.

Other provinces and territories like Saskatchewan and New Brunswick and Yukon Territory have had to address the issue of adverse possession, and they've done so by passing laws banning squatter's rights. Property rights advocates like Farmers' and Property Rights Advocate Peter J. Dobbie are in support of this bill.

Removing adverse possession will bring some peace of mind to registered landowners and ensure that they can use and enjoy their registered property. I know that for the constituents that have come into my office, they will be supporting and want me to support this bill. This bill would have helped them five or six years ago, when they were coming into my office. This doesn't happen very often, but I know that the constituents that I have met with were absolutely at their wits' end trying to address the issue over squatter's rights on what should have been their land.

Madam Speaker, I believe that this is a good bill. I believe it addresses an issue that for some constituents and people across this province has become an issue. For this reason, I will be supporting this bill.

Thank you, Madam Speaker.

**The Deputy Speaker:** Are there others? The hon. Member for Edmonton-McClung.

**Mr. Dach:** Thank you, Madam Speaker. Pleased to rise to speak to Bill 3, Property Rights Statutes Amendment Act, 2022. As this House well knows, I'm a former real estate agent of 30 years. As such, I have a great interest in any legislation which touches upon property rights and real estate in this province. I know that in my

career, of course, I have had situations personally where there were incidents of defined adverse possession that occurred on properties that I had listed or was intending to sell to a buyer.

5:30

Often, Madam Speaker, these adverse possession issues are not cases of negligent behaviour or intentional behaviour on the part of landowners but, most often, innocent errors. I would say that it's really not, of course, defined as a rural issue although primarily, in the public's mind, those are the cases that they think of, where somebody will have built a cabin on rural property that's in a wooded area and lives on it for a while and takes possession in hopes of taking over the land in a malicious way from the legitimate owner by relying upon adverse possession claims. Of course, we're very pleased, or I'm very pleased as a former realtor, to see this property rights amendment act come forward to address adverse possession and abolish it.

Of course, there are some concerns that I still have that linger around the remaining assets that may be on lands that were subject to adverse possession claims and the satisfaction of disputes over those improvements between the former claimant of adverse possession or somebody who's built something on somebody else's land and now wants to be compensated for it following the rules and regulations contained in Bill 3, the property rights amendment act. Of course, Madam Speaker, we all know that in business time is of the essence. Whether it's a piece of rural property between farmers or agricultural producers or somebody owns a recreational tree lot for hunting purposes or just simply recreation purposes or whether it's a downtown parcel of land in Calgary or Edmonton where someone has inadvertently built across a property line and is now seeking compensation, there are other remedies that may be available in law.

But in the case of an adverse possession claim where there are improvements that are situated on a property, this legislation attempts to address how indeed those disputes will be settled, how the individual who has built improvements on the land, whether it be a well or whether it be a house or a building or any type of structure, may get compensated for the improvements that they put on the land that they, in fact, didn't own. I wonder and I want to seek real clarification, Madam Speaker – and I'm sure all members of the Alberta Real Estate Association would be interested in hearing this as well – as to how the process is really going to work, because if it indeed does not incent an individual who is seeking compensation for improvements on land that is not theirs, if it does not incent them to be seeking that compensation in a timely manner – in other words, if they are able to draw out the whole process and drag their feet, it may be in their best interests to do so.

I'm hoping that the remedies in this act to allow that individual to gain compensation for improvements that will remain with the land and the rightful owner are such that they have to act in a timely fashion or they end up losing their rights to compensation, because to add insult to injury, if this bill, you know, goes ahead and abolishes adverse possession but, in fact, allows the landowner to be, over a long period of time, suffering the effects of a foot-dragging former holder of that land because they see it's in their best interests not to settle, then, of course, the full remedy to that landowner has not been effected. That's a fairly significant concern that I have.

But I think this whole property rights amendment act and the concept of property rights speak to the real importance, Madam Speaker, of maintaining the publicly housed and administered land titles registry office. There was an attempt earlier by this government to sell off the land titles registry. That was abruptly halted. I fear that they will make another run at this and try it again. But I think it's pretty good evidence,

Madam Speaker, about the importance of maintaining the sacrosanct nature of public ownership and operation and having that data bank housed under the dome, let's say, of a public registry, because people in business need to have absolute confidence in the land titles registry system.

There are other systems in operation, even in Canada, which are less reliable. I know that you'll have a title deeds system, which goes back to the parish set-up in Quebec, which necessitates people to search a title in successive searches to chain one piece of title and ownership to another.

