



Province of Alberta

The 29th Legislature
Third Session

Alberta Hansard

Wednesday afternoon, May 10, 2017

Day 31

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta
The 29th Legislature

Third Session

Wanner, Hon. Robert E., Medicine Hat (ND), Speaker
Jabbour, Deborah C., Peace River (ND), Deputy Speaker and Chair of Committees
Sweet, Heather, Edmonton-Manning (ND), Deputy Chair of Committees

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Anderson, Hon. Shaye, Leduc-Beaumont (ND)	Luff, Robyn, Calgary-East (ND)
Anderson, Wayne, Highwood (W)	MacIntyre, Donald, Innisfail-Sylvan Lake (W)
Babcock, Erin D., Stony Plain (ND)	Malkinson, Brian, Calgary-Currie (ND)
Barnes, Drew, Cypress-Medicine Hat (W)	Mason, Hon. Brian, Edmonton-Highlands-Norwood (ND), Government House Leader
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (ND), Deputy Government House Leader	McCuaig-Boyd, Hon. Margaret, Dunvegan-Central Peace-Notley (ND)
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Clark, Greg, Calgary-Elbow (AP)	McPherson, Karen M., Calgary-Mackay-Nose Hill (ND)
Connolly, Michael R.D., Calgary-Hawkwood (ND)	Miller, Barb, Red Deer-South (ND)
Coolahan, Craig, Calgary-Klein (ND)	Miranda, Hon. Ricardo, Calgary-Cross (ND)
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Cyr, Scott J., Bonnyville-Cold Lake (W)	Notley, Hon. Rachel, Edmonton-Strathcona (ND), Premier
Dach, Lorne, Edmonton-McClung (ND)	Orr, Ronald, Lacombe-Ponoka (W)
Dang, Thomas, Edmonton-South West (ND)	Panda, Prasad, Calgary-Foothills (W)
Drever, Deborah, Calgary-Bow (ND)	Payne, Hon. Brandy, Calgary-Acadia (ND)
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Eggen, Hon. David, Edmonton-Calder (ND)	Piquette, Colin, Athabasca-Sturgeon-Redwater (ND)
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Fraser, Rick, Calgary-South East (PC)	Sabir, Hon. Irfan, Calgary-McCall (ND)
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Gill, Prab, Calgary-Greenway (PC)	Schneider, David A., Little Bow (W)
Goehring, Nicole, Edmonton-Castle Downs (ND)	Schreiner, Kim, Red Deer-North (ND)
Gotfried, Richard, Calgary-Fish Creek (PC)	Shepherd, David, Edmonton-Centre (ND)
Gray, Hon. Christina, Edmonton-Mill Woods (ND)	Sigurdson, Hon. Lori, Edmonton-Riverview (ND)
Hanson, David B., Lac La Biche-St. Paul-Two Hills (W), Official Opposition Deputy House Leader	Smith, Mark W., Drayton Valley-Devon (W)
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Hoffman, Hon. Sarah, Edmonton-Glenora (ND)	Stier, Pat, Livingstone-Macleod (W)
Horne, Trevor A.R., Spruce Grove-St. Albert (ND)	Strankman, Rick, Drumheller-Stettler (W)
Hunter, Grant R., Cardston-Taber-Warner (W)	Sucha, Graham, Calgary-Shaw (ND)
Jansen, Sandra, Calgary-North West (ND)	Swann, Dr. David, Calgary-Mountain View (AL)
Jean, Brian Michael, QC, Fort McMurray-Conklin (W), Leader of the Official Opposition	Taylor, Wes, Battle River-Wainwright (W)
Kazim, Anam, Calgary-Glenmore (ND)	Turner, Dr. A. Robert, Edmonton-Whitemud (ND)
Kleinsteuber, Jamie, Calgary-Northern Hills (ND)	van Dijken, Glenn, Barrhead-Morinville-Westlock (W)
Larivee, Hon. Danielle, Lesser Slave Lake (ND)	Westhead, Cameron, Banff-Cochrane (ND), Deputy Government Whip
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)	Woollard, Denise, Edmonton-Mill Creek (ND)
Loewen, Todd, Grande Prairie-Smoky (W)	Yao, Tany, Fort McMurray-Wood Buffalo (W)

Party standings:

New Democrat: 55 Wildrose: 22 Progressive Conservative: 8 Alberta Liberal: 1 Alberta Party: 1

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Legislative Assembly of Alberta

1:30 p.m.

Wednesday, May 10, 2017

[The Speaker in the chair]

The Speaker: Good afternoon.

Hon. members, this morning there was a lot of attention in the media about hockey and elections. But earlier this morning the Deputy Speaker expressed on our collective behalf thoughts and prayers for those who continue to be affected by the recent flooding in Ontario and Quebec. As we know, it is at times like this when we need to reach out to our neighbours across Canada and let them know that they are not alone and that, firstly, we are all Canadians. During this difficult time, please, each of you, as you reach out, extend those best wishes from our Assembly to the people of those two provinces.

Please be seated.

Introduction of Visitors

The Speaker: The hon. Member for Peace River.

Ms Jabbour: Thank you, Mr. Speaker. I rise today on your behalf to introduce to all members of the Assembly Chief Ron Kreutzer and Mr. Brad Callihoo, the chief executive officer of the Fort McMurray 468 First Nation. You had the opportunity to meet with the chief on the Fort McMurray First Nation a couple of weeks ago, when you were on the Mace tour across the province, and I know everybody greatly appreciated that. The Fort McMurray 468 First Nation is located 45 minutes southeast of Fort McMurray, near Gregoire Lake, and it consists of approximately 700 members, predominately Woodland Cree. During the wildfire evacuations at this time last year Chief Kreutzer stayed behind to prepare to fight the fire. He and his son helped build large firebreaks all around the houses in the community and, at the risk of their own lives, fire-protected all of the properties in their nation.

Chief Kreutzer and Mr. Callihoo are seated in the Speaker's gallery, and I would like them to please rise now and receive the traditional warm welcome of this Assembly.

The Speaker: Welcome.

Introduction of Guests

The Speaker: The hon. Member for Airdrie.

Mrs. Pitt: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Edline Jacobi and Gerda Martin. Edline is the secretary for the Airdrie Wildrose Constituency Association, and she's here visiting her sister and the Legislature. Would you please rise and receive the traditional warm welcome of this Assembly.

The Speaker: Welcome.

The hon. Member for Cardston-Taber-Warner.

Mr. Hunter: Thank you, Mr. Speaker. I rise to introduce to you and through you to all Members of the Legislative Assembly 56 grade 6 and grade 9 students from the Taber Christian school, the best school in Canada. I understand that they have the best corn as well. I understand that they have been able to participate in a mock Legislature as well as attend a 4-D video in the Federal building. Their teachers and parents with them today are Wendy, Joel, Philip, René, Trina, Linda, Pam, Marlene, Abe, Anna, and Jennette. They

have traveled a long way to be here, and they've enjoyed the day. I would ask that they be given the traditional warm welcome of the Assembly as they stand.

The Speaker: Welcome. It's always nice to see schools from the hinterland, the far reaches of our province. [interjections] I have experienced the same feeling. I have one school that's been able to get here. It's nice to see that.

The hon. Member for Vermilion-Lloydminster.

Dr. Starke: Well, thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to all members of the Assembly 17 students from Viking school in the town of Viking. As always, they're very interested in the proceedings of the House, both the government and the opposition members, and, of course, the NDP members sitting on this side in the Valhalla section. I'd ask for all members of the Assembly to now join in giving them the warm welcome of the Assembly.

The Speaker: Hon. members, are there any other school groups today?

Seeing and hearing none, the Minister of Economic Development and Trade.

Mr. Bilous: Thank you very much, Mr. Speaker. It's my honour to rise and introduce to you and through you to all members of the Assembly 20 administrators working both in Edmonton and in our international offices. Now, I must say that these folks do an incredible job ensuring not only that our trade missions are successful, but these are the ones that are working to identify companies to come invest in Alberta and are setting up very powerful, quality meetings when we travel overseas with our businesses.

I'm going to ask them to rise as I say their names – I'm going to apologize in advance for botching up some of their names and beg your forgiveness, Mr. Speaker – from the Beijing office, Lily Li; from the Shanghai office, Zoe Shi; from the Hong Kong office, Peggy Mou and Karen Cheng; from the Taiwan office, Angie Tsai; from the Japan office, Kazuyo Kumamoto and Chie Shinonaga; from the Korea office, Hye-Ja Yoon; from the Mexico office, Sandra Diaz; from the U.K. office, Karen Todman; from our Singapore office, Kathy Malacaman; from the Washington office, Lolita Zaphiropoulos; from our New Delhi office, Disha Kalia; from our Guangzhou office, Katrina Chen. Of course, there's a group of staff here in Edmonton that supports all of our offices: Shannon Homeniuk, Rosie Sorensen, Jeanette Lee, Kendra Turpin, Madeleine O'Scolai, and Susan Henderson. I'd ask all members of the Assembly to join me in giving them the traditional warm welcome.

The Speaker: Welcome. Welcome.

Pretty good job on that translation, hon. member.

The Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Well, thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of the Assembly a good friend of mine, Mrs. Mae Bateman, from the Sundre and Rocky Mountain House area. She is one of the most beautiful souls that we have in a community that is very full of beautiful souls. She has worked in home care for a long time, taking care of many of the people that have built the communities that we enjoy today, of course, in Rimbey-Rocky Mountain House-Sundre. She's nearing retirement now but still keeps care of one of our most prominent citizens in the community of Sundre, John Whitesell, who just celebrated his 100th birthday. I'm happy to have her as my

guest today. I would ask her to rise and receive the traditional warm welcome of this Assembly.