That also happens in the United States, where you have title deed companies, private corporations which can charge a lot of money for somebody to search and verify title, but indeed you're relying upon corporate paper to verify your ownership whereas here in the province we have a system of land registration which is guaranteed by the province. There's an assurance fund which will take care of compensating individuals for mistakes made on title, but they are very rare indeed. That is something, Madam Speaker, that in this particular case, where we see cases of adverse possession and the lingering improvements that are being compensated for over time, the real landowner can rely upon. [interjection] I'll yield to the intervention.

**Member Irwin:** Thank you. I really, truly hated to interrupt the Member for Edmonton-McClung because, of course, as a – do I say former realtor?

**Mr. Dach:** Former realtor.

**Member Irwin:** Former. Okay. I guess teachers – we like to not say “former” because you're, like, always a teacher.

Anyways, as a former realtor he's got a very in-depth understanding, and I actually was learning a little bit there with his reference to the parish system in Quebec and whatnot. That's all news to me. You know, I especially appreciated his comments around land titles because I do know – admittedly, I don't hear a lot about property rights in my own riding, but I have heard a little bit about some of the delays with land titles claims. I know that a lot of Albertans are struggling with some of that, and Service Alberta was planning to try to address some of those big concerns. I would appreciate the member to just continue talking about some of the connections there with land titles and what we see in the property rights amendment act because, as always, I learn a great deal from my former realtor counterpart, the Member for Edmonton-McClung. I must say as well, you know, that I'm appreciative of the member. Sorry. Go ahead.

**Mr. Dach:** Thank you, Member for Edmonton-Highlands-Norwood. I must say that even though technically I'm no longer a realtor, because I gave up my real estate licence to avoid any conflict of interest once I was elected, I'm always, as many realtors are, a realtor at heart. I take a very strong interest in issues regarding real estate matters, and this is no exception.

Yeah, the land titles office is really at the heart of the issue of property rights because that is what people rely upon in this province to verify their ownership and title. It's a simple matter of pulling your title and looking at it and saying: there's your name. The government of Alberta guarantees and assures that that title is correct. In many jurisdictions in Canada and around the world it's not so clear as to who actually owns land. You have to paper together your verification of ownership, and the disputes over that are many. It's a costly thing to actually verify title, and you have to buy insurance.

Insurance is available here, too, but that insurance is more widely used now than it used to be because our land titles operation in the province has been understaffed now. A lot of people were laid off, and they haven't been hired back, so we have real estate lawyers in

this province now clamouring for the government to get rid of the backlog of registrations, now measured in months, not days or weeks. It is damaging to the economy of this province, and I don't understand why indeed they're looking at a property rights amendment act. They weren't at the same time looking at making sure that the number of people required to be hired at land titles to get the processing time to a normal period of operation very quickly. As I mentioned with respect to this Bill 3, time is of the essence, and we're worried about how much time it might take to satisfy a dispute between the rightful owner and the former adverse possession claimant in satisfying issues of the cost of improvements and compensation for those improvements.

5:40

Time is of the essence in every business transaction, including real estate transactions, Madam Speaker, and right now land titles, which used to be a proud operation of Alberta's government – and it used to operate in, you know, carbon paper style down at the Brownlee Building, and it actually worked pretty well. It's updated to a certain extent, but now you can't even go to get counter service. I had an individual at my office a couple of days ago who tried because she wanted to go back to her maiden name, after going through a divorce, on a land title and was unable to have anybody do anything at the Brownlee Building at the land titles office because everything is now online. She had to make an online submission to even gain access. She couldn't talk to anybody. That's a little bit disturbing, as a side issue.

With respect to the bill before us, the property rights amendment act and its relation to the land titles, I mean, for us to do anything that would diminish the faith that the public has in our land titles registration system would be a shameful thing to do. I'm hoping that – while the government's intent is of course supported by me and, I think, most members of the public to get rid of adverse possession and to ensure that the compensation for improvements that are on those lands is settled out and sorted out in a timely fashion, there are many more things that the government needs to be doing with respect to the proper transaction of land titles in the registry in the province of Alberta.

We have a government here that talks about being a strong supporter of business and economic development, yet we've got a land titles system – one of the fundamental activities of business is the transaction of land, and it's being held up. Lawyers are actually at their wits' end, Madam Speaker. I spoke to a gentleman who I used to do real estate transactions with regularly who's a real estate lawyer in town, and I found that they are no longer able to extend insurance and reassurances between themselves to allow transactions to close. They're at the capacity of the insurance limitations between themselves, even using western protocol, and they don't know where they're going to go beyond this.