The Speaker: Welcome.

Members' Statements

Pipeline Opposition

Mr. Loewen: Last night should be a wake-up call to our NDP government. The B.C. election left a minority government, with this government's cousins, the Green Party, holding the balance of power. It's no secret that the NDP and Green Party are anti-oil and antipipeline.

What is alarming is the Alberta NDP's absurd claim that the carbon tax that burdens Albertans has bought social licence for pipelines. If so, where is it? This government gloats day after day about the two pipeline approvals the carbon tax bought. How can this claim be proven or even be made with any kind of honesty when we see that the people that have opposed pipelines in the past are still opposing pipelines and are being elected into jurisdictions that we need to get our product to market?

We have a government that has many activists among them that have spent their lives opposing pipelines. They have hired and continue to hire and employ antipipeline activists, and they incredulously claim that they support pipelines. Saying a lie over and over again doesn't make it true.

Last year this NDP government helped me pass my motion to support pipelines and to counter the federal government tanker ban. Since then we have not heard . . .

The Speaker: Hon member, just be cautious of the words you're using, please.

Please continue.

Mr. Loewen: Last year this NDP government helped me pass my motion to support pipelines and to counter the federal government tanker ban. Since then we have not heard anything from this government opposing the tanker ban, nothing supporting the Northern Gateway when Trudeau cancelled the approval of it or any other meaningful support of any pipelines. All we hear is how their social licence got two pipeline approvals, which is just not true. They suggest that since Trudeau said it, then it's gospel. What would you expect Trudeau to say on the eve of his own carbon tax announcement? It's clearly a case of one lying and the other swearing to it.

This government needs a proctologist to do a cranium exam if they think that Albertans are buying that the carbon tax has bought this mythical social licence. The first step in change is admitting that you have a problem. You have an NDP problem called anti-oil activism. Once you admit it, then take the next step and get rid of your taxpayer-paid anti-oil activists, take a leadership role in supporting all pipelines, stand up against these radical activists, and finally admit that there is no such thing as social licence and that it's bought nothing but expensive light bulbs.

1:40

The Speaker: Thank you, hon. member.

The hon. Member for Stony Plain.

Nurses Week

Ms Babcock: Thank you, Mr. Speaker. I would like to focus on something really positive for two minutes in this House today. I rise with pride to give recognition to a profession which at one time or another and often at multiple times in our lives touches us, makes

us safer, heals us when we are hurt, and points us toward a healthier future. I'm talking about nurses, Mr. Speaker, and the many roles that nurses play in our health care system. This week is Nurses Week in Alberta and in Canada, and I'd like every member of this House to think for a moment about a time in their lives when they or someone they care about was helped by a nurse.

I am incredibly proud to be a nurse. I have seen nurses cry when new life is brought into this world, and I have seen them cry when we've lost someone before their time. I have seen and been the one to hold the hand of someone as they pass from this life. Nurses wipe tears and blood, comfort and strengthen, care and advocate for every patient they serve. I have seen nurses leave their families on holidays, birthdays, work double shifts, and work on their feet for hours to care for my family and yours. And nurses are honoured to have the privilege of serving every single one of those patients.

Really, nurses are involved in almost every important moment in our lives, both tragic and happy. Nurses are there when we need them, 24 hours a day, whether in emergency rooms, where they are the first people we see, or with services like Health Link, where they are only a phone call away.

The theme for this Nurses Week is #Yes This Is Nursing, and I think the very brief description of everything nurses do that I've given above really shows what kind of impact nurses have on everyone's lives. We are fortunate to live in a country and in a province where health care is valued.

I would ask all members of this Assembly to think about the role nurses have played in their lives and, the next time they are engaged with a member of that profession, to just thank them.

Thank you, Mr. Speaker.

Provincial Election Second Anniversary

Dr. Starke: Mr. Speaker, this past Saturday the world watched the two most exciting minutes in sports, the Kentucky Derby. Now, obviously, I love the horses, but I have always admired the ability of racetrack announcers to summarize an entire horse race into two minutes, and I asked myself: if a racetrack announcer took two minutes to describe the past two years of NDP government, what would that sound like?

Welcome, fans, to the Legislature Downs and the first-ever running of the NDP Derby, a claiming race for nonwinners in their first 28 outings. They're at the post, and they're off. Breaking quickly from the gate, it's Initial Optimism and Hopeful Expectation, followed closely by Honeymoon Period and Give Them a Chance. Here comes No Budget, Embarrassing Cousin, and Just Blame the Tories.

Initial Optimism and Hopeful Expectation are falling off quickly, and moving up fast is Fake Consultation, followed by Enraged Farmers and Flight of Capital. It's Just Blame the Tories, Fake Consultation, Enraged Farmers, and Flight of Capital surging to the front, with Honeymoon Period and Give Them a Chance looking tired and spent.

Speaking of spent, here comes Massive Deficit and Credit Downgrade. Down the back straight it's Massive Deficit, Credit Downgrade, Fake Consultation, Enraged Farmers, and Flight of Capital. Initial Optimism has pulled up lame, and Hopeful Expectation is nowhere to be seen.

But what's this thundering down the middle of the track? It's Carbon Tax. This must be a late entry. Carbon Tax was not in the racing program. Hot on the heels of Carbon Tax is the twin entry of Pipeline Approvals and Pipeline Construction. Pipeline Approvals is losing ground, but Pipeline Construction has been cut off by B.C. Election, boxed in on the rail by Eco Demonstrators and Endless Conditions.

Surging down the backstretch, it's Carbon Tax challenging Massive Deficit and Credit Downgrade for the lead. Fake Consultation is always there, but Just Blame the Tories is losing traction.

Rounding the final turn, it's Carbon Tax, Massive Deficit, and Credit Downgrade. There's a late charge from NDP Again along with Ballooning Debt and I'll Never Vote. Down the stretch they come. It's Carbon Tax, NDP Again, Massive Deficit, Credit Downgrade, and I'll Never Vote. Carbon Tax and Massive Deficit are neck and neck, and at the finish line it's Carbon Tax by a nose over Massive Deficit, Credit Downgrade, and I'll Never Vote NDP Again.

Thank you, Mr. Speaker.

The Speaker: Government House Leader, a new benchmark may have been set today.

Mr. Mason: It's been done, and guess who did it?

The Speaker: The hon. Member for Peace River.

Domestic Violence Alternative Sentencing

Ms Jabbour: Thank you, Mr. Speaker. Social issues are one of the key challenges we face in the north, including high rates of domestic violence. Domestic violence tends to be a revolving door of arrests, charges, victims deciding not to testify, and the cycle repeats. Alberta has high overall rates, but this January my community of High Level was dismayed to learn that spousal abuse cases had skyrocketed over the previous year.

In light of this, Staff Sergeant Brad Giles of the High Level RCMP took action, implementing a two-phase alternative measures approach. High Level already has the Domestic Violence Response Unit, but there were limitations to its effectiveness. Staff Sergeant Giles expanded on this program by assigning one officer full-time to domestic violence, hiring a full-time therapist, and building relationships with multiple agencies in town, including probation, the Safe Home, North Peace Tribal Council, child and family services, and victims' services.

Phase 1 is preconviction. The offender is charged and released with the condition that they must report to the domestic violence unit within the first week. They are offered a range of voluntary, free programs that address the root causes of trauma, anger management, and addictions through individual and group therapy. Within the first few months of this program 100 new therapy files were opened in High Level, including many walk-ins who heard about the program and wanted help. There was an immediate decrease in new domestic violence cases, and over the past three months the RCMP has already seen an overall 12 per cent reduction.

Phase 2 involves program attendance as an alternative measure. The Crown and the offender agree on probation with no conviction, conditional on successful completion of the prescribed program. Even in serious cases this will have benefits. Once phase 2 is fully implemented, the RCMP is confident we will see even more reductions.

Preventative approaches that address the root causes of family violence in addition to providing supports to victims will not only contribute towards breaking the cycle but will help to reduce crime and violence overall. Thank you to the High Level RCMP and the many wonderful community agencies in my constituency who are leading the way.

The Speaker: The hon. Member for Spruce Grove-St. Albert.

Homelessness

Mr. Horne: Thank you, Mr. Speaker. Today I rise to speak about a very important issue that I believe isn't spoken about enough, and that is homelessness. Many people think of homelessness as being an inner-city phenomenon or as a result of someone being unable to work. Many think of the homeless as being exclusively addicts.

Mr. Speaker, all of these conceptions miss the mark. Simply put, homelessness exists because there are people that do not have a home. There are many reasons someone can end up in this situation. One man I met several years ago had come to Edmonton following a job opportunity. He did not have the money for a security deposit or a hotel room. While he waited for a paycheque or two to come in, he was on the street. This man had nothing but the clothes on his back and the promise of a job. I met him at a bus stop just a few blocks from here on a very cold January night. His story is far from unique.

Mr. Speaker, there are many reasons someone becomes homeless. The breakdown of a marriage could leave you without a bed. Work could leave you with no time to search for a new apartment. A youth coming out to their parents could be thrown out.

Further, there are just as many forms that homelessness takes. From couch surfing to sleeping in your car, from building a shelter in the woods to curling up in a quiet corner somewhere, homelessness exists in every community in this province.

Everyone deserves a safe and affordable home. In the past few decades the cost of housing has grown faster than income. Alberta was one of only three provinces that did not have an affordable housing strategy. Mr. Speaker, that's changing. Alberta's government is investing \$1.2 billion in affordable housing, and following last year's consultations, Albertans are expecting the launch of a new housing strategy. This is only one of the many ways that this government is working to make life better and more affordable.

Thank you.

1:50

Oral Question Period

The Speaker: The Leader of the Official Opposition.

Carbon Levy

Mr. Jean: The NDP government is making Albertans foot an ever-increasing bill for the carbon tax in an attempt to buy so-called social licence. Well, this morning it's clear, more than ever, that their social licence application has been rejected. The balance of power in B.C. now rests with the Green Party, which is adamantly opposed to pipeline expansion, as, of course, is the B.C. NDP. Will the Premier face the facts and do the right thing for Albertans and scrap her carbon tax?

The Speaker: The Deputy Premier.

Ms Hoffman: Thank you, Mr. Speaker. I want to begin by congratulating Premier Christy Clark as well as John Horgan and Andrew Weaver on the campaigns that they did run in British Columbia.

We're looking forward to continuing to work with British Columbians and with their elected officials on items of mutual interest, Mr. Speaker, and of course that includes ensuring that we continue to have market access to new opportunities, including the Asia Pacific markets. I'm grateful that the federal approvals are through. We are going to continue to move forward, and we're going to cheer for Alberta, not for its failure.

Mr. Jean: Well, tidewater access is important, Mr. Speaker, but the Green Party in B.C. opposes Trans Mountain, they oppose LNG, and they oppose site C. Alberta is quickly becoming the punching bag of North America under this NDP government. We're taken for granted federally, where the Premier is willing to go with Trudeau's every beck and call and has done nothing whatsoever to build relationships with who should be our closest allies, our provincial neighbours. Will the Premier just admit that she's dropping the ball when it comes to standing up for Alberta families?

Ms Hoffman: Nothing could be further from the truth, Mr. Speaker. We are continuing to work to make sure that all Albertans have opportunities for a good, clean environment and for good, long-term, mortgage-paying jobs, and that's why the Premier is in Ontario working to make sure that she's expanding opportunities for market access to the east. That's why she's meeting with working people from across the country, including the staff that work in our hospitals, in our schools. [interjections] I hear the members opposite yelling at me that they're union thugs. They are working people of this province, and they deserve respect. Our Premier shows them that respect. The members opposite could learn something from her.

Mr. Nixon: Point of order.

Mr. Jean: It's no secret whatsoever that this NDP government has MLAs in the ranks and on their advisory groups who don't like pipelines. In fact, they've even campaigned actively against them. Social licence is a failed experiment that's only hurting hard-working Alberta families. The Premier is busy trying to impress those in the ivory towers in foreign countries and big labour at conferences in Toronto with their carbon tax, but it's only a tax that costs Albertans when they can least afford it. Will the Premier wake up and scrap the tax?

Ms Hoffman: I am so proud to have a Premier who works every day to make life better for the people of this province, and that's exactly what she is doing at this exact moment, Mr. Speaker. We are proud that we have federal approvals to get our market access on the west coast. We are working to ensure that we are connecting with provinces across the country to make sure that we have access further going to the east. This is good news. The Premier's priorities are straight. The member opposite keeps cheering for failure. We're standing up for Albertans.

The Speaker: Second main question.

Mr. Jean: Mr. Speaker, it's hard to cheer for anything else but failure when you keep seeing failure from the NDP government.

Serenity's Former Guardians

Mr. Jean: The image of little Serenity laying in hospital in her final days is seared in my mind, Mr. Speaker. When I look at the facts, six children are still in the care and under the same roof as the guardians who allowed Serenity to be physically and sexually abused and malnourished. There were repeated pleas from Serenity's birth mother and her cousin to get Serenity out of that house. Those desperate pleas were ignored. Now, why on earth could we ever trust the Premier that the other six children in that house are safe today?

The Speaker: The Minister of Children's Services.

Ms Larivee: Thank you, Mr. Speaker. I will be speaking further to Albertans on this matter later this afternoon, but I want to remind

members that when people make statements without all the facts, inaccurate information is given to the public. I want to assure all Albertans that we have monitored and continue to monitor the situation closely, and if there was evidence of abuse of a child, we would apprehend that child immediately, as we would in any case.

Mr. Jean: Mr. Speaker, there is a muzzle on the facts, and that muzzle is this government not telling Albertans what's happened. Yesterday the Premier said that the safety of the six children in the same house under the care of the same people as Serenity when she died a brutal death is being monitored. Now, clearly, Serenity's caseworker swore an affidavit that despite significant evidence of abuse in that home, nothing has changed. Guess what? Serenity was supposedly being monitored, too, at the time of her death. The system failed her, and it sure looks like it's failing these six kids now. What kind of monitoring is in place for these children now, today, that wasn't in place . . .

The Speaker: Thank you, hon. member.
The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. The courts do not let government go in and apprehend children without evidence of abuse of that individual child. Courts require that there is evidence of abuse of that child, and that is the law. We have continued to monitor this situation very closely, and if there was any evidence of abuse of a child, we would apprehend that child immediately.

Mr. Jean: Mr. Speaker, it's this government and this minister's job to protect Alberta's children. If you won't listen to me, listen to Serenity's own mother. She lost her little girl because of an unwillingness – an unwillingness – to listen to her serious concerns, and she's sounding the alarm bells again. She says, "God only knows [what's going] on in there." Now, Serenity was raped, beaten, starved, and murdered most likely, based on the facts, under the same care as those other six children. No child should ever have to face this kind of horror and terror. This should weigh heavily on all of us. Why won't someone just do the right thing and make sure that those six children in the same house are . . .

The Speaker: Thank you, hon. member.
The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. This is a very difficult matter for all members of this House and, indeed, all Albertans, but I want to urge the members again to be aware of spreading inaccurate information and of the impact that this has on the lives of young Albertans. I will be sharing more information about this matter this afternoon.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Ministerial Panel on Child Intervention

Mr. Nixon: I joined the children in care panel in good faith with the hope of stopping what happened to Serenity from ever happening again. Instead, the past few months have been spent studying topics that, presenters point out, have already been researched to death. There is a refusal by this minister to share the details of Serenity's case with the panel or to even let them talk about case-level data. This secrecy indicates that this government and this minister are not serious about preventing more children from falling through the cracks. How can this minister stand here

and promise Albertans that what happened to Serenity won't happen again when she knows she has done nothing to change it and her panel is doing nothing to change it?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. Absolutely, as legislators, as parents, and as Albertans we have to do everything we can to improve the lives of children at risk and to stop preventable deaths from happening. That is why we have a Minister of Children's Services, that is why we have the panel, and that is why we continue to prioritize the safety and well-being of Alberta's children. As an RN that was my priority for many years, it will continue to be, and I will ensure that we take action to change the system, that has gone unchanged for far too long.

Mr. Nixon: Inaction resulted in Serenity's death. A private guardianship went forward despite reports that Serenity was malnourished and had unexplained marks and bruises. Now the minister tries to appease us by saying that there are regular checks on the six children in care of the same guardians who watched Serenity starve to death. Warnings continue to be expressed about the children in that home. The minister says that they are closely monitoring the situation. Given this government's abysmal track record on this issue and their blatant dodging of questions by the opposition, why would Albertans believe this government is protecting these kids?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. Again I have to say that the situation has been monitored. Without doubt, we very much prioritize the safety and well-being of all Alberta's children. Again I want to remind the members opposite that making statements with inaccurate information to the public is a challenge when you don't have all the facts. I do want to continue to assure Albertans and all members of this House that if there was evidence of abuse of a child, that child would be apprehended immediately.

2:00

Mr. Nixon: Mr. Speaker, making sure that my three children are safe and protected is my number one job. Common sense dictates that no children – period – should be cared for by people who allowed a child to be beaten, starved, and sexually assaulted to the point of death under their watch. The minister may have justified in her own mind that these children are safe, but apparently the younger children have not been seen at school since October. Six months. Clearly, something is not right. Minister, would you let your own children be cared for by these adults? Yes or no? And if not, why are you treating these kids differently than yours or mine?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. I have to say once again that the courts, the law we are all bound by as Albertans, does not let government go in and apprehend children without evidence of abuse to that individual child. Again, I want to say that when people make statements without all the facts . . . [interjections]

The Speaker: Hon. members. [interjections] Hon. members, I cannot hear the response.

Ten more seconds and then finish, hon. minister.

Ms Larivee: Thank you, Mr. Speaker. Once again, we will continue to monitor this situation very closely as we have until now, and if

there is any evidence of abuse, we will apprehend the children. [interjections]

The Speaker: Hon. Member for Rimbey-Rocky Mountain House, I asked you to keep your voice down. Even after I said so, you continued to speak. Please don't do that in the future.

The leader of the third party.

Out-of-country Health Care Funding

Mr. McIver: Thank you. Mr. Speaker, last week I rose in this House on behalf of little Greta Marofke and her courageous fight against a rare liver cancer. I asked the Minister of Health to use her discretion to cover the cost to allow Greta to have a life-saving transplant in Cincinnati as the option was not available in Alberta. Greta has now had that surgery in the last few days. Minister, I want to publicly thank you for meeting with the family as you promised you would. Can you share with the House whether you were able to offer any hope of financial support to the family?

The Speaker: The hon. Minister of Health.

Ms Hoffman: Thank you very much, Mr. Speaker. Again, we make sure that the decisions around medical best practices are derived by medical experts. One of the things that I did commit to was to ensure that the contact information for the physician that they're working with in the United States was accessible to the committee that does make these decisions. But, again, it's committees of physicians that make decisions on medical best practices, not elected officials, and that's the way it should be.