The answer, of course, is to get land titles up to speed and hire the people that need to be hired. I know that the minister suggested that they were going to have the individuals who were being trained right now do the simple stuff and then continue on with the training for those that needed to be trained further for more complex matters, but it's not working, and it's really taking way too long. I mean, the legal community once again is screaming loud and clear, but the government is responding really slowly, whether it happens to be legal aid lawyers or lawyers operating in business, not only just real estate transactions for residential houses, but we're talking about multimillion-dollar transactions that are holding up construction of a major building, holding up development of land. That is a cost, a huge cost, to our Alberta economy.

I'd like to see more attention paid to that, Madam Speaker, quick and rapid attention so that our land titles office doesn't lose the integrity that

it's enjoyed over decades. That would be a very damaging thing to have happen. It's suffering. The reputation of Alberta's land titles registration system is suffering under this government, and that's something that they would be remiss not to pay strong attention to and consult widely and listen to those individuals who are stakeholders in the area of transacting real estate in the province, particularly the lawyers who represent their clients and buyers and sellers in transacting real estate. Listen to the paralegals who work for them, who will tell you how difficult it is and how frustrating it is to have buyers and sellers not get a deal done. [interjection] I'll wait.

**Member Irwin:** Oh, my goodness. Again, I hate – the member is still giving a very eloquent discussion about land titles. Again, obviously, a clear connection to the bill in front of us. Without referring to the presence or absence of members, if the minister of service Alberta were able to weigh in a little bit on some of these changes, I'd be very curious to hear. In particular, we've heard from – I was cut off earlier, but I started to commend the Member for Drayton Valley-Devon for weighing in on this. You know, I asked him, actually, as I came back in the Chamber. I said, "Don't your members care about this topic?" And he said, "Damn right, and I'm going to talk about it right away," which was great, and I gave him a thumbs-up. So I would love if other members would weigh in because, as I've noted multiple times, I know that members on the government side hear about property rights, hear about squatters' rights. I'm sure the Member for Rimbey-Rocky Mountain House-Sundre has heard about this lots from his constituents.

**The Deputy Speaker:** The hon. member.

**Mr. Dach:** Thank you, Madam Speaker. Thank you for that intervention and for pointing out the sort of lack of interest on the government members' parts to participate in this debate. One would have thought, given how critically important it is to the business community in this province to have anything that is a detriment to the transaction of real estate act as an impediment to business, it would be something that would draw the attention of the members of the government caucus and would attract them to join in the debate to express their support for business in this province.

We're happy to do so on their behalf, to let it be known that the caucus on this side of the House, our NDP caucus, is a huge supporter of our businesses in this province, small and large. Of course, we know that small businesses are responsible for about 75 per cent of the economic development activity in the province.

The land titles registry and the office that is under the public domain right now has been proudly operating for many decades in this province and is something that we hope will be continuing to be operating as a publicly housed and administrated body so that business can have confidence in the land titles, not only when we talk about Bill 3 and adverse possession and the transaction of sales of land that has been subject to an adverse possession claim but also right throughout the province, Madam Speaker, in land transactions of every size and type that land titles, of course, must process.

The legal community has been very, very vociferous and clear, and they're expressing their extreme frustration with this government over the length of times it's taking to get the bottleneck at land titles fixed. The biggest problem, of course, is that there were a number of people who were fired, let go, at the land titles office, and they haven't been replaced. I know that the minister responsible is looking to train up people, but it's taking a long time and is costing our businesses a fortune.

**The Deputy Speaker:** Are there others to join the debate? Seeing the hon. Member for Edmonton-Meadows.

**Mr. Deol:** Thank you, Madam Speaker. It's my pleasure to rise in the House and be able to add my comments to the bill, Bill 3, Property Rights Statutes Amendment Act, 2022, on behalf of my constituents and also concerned Albertans. I'm happy to see that this bill is actually being debated, and there seems to be agreement on both sides of the House on this bill being discussed.

This bill is also an outcome of the Alberta Law Reform Institute summary recommendation report. I also understand this is also fixing some of the problems of the bill that we debated a few years ago in this House that was presented by the government, Bill 206. I was looking in this report of the Alberta Law Reform Institute, the summary, where it concludes that adverse possession awards deliberate trespassers and penalizes registered owners, who are forced to give up some of their title lands without any compensation. This continues to persist despite the fact that successful cases are relatively rare.