The Speaker: First supplemental.

Mr. McIver: Thank you. Mr. Speaker, the \$1 million U.S. price tag could bankrupt three families, and while we can all agree that no price can be placed on this precious little life, it's unacceptable that the onerous burden of that, without provincial coverage, is put upon Greta's family. To the Minister of Health: have you received a request for funding as of yet, and if not, will you have someone follow up, please, with Greta's doctor?

The Speaker: The hon. Minister of Health.

Ms Hoffman: Thank you very much, Mr. Speaker. When I did meet with the family, I confirmed that their physician did submit the application to the Out-of-country Health Services Committee, and that's exactly the process that needs to take place. These applications are not directed to the minister; they're directed to the commission, the agency that oversees this work. We trust that they will do so to the benefit of all to make sure that there is a decision that supports everyone.

I have to say that Greta's family is incredibly strong, and if she's half as strong as her family, including that warrior mom of hers, she has a very strong spirit, and I look forward to seeing her when she returns.

The Speaker: Second supplemental.

Mr. McIver: Thank you, and I thank the minister for the direct answer. Mr. Speaker, the family is trying to work with AHS bureaucracy and with the minister. One AHS official has insisted that a letter from the Cincinnati doctor explaining the procedure and providing justification for the urgency not be sent to the minister but through his hands. To the minister. You've demonstrated compassion by meeting with the family, and I thank you for that. They understand from that meeting that you will accept

communication from them. Can they send the letter to you, or must it go through the other person's hands first?

The Speaker: The hon. minister.

Ms Hoffman: Thank you very much. Again, my contact information and phone numbers of two staff who are in regular contact with individuals who would like some support have been given to the family. They are certainly welcome to contact us and ask for additional support in helping them to facilitate the process. But the application doesn't go to AHS; it doesn't go to me; it goes to the Out-of-country Health Services Committee. That's where the application certainly should be directed, but if they're having a challenge getting the letter to that individual, I'd be happy to help them do so, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Hawkwood.

Connolly: Well, thank you very much, Mr. Speaker. However, I believe it's the Member for Calgary-Mountain View first.

The Speaker: Hon. member, my apologies. This is the second day in a row that I've done that. There must be other things that are distracting me.

Dr. Swann: I forgive you. I forgive you, Mr. Speaker.

Child Protective Services on First Nations

Dr. Swann: Yesterday the wounds from Serenity's tragic death were reopened as we learned that six more children remain in the same home where her life was cut short. Our first reaction is to assume that the other children in the home might be in danger as well; however, the government says that there's no evidence of abuse or neglect that would cause them to intervene, and clearly there are difficult jurisdictional issues here involving a federal on-reserve family. That is good to hear, that reassurance from the minister, but Albertans cannot understand why we wouldn't err on the side of caution. To the minister: as a provincial authority what evidence do you base your decision on?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker, and thank you to the member for the question. Absolutely, the safety of Alberta's children is the key priority of Children's Services, so when there is any evidence or complaint or indication of concern, that is followed up with a thorough assessment as to the safety and well-being of Alberta's children. I will continue to state very clearly that when there is specific evidence of abuse of a child, that child is apprehended and then is supported by the courts. We continue to monitor the situation to ensure the safety and well-being . . .

The Speaker: Thank you, hon. minister.

Dr. Swann: Well, let me put it very succinctly, Mr. Speaker. First Nations children on reserve land are under the authority of the delegated First Nations authorities. Who is ultimately responsible for the safety of reserve children, the DFNAs or you?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. We work very closely with the delegated First Nations authorities to ensure the safety and well-being of children on Alberta's First Nations. It's no secret that conditions for children on First Nations in this province are far below what they are for children who live off-reserve. That's very

unacceptable, and there are many issues that need to be resolved, that have been complicated and have existed for a very long time. We're very committed to working with our First Nations to make sure that First Nations children have access to the kind of care and support that all children deserve, but their safety . . .

The Speaker: Thank you, hon. minister.

Dr. Swann: Mr. Speaker, the Premier rightly identified Serenity's death as a reason to establish the Ministerial Panel on Child Intervention to fix what the Premier called systemic problems. The system supposed to be watching out for Serenity clearly failed; however, we must not allow the jurisdictional issues to fail these children again. Finally, to the minister: if you come to believe that these six children are not safe but are outside your jurisdiction, what is your role to ensure their safety?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. I'd like to reassure the member that the safety of those children absolutely is my responsibility through Children's Services. Absolutely, if there is evidence that those children are not safe, that those children are being abused, then we'll utilize the power that the law has granted to us to apprehend those children.

The Speaker: The hon. Member for Calgary-Hawkwood.

School Fees and Education Funding

Connolly: Thank you, Mr. Speaker. I've heard from many teachers in my riding concerned that they won't be able to provide an adequate amount of school supplies as a result of Bill 1, An Act to Reduce School Fees. They're concerned that their ability to provide quality education will be compromised as a result of this bill. I have even heard that school administrators are telling teachers to hoard pencils in preparation for the upcoming school year. To the Minister of Education: should teachers be worried about this?

Mr. Eggen: Thank you for this question. Mr. Speaker, it gives us a good chance to provide some clarity. We have just passed, with unanimous support from both sides of the House, An Act to Reduce School Fees, so if any place, in any jurisdiction they're suggesting that they will raise school fees as a result of An Act to Reduce School Fees, this is incorrect. We must make sure that teachers and parents and students know that, in fact, in September we're putting money back into the pockets of those families and we are not raising school fees in An Act to Reduce School Fees.

2:10

Mr. Cooper: Point of order.

The Speaker: Point of order noted.
First supplemental.

Connolly: Well, thank you, Mr. Speaker, and thanks to the minister. To the same minister: if teachers have nothing to worry about but this confusion is out there, can you please clarify where the resources will be coming from to ensure that we can reduce school fees?

The Speaker: The hon. minister.

Mr. Eggen: Yes. Well, thank you, Mr. Speaker. Again, we are looking specifically at instructional supplies and materials to reduce those school fees for all students, for more than 660,000 students. As well, we have a reduction in busing transportation fees for some

categories of busing. Again, this is An Act to Reduce School Fees; it's not an act to eliminate school fees, nor is it in any shape or form to be construed as a way by which they can raise school fees as a result of this.

The Speaker: Second supplemental.

Connolly: Thank you, Mr. Speaker. Given that I see so many families in my constituency struggling due to the tough economic times that our province is facing, to the same minister: how many families will benefit as a result of this reduction in school fees?

The Speaker: The hon. minister.

Mr. Eggen: Well, thank you, Mr. Speaker. We expect that almost 600,000 Alberta families will see reductions in their school fees as a result of Bill 1. We are working not just to reduce fees but to equalize the landscape around school fees so that we can make further reductions and make sure that we're making life better for Alberta students, families, and teachers by starting this process.

Thank you.

The Speaker: The hon. Member for Fort McMurray-Wood Buffalo.

Health Facility Quality Assurance

Mr. Yao: Thank you, Mr. Speaker. My colleague identified serious concerns in the Lacombe health facility. These issues include things like not following dietary, infection control, patient handling, and SHARPS safety guidelines; no continuity in dementia training, fall management, and medical chart documentation; not implementing protocols on safe bath temperatures, nutrition and hydration needs, patient hygiene, and medication management. Infractions were found in almost every area inspected. To the Minister of Health: how often are audits performed in our health facilities, and who is accountable for this?

The Speaker: The hon. Minister of Health.

Ms Hoffman: Thank you very much, Mr. Speaker. There are regular reviews that happen, I believe, semiannually. If that's incorrect, I'll correct the record.

I also want to assure everyone that if they do have any questions about the safety of anyone who is living in a care facility, please contact protection for persons in care or raise the concern with the local site manager if they'd like to do so. Certainly, protection for persons in care is there to do these very types of things, to ensure that there are safety audits done if there are any specific concerns, and that's exactly what happened in this case.

Mr. Yao: Mr. Speaker, concerns have been raised at this facility for many years based on countless verbal accounts. Who deals with these complaints, and which department is accountable for the corrective actions? Is it the department of process improvement or infection prevention and control? Maybe it's internal audit and risk management or the department of culture, transformation, and innovation. What about integrated quality management or safe, healthy environments? What about the department of quality and health care improvement? Can the Health minister identify which departments within AHS manage these issues, and will you hold them accountable?

The Speaker: The hon. minister.

Ms Hoffman: Thank you very much, Mr. Speaker. The specific oversight for long-term facilities, including those within AHS, of course, rests with the assisted living branch within the government of Alberta as well as within Alberta Health Services, but there are many specific components within. That's one of the reasons why immediate steps were taken to investigate the concerns when they were raised. There was, in turn, an audit to ensure that that quality of care is provided to all residents, including the 75 who are there currently. I'm glad to report that a number of initiatives were taken to make sure that changes were made immediately, including the three staff who've been put on immediate leave.

Mr. Yao: Mr. Speaker, we all want to see an improvement in our health care system, and within AHS there are so many departments specifically tasked with patient safety, quality, and process improvement, to name a few, that are focused on ensuring operational integrity. Given that oversight and accountability for infection prevention and control are outstanding items from the 2013 AG's report, if we do not learn from this, we are doomed. Will this government provide a report on the issues pertaining to this facility, and when can you provide that?

The Speaker: The hon. minister.

Ms Hoffman: Thank you, Mr. Speaker. I'm happy to report today in this House that a thorough cleaning of the site was provided, that there is support and guidance from infection prevention and control professionals that are on-site to ensure that that happens and that there are improved communications between caregivers, residents, and families. There is also work with stakeholders to introduce a resident and family council. As somebody who attended those meetings when my grandmother was in a care facility, I can say that there are very productive ways to resolve issues at immediate sites as quickly as possible. I'd encourage people who have somebody in a facility and who would like to be involved to reach out to the site manager and say that they would like to be a part of the resident care family . . .

The Speaker: Thank you, hon. minister.

The hon. Member for Calgary-Fish Creek.

Pipelines to the West Coast

Mr. Gottfried: Thank you, Mr. Speaker. I suspect that members on the government side are happy that their comrades across the Rockies increased their seat count, but I know that most Albertans are uneasy about what this means for our province. If the results stand, the majority of seats in the B.C. Legislature will be controlled by parties opposed to the Trans Mountain pipeline. To the Minister of Energy: how do you intend to stop your political siblings from sabotaging Alberta's interests and our future?

The Speaker: The Minister of Energy.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. You know, B.C. voters have made their choices, and we're going to work with the government they have elected. We worked very hard to get two permissions, the Trans Mountain plus the other pipeline, and we're confident those projects will go through. It doesn't mean we stop just because we got permissions. We're going to keep fighting. We've applied for intervenor status, and we're going to keep fighting for Albertans because this is a good project not just for Alberta but for Canada.

Mr. Gotfried: Mr. Speaker, given that the Green Party currently holds the balance of power in B.C. and given that after Trans Mountain approval Dr. Andrew Weaver stated that “heavy oil tankers have no place on our coast” and given that he has stated that investment in any fossil fuel infrastructure is incompatible with meeting the targets set out in the Paris accord, again to the minister: will the B.C. election results delay the construction of the Trans Mountain or either of the two pipelines approved?

The Speaker: The hon. minister.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. As I mentioned, we’re going to continue to do the work. Our office was in contact this morning with Trans Mountain, who plan to do what they’ve been doing. They’re in B.C. talking to people as we speak. We will do the same. We’re going to keep working very hard to not just get a yes to the pipeline but to see those shovels in the ground.

Mr. Gotfried: Mr. Speaker, given that Tzaporah Berman has repeatedly insulted both Dr. Weaver and Premier Clark and given that the Premier continues to defend Berman’s place on the oil sands advisory group, claiming she brings an environmentalist world view, and given that there are numerous qualified individuals who could better represent this view without insulting multiple party leaders in other provinces, again to the minister: if so many people agree with Ms Berman’s perspective, why can’t you find someone who has the social licence to fulfill this role without insulting Albertans and our hopeful allies?

The Speaker: The hon. Minister of Environment and Parks.

Ms Phillips: Well, thank you, Mr. Speaker. Of course, the oil sands advisory group is made up of a number of companies and First Nations communities and environmental groups, and their first order of business was to provide government advice on the implementation of the 100-megatonne limit in the oil sands. That work has now been completed, and I fully anticipate that there will be a change in the membership as a result of that, which is what we have signalled from the very beginning.

Thank you, Mr. Speaker.

Electricity Power Purchase Arrangements

Mr. MacIntyre: Another day, another chapter in the PPA saga. The Market Surveillance Administrator will be investigating the Balancing Pool over allegations that the coal-fired assets returned to the government last winter are operating at a loss. Once again the NDP’s only plan is to leave the taxpayer on the hook for billions. To the Energy minister: did you task the same staff with understanding the Electric Utilities Act as you tasked with understanding PPA clause 4.3(j)?

The Speaker: The Minister of Energy.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. You know, we took action to protect Alberta consumers against backroom deals that were done many years ago, and we continue to do so. We did this by extending a loan to the Balancing Pool to reduce monthly charges to consumers because that’s what we’re doing. But let me be clear. This loan has nothing to do with the Balancing Pool’s mandate to manage those PPAs. It’s up to the management, and it’s up to the board.

Mr. MacIntyre: Well, this government’s interference with operations at the Balancing Pool is already under investigation due to a Wildrose FOIP. Given that this FOIP demonstrated a systemic

cover-up by the department and given that the Balancing Pool’s \$4 billion in losses will be shifted to a hidden tax bill instead of a politically dangerous monthly electricity bill, is the Department of Energy responsible for orchestrating Balancing Pool losses as a means of hiding the rapid cost increases stemming from your electricity overhaul?

2:20

The Speaker: The hon. minister.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. Again, let me be clear. The decisions about the PPAs are the work of the Balancing Pool, the management and their board. The MSA’s job is to investigate any complaints, which is what they’re doing. Both of them are arm’s length from our department.

Mr. MacIntyre: My goodness. Albertans are tired of the gross incompetence the NDP have shown. Given that Balancing Pool losses are now projected to exceed the entire first year of revenue from the carbon tax and given that we haven’t seen the full cost of the PPA debacle, with the NDP still battling Calgary-owned Enmax, to the Energy minister. Your government’s policies have done nothing but make electricity more expensive. Is this what ministers mean when they claim they’re making life better for Albertans?

Ms McCuaig-Boyd: You know, Mr. Speaker, again I will reiterate that the Balancing Pool is the one to manage the PPAs. It’s the MSA’s job to manage complaints, which they are doing. What we’re doing on this side of the House: I’m not going to apologize for standing up for Albertans. [interjections]

The Speaker: Hon. members.

Ms McCuaig-Boyd: We are doing that, Mr. Speaker. The opposition continues to want to support backroom deals that were made many years ago. We’re not going to do that. We’re standing up for Albertans.

Services for Students with Special Needs

Mr. Nixon: School staff and parents are very concerned. They were informed last month that funding is being cut by approximately \$1 million for central Alberta regional collaborative service delivery. For the Wild Rose school division, in my riding, this means losing the support of a social worker, invaluable student access to occupational therapists and to speech and language pathologists. The ability to diagnose disabilities like vision or hearing impairment and to intervene at an early stage of life is very important for long-term student success. Minister, will you please explain your reason for cutting this funding for central Alberta?

The Speaker: The hon. minister.

Mr. Eggen: Thank you, Mr. Speaker, and certainly thank you for the question. It’s very important that we do provide special-needs funding and services in all parts of the province. The regional service delivery method – the funding for certain boards was transitional funding over three years. Now we’ve moved to a regional model, and I can say that we have actually increased the funding this year by more than \$8 million on the regional model, and we have funding otherwise of \$451 million for inclusive education.

Mr. Nixon: Given that every year the Wild Rose school division subsidizes the inclusive education grant money it receives from the

government and given that despite these dollars they are still having to cut inclusive education staff and support due to inflation and rising costs and given that the number one challenge facing the Wild Rose school division and others is the significant mental health issues faced by students and their families, Minister, why is this government making it so hard for schools to meet the needs of their most vulnerable students?

The Speaker: The hon. minister.

Mr. Eggen: Thank you, Mr. Speaker, and thank you for the question. Certainly, we want to make sure that we are providing special education needs for all students. In general the regional service delivery method is a good way to pool resources so that you are getting the best possible people to help to intervene when students need it the most. I have individual school boards that do have problems as a result of the end of transitional funding, and I am in discussions with them, the Wild Rose school division amongst them.

Mr. Nixon: Given that schools say that they do not have the tools they need to support students with mental health needs or with other disabilities and given that partners in the central Alberta RCSD are getting together to advocate for restored funding because clearly this government has not yet communicated an adequate alternative arrangement and given that school jurisdictions are publicly calling for meetings with the government to discuss the negative consequences of this government's decision to cut, to the minister: what have you been doing to engage with the schools and the families in central Alberta about a strategy to address their valid concerns?

The Speaker: The hon. minister.

Mr. Eggen: Well, thank you, Mr. Speaker. Certainly, we are, as I said before, in discussions with school boards to look for ways by which we can provide that care for students who need it at the time that they need it. The best way to do that globally is to make sure you fund for education and you fund for enrollment. We have done so as a government for schools. We're building schools all across the province. You can't do that and have billions of dollars in cuts at the same time.

PDD Needs Assessments and Service Delivery

Dr. Starke: Mr. Speaker, it's been said that the measure of a compassionate society lies in how it supports those that are most vulnerable. Albertans with developmental disabilities face challenges every day, better addressed through a myriad of supports provided by government, support agencies, service organizations, and families. It is a complex network where, unfortunately, both duplication and gaps can and do occur. To the Minister of Community and Social Services: is your department following an overarching, co-ordinated strategy for the delivery of services to Albertans with developmental disabilities?

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

Mr. Sabir: Thank you, Mr. Speaker, and thank you, Member, for the question. Over the period of the last two years I've worked with persons with developmental disabilities, their advocate, their representative organizations, and service providers. Evidence of that is that we work with them on safety standards, we work with them on the supports intensity scale, and we work with them on

contracting going forward. We will continue to collaborate with them on all issues that matter to them.

Dr. Starke: Well, Mr. Speaker, given that there was only a fleeting mention of persons with developmental disabilities in the government's recent Speech from the Throne and there was no mention in the budget speech and given that this has led to concerns from stakeholder groups that the ongoing need for co-ordinated government support has disappeared from the government's radar screen and given that these stakeholders need assurance that this, in fact, is not the case, to the minister: Your government's silence is causing significant concern. What assurances can you provide to persons with developmental disabilities that they are still a priority for your government?

The Speaker: The hon. minister.

Mr. Sabir: Thank you, Mr. Speaker, and thank you, Member, for the question. I think what I have heard loud and clear from that community is: nothing about us without us. The past two years demonstrates that whatever steps we took, we took in close consultation and collaboration with the community. We will continue to work with them on all issues that matter to them.