5:50

I understand that the stakeholders advocated for this, and there was a report that was conducted. I also understand that this is what should have been done, generally speaking. Also, you know, this bill particularly reminds me how important it is to be open-minded, because things change over time. What is important today might not be interpreted into the same context after some time.

When I was looking at the squatters' law, I remembered those days, my childhood days, and conflicts and contradictions around these laws. There was pressure from the public, and also there was reaction. We hoped this bill would bring economic certainty; that is true. It is important. But when these bills were being introduced, particularly by the nonsocialist countries or then developing countries, they were aimed at bringing economic equality. So it's very interesting to see after 50 years that things have changed, and now I am standing in the House, and I'm speaking in favour of something that I was looking at very differently 30, 40 years ago.

The squatters' law or many, actually, laws, a line of those land ceiling acts: I remember that that was to stop, you know, unethical storing of public lands or residential properties and addressing the issue with those people. They would never be able to come up with such an amount to put up down payments to purchase properties due to given situations and their jobs. In the majority of cases there was only one family member in the household that would take care of the whole family. They lived years and years and decades and decades on properties and, you know, basically paid off those properties for the landlords but never had been able in their lifetimes to see such a house for themselves being able to be built.

I think it was also their way to address the housing issues. I also saw these laws being abused in my lifetime. You know, that happened too often to absentee landlords, public servants, or people moving, being transferred from one place to another, then ending up really renting their own properties and living on rent in different cities, a different part of the country, and then getting into trouble. [interjection] Definitely, I will give it to my colleague. Yeah.

**Member Irwin:** Thank you to the Member for Edmonton-Meadows. I hesitate to interrupt, because he's also drawing on his own experience working, obviously, in insurance and a number of fields, you know, where he's dealing with landowners and whatnot. I am curious – I was genuine when I said earlier that this isn't a topic that I've heard at the doors in Edmonton-Highlands-Norwood, but I am absolutely certain many folks have in other ridings – if the member has heard anything specifically about the property rights amendment act. Could be, like the Member for Edmonton-McClung, land titles is something that you've heard a little bit about. I would just love to hear if this is something that your constituents are reaching out about, and if so, what is the nature of their feedback, of their concerns? Admittedly, it's a topic I would

certainly love to hear more about, to learn more about, to speak more about. I'm happy to do that, and of course any opportunity that we get to share our constituents' feedback is a good one.

**Mr. Deol:** Thank you, hon. member, for the question. You know, definitely, as this report says, you know – I'll just refer to this report once again. It says that despite the facts successful cases are relatively very rare. It seems like the issue is not very prominent, but as I said, it's a privilege and an honour to participate in an act that will really help the concerns of the citizens in this way.

Part of this legislation we are discussing is that the stakeholders, the people that the government have heard from, or the Law Reform Institute summary was mandated to do. The people who they heard from: this is the outcome of this. I really wanted to relate it to – you know, I know that I have a very limited time today. I won't be able to actually expand on this. It's in my mind given that we do not have enough time in this evening, but I will look forward to speak more about this.

This is also because it's really allowed me to look into how history changes, how things change over time, why we need to be open-minded and, you know, willing to work together to address these very issues that belong to our constituents and the people of this province and where that has been ignored. We have another piece of legislation where the government could have learned in the same manner, but I see there's a lack of intent there. I'm referring to Bill 1, particularly.

Thank you.

**Member Irwin:** Yeah, absolutely. You know what? That's a really good segue from the member. Obviously, the focus here is on Bill 1, but the serious contrast between the lack of consultation on that bill, which sounds like it's going to be rammed through tonight, and this bill, which you've got to give the members of the committee props for the work that they did; they consulted – I don't know if it's thousands; don't quote me on that – a whole heck of a lot of Albertans. [interjection] Yeah, I'm quoted on that. It is *Hansard*. Good point. But they consulted a lot of Albertans – right? – from all corners of this province. I know they went to Hanna. They went to a number of other communities. It is intriguing, to say the least, this government's inconsistency when it comes to consultation on their bills. You know, we are supportive of this because, of course, we had our members weigh in on it as well, but contrast that with Bill 1, where we've seen, we've heard from multiple folks, including the treaty chiefs, that they haven't been appropriately consulted. That says a lot.

**Mr. Deol:** Thank you, hon. member, once again for your insights and for your question. Definitely, you know, I became very passionate about this piece of legislation when I saw this, the squatter and adverse possessions law . . .

**The Deputy Speaker:** Member, I hesitate to interrupt, but the clock now strikes 6, and the House is adjourned until 7:30 this evening.

[The Assembly adjourned at 6 p.m.]

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