Thank you.

Dr. Starke: Well, Mr. Speaker, in light of the fact that stakeholders within the PDD community were very pleased when this minister announced the end of the demeaning and degrading supports intensity scale, or SIS, test and given that this minister has indicated that his department would develop a more comprehensive and holistic approach to assessing the needs of those requiring supports and given that there's no indication of what assessment methodologies are being developed nor has there been any consultation with PDD stakeholders regarding alternatives to SIS, to the minister: we applaud your commitment to end SIS, but what are you replacing it with, and when will you be informing Albertans?

The Speaker: The hon. minister.

Mr. Sabir: Thank you, Mr. Speaker, and thank you, Member, for the question. As I said earlier, on all issues that matter to them we have worked with them. In the absence of that supports intensity scale there is still a process in place, which is more one-on-one contact with the families to assess their needs on a case-by-case basis to make sure that individuals get the supports they need based on their individual circumstances. We will continue to work with individuals and our community partners to make sure that persons with developmental . . .

The Speaker: Thank you, hon. minister.

The Member for Edmonton-Ellerslie.

Investment in Alberta

Loyola: Thank you, Mr. Speaker. A strong and sustainable economy is dependent on strategic long-term investment. Given that this investment requires a climate that provides opportunity and a competitive advantage over other jurisdictions, to the Minister of Economic Development and Trade: what strategies has this government developed to remove the barriers that have traditionally impacted this province's economy?

The Speaker: The hon. minister of economic development.

Mr. Bilous: Thank you very much, Mr. Speaker, and I'll thank the member for the question. There are a number of initiatives that our government has undertaken, including two tax credits which are going to provide Albertans an opportunity to invest in companies in their own backyard, something other jurisdictions have enjoyed for decades. We are also actively working to diversify our economy through initiatives in agriculture and forestry, through diversifying our energy sector, investing in partial upgrading but also the petrochemical diversification program. As well, market access is absolutely critical, and that's why we've rolled out programs to help our companies diversify their markets.

The Speaker: First supplemental.

Loyola: Thank you, Mr. Speaker. Given that this government has made it clear that a strong economy and clean environment go hand in hand, to the same minister: how is this government supporting our businesses and helping to ensure that Alberta will continue to be the economic and environmental leader Canada needs for the 21st century?

The Speaker: The hon. minister.

Mr. Bilous: Thank you, Mr. Speaker. You know what? I'm very proud of a number of things, including the fact that we are showing that the environment and the economy go hand in hand. You don't have to choose one over the other. The number of investments that will be coming into the province, including our own companies in renewables, wanting to get into the renewable space, is going to create thousands of jobs.

2:30

As well, Mr. Speaker, I had the pleasure of announcing a \$10 million investment in Alberta's carbon conversion technology centre, which is very exciting because this is providing support for companies to take carbon and add value or turn it into useful products. I'm quite proud of the work that is going on in Calgary.

The Speaker: The second supplemental.

Loyola: Thank you, Mr. Speaker. To the same minister: how is this government collaborating with private investors to ensure Alberta's economy diversifies and thrives and makes life healthier for Albertans?

The Speaker: The hon. minister.

Mr. Bilous: Thank you very much, Mr. Speaker. You know what? This morning I was very excited to stand with Janssen, which is the Canadian company of Johnson & Johnson, when they announced a J Labs pod, which is the first of its kind in the world. It is here in Edmonton. We are working collaboratively with the city of Edmonton. What this is doing is providing supports for our researchers and entrepreneurs so that they can commercialize their technologies, which we know the world needs, and it will also help us drive down our health care costs.

Renewable Energy Land Leases

Mr. Schneider: Mr. Speaker, several advisory groups have been cautioning landowners of late on the possible perils and pitfalls of renewable energy agreements. This government has said over and over that these agreements are strictly voluntary. Well, kind of. With the lofty goal of 30 per cent renewables by 2030, Minister, will the Surface Rights Board force right of access in order to tie in above- or underground cabling between tower structures and substations

regardless of whether neighbouring landowners want any part of renewables on their property? Yes or no?

The Speaker: The hon. minister.

Ms Phillips: Well, thank you, Mr. Speaker. Of course, as the hon. member knows, there are a number of existing wind facilities in his own riding. For example, the Blackspring Ridge wind project is the largest in Canada and created a number of jobs, 350 construction jobs and a number of permanent positions. It returns a large amount of revenue to towns and counties in his own riding.

To his question, Mr. Speaker, those are matters that are being dealt with through the permitting process.

Thank you.

Mr. Schneider: Mr. Speaker, given that my questions are based around landowner rights, I will continue. Given that under Bill 27 these renewable projects are considered activities and given that that side voted down our renewables equivalent to the orphaned well fund and given that there have been no legislative protections written for landowners, will the minister issue a ministerial order that demands that some form of remediation and reclamation bond be put on all renewable projects? Yes or no?

The Speaker: The hon. minister.

Ms Phillips: Well, thank you very much, Mr. Speaker. Of course, many of these questions are taken up in the approvals process. Certainly, from Environment and Parks' perspective, obviously the siting and wildlife directives are also important parts of the permitting process. As we phase in more renewable power, we will ensure that our regulatory framework keeps pace. You know, places like the village of Carmangay, for example: I've got a quote here from the mayor, who indicates that there are huge opportunities for that particular village as a result.

The Speaker: Thank you, hon. minister.

Mr. Schneider: Mr. Speaker, given that I know where all of the renewable projects are in my riding, I will ask a question. Given that these renewables projects will be assessed at a rapidly declining linear tax rate and given that it isn't uncommon for energy project companies of all types to fail and become insolvent and given that this government is providing little protection to landowners beyond buyer beware – Minister, agriculture is the number 2 business in this province – why does this government continue to treat this industry with little respect, certainly with regard to landowners' rights?

The Speaker: The hon. minister.

Ms Phillips: Well, thank you, Mr. Speaker. What I would suggest is that it is not helpful to affix the tinfoil hat a little too tightly with respect to what the Wildrose spreads for misinformation about renewables. [interjections] It is shocking the sorts of things that have come up in this Chamber with respect to what renewables are and what they can deliver to rural landowners.

An Hon. Member: Point of order.

The Speaker: Point of order noted. [interjections] Order, please.

Ms Phillips: I'll read from Gary Sproule, who is from Wheatland county.

It's sure nice to have an idea of a pretty good chunk of income that you are going to have available in the next 20 . . . years. You

can make some plans and have a little money [on the side].
You're not always sure of a lot of other things when you farm . . .

The Speaker: Thank you, hon. minister.
Calgary-West.

Child Safety Reporting and Investigations

Mr. Ellis: Thank you, Mr. Speaker. Yesterday the Premier said, "Our hearts also go out . . . to all Albertans who are concerned for vulnerable children across this province." Premier, Albertans' hearts are broken. Their faith in your government is shattered. We cannot comprehend the excuses this government offered for leaving children in a home where a little girl was beaten, starved, and sexually assaulted and from which her siblings were rescued. Premier, will you commit today to calling a public inquiry so all Albertans can have answers and Serenity can have justice?

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

Ms Larivee: Thank you, Mr. Speaker. [interjections]

The Speaker: Order, hon. members.

Ms Larivee: Mr. Speaker, again I will say that I am sharing more information for Albertans later this afternoon. I do want to continue to caution the members of this House about making statements without the facts . . . [interjections]

The Speaker: Hon. members.

Ms Larivee: . . . which, in fact, leads to inaccurate information being given to the public. I want to continue to assure all Albertans that we monitor the situation, and if there was evidence of abuse of a child, that child would be apprehended immediately because we take the safety of every Alberta child very seriously. [interjections]

The Speaker: You continue to yell at a level where I am unable to hear the minister. Please contain that volume. There are several of you. Member for Strathmore-Brooks, I'm speaking to you as well as to the other members, to all of you. Please keep your volume down here. Please. Thank you.

The hon. member. It's the first supplemental.

Mr. Ellis: Thank you. Minister, we'll just do it in two years' time, then.

Given that the minister said yesterday, "I would urge all Albertans that if they have concerns about the safety of a child, please let Children's Services know" and given that it is good to hear the minister address the public in this way, because according to the Child, Youth and Family Enhancement Act all adults have a legal obligation to report the matter to a director, Minister, can you specifically tell Albertans today who a director is and how you would contact them?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. I would certainly say that if any Albertan has concern about the safety of a child, they can contact any Children's Services office or call the child abuse hotline. You know, once again I want to say that, absolutely, Children's Services and this government take the safety of Alberta's children very seriously. We're thankful for the co-operation of Albertans to assist us with that in reporting all concerns about abuse. We will follow up, we will assess, and we will ensure . . .

The Speaker: Thank you, hon. minister.

Mr. Ellis: Well, let me run through this very convoluted process for you, Minister. Given that to seek intervention for a child, Albertans have to go to the Children's Services website and then they need to know to look under Abuse and Intervention, click on Child Intervention, and then scroll down to How to Get Help, eventually finding a phone number to call, and given that my proposal for Serenity's law makes it very simple – adults must call the police if they know a child is in need of intervention, but the government claimed last fall that it ran out of time to make this change – Minister, will you make it very simple and change the legislation now?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. Again I would encourage all Albertans, if they are concerned about the safety of a child, to call the child abuse hotline or to contact their local Children's Services. But I have to say that this government has a very strong record of being very concerned about the safety and well-being of Alberta's children. That has not changed. We will take action to ensure the ongoing safety and well-being of Alberta's children, and you have our commitment on that.

The Speaker: Edmonton-Whitemud.

2:40

Electronic Cigarettes

Dr. Turner: Thank you, Mr. Speaker. Control of inhalation of cigarette smoke is a very important preventive health measure. There has been a steady increase in usage of e-cigarettes in Alberta in recent years. Given that Health Canada is currently looking at how best to address and regulate this industry, to the Minister of Health: what plans does this government have to address concerns my constituents and I have regarding vaping?

The Speaker: The hon. minister.

Ms Hoffman: Thank you very much, Mr. Speaker and to the member for his important question as well as the expertise that he brings forward as an oncologist and as somebody who's been a cancer prevention advocate for decades. We're very grateful for that. I am proud that our government has a strong working relationship with the federal government. We are working to make sure that provincial regulations would of course flow from the federal legislation and working in partnership with other jurisdictions across Canada. I am working with the ministry to bring forward options that ensure safety and best regulatory approaches as we move forward.

The Speaker: First supplemental.

Dr. Turner: Thank you again, Mr. Speaker. Given that in recent years municipalities across Alberta, including Red Deer, Cold Lake, and Bonnyville, have introduced bylaws restricting the use of e-cigarettes in public spaces and given that vaping may occur near children, to the Minister of Health: is this government considering similar regulations?

The Speaker: The hon. minister.

Ms Hoffman: Thank you very much, Mr. Speaker and to the member again for his question. The municipalities that have been named certainly have done important work in this regard. As well, I know a number of school jurisdictions have made efforts as well,

and we want to commend them for their work in that area. We'll continue to review all of the moving pieces. Within Alberta obviously the regulations or guidelines would flow from federal decisions as well, so we want to ensure that we have safety but respect and want to commend local municipalities for making efforts that they think will provide best safety for their communities.

The Speaker: Second supplemental.

Dr. Turner: Thank you, Mr. Speaker. Given that families in my constituency are very concerned about the accessibility of e-cigarettes to children, to the same minister: will this government ensure its policies protect the health of children and youth?

The Speaker: The hon. minister.

Ms Hoffman: Thank you very much, Mr. Speaker. I want to highlight one that I think has very quickly addressed that in the past in a related manner, and that is of course ensuring that we banned flavoured tobacco products, including menthol, which the previous government failed to do. The research was clear. Flavoured products are an attraction to youth. We moved on that. We'll continue to monitor the research in this regard and work with cancer prevention organizations, with the federal government, and with the families that continue to be involved as well as with retailers. We're happy to continue to work in partnership with those parties as we make best decisions moving forward.

The Speaker: In 30 seconds we'll recommence.

Members' Statements

(continued)

Airdrie Food Bank

Mrs. Pitt: Mr. Speaker, I rise today to talk about one of the most recognized not-for-profits that exist in many of our communities across Alberta, Canada, and the world. In particular, I would like to talk about the important work being done in my community at the local Airdrie Food Bank. The Airdrie Food Bank is responsible for providing assistance to their clients within Airdrie, Crossfield, Balzac, Beiseker, Madden, and the surrounding area of Rocky View county. They provide many invaluable services to the community such as the community kitchen, a program designed to help people gain basic cooking skills and the ability to create well-rounded meals with food that's available.

Mr. Speaker, I'm proud to say that in my community the Airdrie Food Bank has been nominated for a national award titled Excellence in Food Banking. I know that the executive director, Lori McRitchie, and all of her staff and the volunteers will be successful given that they provide exceptional services with hamper programs, partnerships with schools, and other community-based nutrition.

No child, mother, or family should go without food, not in Airdrie, not in Alberta, not in Canada. It's a sad reality, but more and more Albertans are turning to these resources because of the economy, job losses, and rising costs. Wildrose has rallied hard to have exemptions brought forward for the carbon tax to ensure these amazing not-for-profits are not harmed by this government's risky, ideological carbon tax on absolutely everything. These pressures and other poor NDP policies have forced food banks across our province to do more with less.

I would encourage all NDP members to reach out to their local food banks and hear their stories first-hand. To the Airdrie Food Bank and all of the food banks: thanks for everything you do and

for being leaders in creating healthy, strong communities and families.

Thank you.

Tabling Returns and Reports

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

Mr. McIver: Thank you, Mr. Speaker. I am pleased to table five copies of an article from the CBC news website entitled Calgary Girl with Rare Cancer Gets Liver Transplant in U.S.

The Speaker: Any others, hon. members? Strathmore-Brooks? No.

Mr. Fildebrandt: I'm all out.

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

Mr. Dach: Thank you, Mr. Speaker. I rise today to table five copies of the preamble included in the March 2016 Canadian Real Estate Association's code of ethics, which I quoted during the recent Bill 204 debate. As noted in the preamble, realtors are dedicated and committed to the protection of property rights in this province.

Thank you, Mr. Speaker.

The Speaker: Any others, hon. members? The hon. Member for Spruce Grove-St. Albert.

Mr. Horne: Thank you, Mr. Speaker. I'm happy to table the requisite number of copies of an article talking about the order for the Trans Mountain pipeline using recycled Canadian steel from a unionized shop in Regina, and some of the metal is from Alberta.

Tablings to the Clerk

The Acting Clerk: I wish to advise the Assembly that the following document was deposited with the office of the Clerk: on behalf of the hon. Ms McLean, Minister of Service Alberta and Minister of Status of Women, response to a question raised by Mr. Cyr, the hon. Member for Bonnyville-Cold Lake, on April 12, 2017, Ministry of Service Alberta 2017-18 main estimates debate.

The Speaker: Hon. members, I believe we are at points of order. If I recall, it's the Opposition House Leader with respect to point of order 1.

Mr. Cooper: Yes. Thank you, Mr. Speaker. I'd like to withdraw point of order 1.

The Speaker: It's headed in the right direction.

Mr. Cooper: I can speak to point of order 2 if you like.

The Speaker: Point of order 2 would be nice.

Point of Order

Referring to the Absence of a Member

Mr. Cooper: Well, thank you, Mr. Speaker. Earlier today during question period, in response to a question from the opposition, the Deputy Premier referred to the Premier being in Toronto at this moment. We all know that referring to the absence or the presence of a member inside the Chamber is wildly inappropriate, and while she may have been pleased to talk about that, it still would be inappropriate to do so.

The Speaker: I just want to make sure. Can you just tell me that again? I don't know that I have the Blues. Hon. member, the statement that was made, if you might say it again.

Mr. Cooper: The Deputy Premier made reference to the Premier being in Toronto presently, today, at this moment. I also don't have the benefit of the Blues.

The Speaker: Thank you.
The Government House Leader.

Mr. Mason: Well, thank you very much, Mr. Speaker. The hon. Opposition House Leader is correct that it is inappropriate and has been ruled out of order to refer to the absence of a member. I believe in this case it was inadvertent on the part of the Deputy Premier to imply in some way the absence of a member. I do appreciate the Official Opposition House Leader's interest in standing up and protecting the interests of our Premier. I've seen many things over the years, but this is probably the first time I've seen that. So as it was very likely inadvertent, but it did actually happen, you know, I'm sure that the Deputy Premier is very remorseful, and on her behalf I will offer this as an apology.

Thank you.

2:50

The Speaker: Hon. members, it may well have been inadvertent. However, I believe there was an end result which was a point of order, so I'm sure it won't happen again.

The third point of order.

Point of Order Items Previously Decided

Mr. Cooper: Well, thank you. I rise to speak to a point of order. During the Member for Calgary-Hawkwood's question – and my point of reference for folks today and for those of you following along at home is 23(f). Mr. Speaker, you, sir, had the opportunity just yesterday to speak to Standing Order 23(f). For those who may not be familiar, 23(f) is: "debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded."

Now, yesterday in this very Chamber my colleague from the third party rose and asked a question about a vote that had happened or, in this case, as you ruled, a matter that had already been determined by the Assembly, and you ruled that it was out of order. Your ruling can be found on page 924 of Alberta *Hansard* from May 9, 2017, when you said these words.

And I in fact ought to have maybe jumped in sooner myself. Nonetheless, the subject matter in the first quotation was offside as it pertained to a decision of the House, and I cite Standing Order 23(f) and page 617, *House of Commons Procedure and Practice*: "Members may not speak against or reflect upon any decision of the House." In other words, an allegation or question concerning how a member has voted is offside.

The House has made a decision on the matter. I believe there was a point of order in this situation, and I would caution again all members to – it may be good politics at times to do that, but respect and honour in this House is [to be] determined by each of us.

Now, it may in fact have been good politics for the hon. Member for Calgary-Hawkwood to speak to Bill 1, but unfortunately you had made a ruling yesterday that spoke specifically to decisions that have been made by the House. While I may not have entirely agreed with the decision yesterday, the challenge is that when we have ruled, then we create a precedent. In this case the member clearly asked a question about Bill 1 from this session, that has been ruled

on in this Chamber. As such, this particular question should today, in fact, be ruled out of order.

The Speaker: The House leader for the third party.

Mr. Rodney: Thank you, hon. Speaker. Yesterday the Government House Leader raised a point of order, 23(j), against the hon. Member for Calgary-Greenway, as a matter of fact. Mr. Speaker, you did not rule on that but, instead, scolded him on something completely different, that was a reference to a decision of this House, 23(f). Now, as you recall, I asked for clarification, and I got a bit of a lecture, that many found disrespectful.

Today the NDP member referenced a vote in this Chamber, again 23(f). Based on the fact that yesterday our caucus was ruled out of order for exactly that, Mr. Speaker, I guess it comes down to a very simple question. Does the rule apply to the Member for Calgary-Hawkwood and other members of the NDP as well or only to this side of the House?

The Speaker: The Government House Leader.

Mr. Mason: Thank you very much, Mr. Speaker. I first want to address the points made by the House leader for the third party. It continues to amaze me how little this House leader knows about the rules of the Assembly despite being the person who is the second longest serving member of this Assembly. When you ruled yesterday, the member attempted to argue with you and, moreover, made a very erroneous argument, which he repeated again just now, that the Speaker may only rule on points that are brought up before him. That is not the case.

Mr. Speaker, if we can get to the point of order that was made by the Official Opposition House Leader, I think that he's made a very cogent case. It's clear that the standing order says that you may not debate any previous vote of the Assembly unless it is the member's intention to move that we rescind it. He's quite correct in that, and had the Member for Calgary-Hawkwood done that, he would have had a valid point of order. But I have the questions of the hon. Member for Calgary-Hawkwood, and it's very clear from that that he does not do anything like what has been suggested by the Official Opposition House Leader.

Here's the first question, Mr. Speaker.

Thank you, Mr. Speaker. I've heard from many teachers in my [constituency] concerned that they won't be able to provide an adequate amount of school supplies as a result of Bill 1, An Act to Reduce School Fees. They're concerned that their ability to provide quality education will be compromised as a result of this bill.

The Speaker: Hon. member, can you get to the substance? I have the copy.

Mr. Mason: You have it? Well, I hope that you will put that also on the record, Mr. Speaker.

It's very clear that he's asking about concerns of constituents about the impact of this bill, and that is . . . [interjections]

The Speaker: Hon. members, please. [interjection] Hon. member. Who is talking?

Go ahead.

Mr. Mason: Thank you, Mr. Speaker. That does not constitute reflecting on the decision of the House. It simply asks about concerns of his constituents about the impact of a decision that has been made. There is a very, very big difference between the two things, and it is absolutely in order for a member to ask on behalf of his constituents about concerns that are raised by any matter that

may have been passed by the House or actions that are taken by the government.

Should you choose to rule in favour of this, Mr. Speaker, we might also say that the opposition is not entitled to ask questions about the carbon levy because that is a decision of the House and so on and so on.

Thank you.

The Speaker: To the leader of the third party: I would point out that in your comments – and it applies to all. How many times have I said it? Each situation ought to be considered in context. I believe that the situations today, last week, tomorrow each will be different.

In this particular situation there was no point of order because there was no reflection upon the decision. There was no reflection. As the Government House Leader said, it was simply responding to the fact. I think he makes a good case in terms of the fact that you may well limit debate on other questions if you were to raise that point. So in this situation there is no point of order.

The next point of order. I believe there's one more left. Is that correct? Who was that from? Go ahead, hon. member.

Point of Order Language Creating Disorder

Mr. Rodney: Actually, it's on behalf of our hon. caucus leader of the PC opposition. Standing order 23(j) reads: "Uses abusive or insulting language of a nature likely to create disorder." Now, on this particular occasion, Mr. Speaker, in answer to a question, the minister of environment referred to the opposition as spreading misinformation, and it went on over and over. It's been used many times. I dare say that if any member on this side suggested that the government was spreading misinformation . . .

The Speaker: Excuse me, hon. member. Hon. member, you continue to imply, whether it's intentional or not, to this House that decisions by the chair are somehow being applied because of which side of the House they're sitting on. I would respectfully ask with respect to the process that if you haven't, avoid those kinds of suggestions. I think the record will stand in terms of its fairness of application in this House.

Please proceed. Thank you.

Mr. Rodney: I concluded my comments, Mr. Speaker.

The Speaker: So what is your point of order, then?

3:00

Mr. Rodney: On behalf of the hon. PC caucus leader of the opposition 23(j), which reads, "abusive or insulting language of a nature likely to create disorder," to reference the fact that the minister of environment, during one of her answers, referred to the opposition spreading misinformation. There are many words that have been disallowed in this House that have a denotation or connotation along these lines. I would hope, Mr. Speaker – you can apply this any way you want – that the rules would be the same for everyone in this House, and that indeed should be a violation point of order under 23(j), that language.

Please and thank you.

The Speaker: The Government House Leader.

Mr. Mason: Thank you very much, Mr. Speaker. Well, clearly, as you've already indicated today, context means everything. It's for you to decide whether this particular use crosses a line or not. The only point that I would make is that we have seen repeatedly from the opposition use of that language and stronger language. Even

today the hon. Member for Grande Prairie-Smoky in his member's statement used the term "lie" at least twice, and taking cover under the rule for member's statements that does not allow interruption or points of order, he clearly violated the rules. We see this repeatedly on the other side. Then when much milder terms are used, the opposition stands up with this mock indignation and tries to pretend that the government has transgressed the rules of the House, the very rules of which . . . [interjections]

The Speaker: Hon. members.

Mr. Mason: . . . they regularly and flagrantly disregard in a complete lack of respect, Mr. Speaker, for the House and for yourself.

The Speaker: The Opposition House Leader.

Mr. Cooper: Well, Mr. Speaker, it's a pleasure to rise. I had hoped to sit this one out, but unfortunately the Government House Leader left me no option but to rise and speak to this particular point of order and respond briefly to the comments from the Government House Leader, particularly with respect to the Member for Grande Prairie-Smoky. The Member for Grande Prairie-Smoky may have in fact said the word "lie" but did not make an allegation against the government side of the House. He said that there was an either/or, and it could have been the federal government. We all know that that can happen.

Now, more importantly than that is that the Government House Leader makes an allegation that this side of the House will effort to bend the rules while at the same time ministers of the government have made allegations that the opposition members are misleading Albertans, sir. That is clearly an abuse of the rules. It is the exact same thing that took place earlier today in the member's statement from the Member for Grande Prairie-Smoky.

If the government is going to make allegations about the opposition misleading the Chamber, which has happened on numerous occasions, particularly from the minister of environment in the past, the opposition, too, will make statements that reflect the beliefs of the opposition. It is very problematic that the government can make these statements and then rise on a point of order to say that the opposition is the one that is trying to bend the rules. Nothing could be further from the truth, sir. All members of the Chamber should be held to the same standard, and the rules need to be applied the same to all members of the Chamber.

The Speaker: Any other members like to speak?

Then thus it goes, that the applications within the principle of context ought to be applied, and in this particular instance I believe that the minister was somewhat inflammatory with her remarks and would caution her again. I think there was a point of order in this situation, and I need to remind both sides of the House to avoid those kinds of comments.

Hon. members, you continue as a group to create – someone is going to be able to sell a very valuable book: new words that you can say in here that mean something other than what you intend but not get onto the list. I consider that there was a point of order in this situation, and I would caution the minister in the future.

The Government House Leader.

Mr. Mason: Thank you very much. Thank you for the ruling, Mr. Speaker. On behalf of the Minister of Environment and Parks I withdraw the comment and apologize on her behalf.

The Speaker: Thank you.

Hon. members, I have an important meeting to go to, which I'm looking forward to.

Orders of the Day
Government Bills and Orders
Second Reading

Bill 13
Securities Amendment Act, 2017

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

[The Deputy Speaker in the chair]

Mr. Ceci: Thank you very much, Madam Speaker. I rise today to move second reading of Bill 13, the Securities Amendment Act, 2017.

The Alberta Securities Commission is mandated to protect investors and foster a fair and efficient Alberta capital market. A well-regulated and efficient financial system where investors are protected is essential for investor confidence and can allow for innovation. As I've said in this House many times before, the securities regulatory landscape has become more complex, sophisticated, global, and driven by technology than ever before. Throughout the world regulators and legislators have to be nimble and act vigilantly while also allowing for innovation. Simply put, regulators and legislators must keep abreast of a landscape that is ever changing and constantly evolving while at the same time be prepared to update our laws and regulations at regular intervals.

Before I get into the substance of the Securities Amendment Act, 2017, I think it would also be beneficial for all members of this Chamber to briefly review where we are and where we have come from over the past few years. Roughly a year ago this government announced that it would stand up for Alberta businesses and investors by backing our provincially led securities regulator to continue overseeing our capital markets rather than deferring this responsibility to a single national agency. We took this decision after taking the time to fully understand the implications of regulatory oversight in our capital markets and the excellent leadership role our provincial regulator has taken on the national stage.

As we made this decision, we set out three goals, or three principles, that would guide our approaches to our capital markets on a go-forward basis. Those three principles were investor protection, market integrity, and an efficient system of capital formation. We all know that these goals are best achieved when our capital markets operate transparently, when regulatory standards are harmonized, and when we have effective, authoritative oversight.

All members of this House can appreciate that our capital markets are defined by the resource sector, and it remains our belief that it only makes sense to have a provincially led securities regulator who understands our province's unique need. As I said at the time, when you have highly localized and specialized capital markets, as we do in Alberta, effective oversight is increased by having a regulator just blocks away from the action, not thousands of kilometres away on Bay Street. While I'm certain that this government made the right decision to continue with our provincially led regulator, that decision requires this government and this Legislature to regularly keep our laws up to date. The responsibility falls on us, and we will not defer that responsibility to Bay Street or Ottawa.

3:10

As members of this House know well, this government has been working consistently with our industry partners to ensure that our capital markets remain well regulated, provide effective mechanisms through which companies can raise capital, and to ensure our laws are kept up to date. Alberta and this Legislature must ensure that our securities regulatory system continues to reflect the realities of current markets and aligns with international standards and regulatory reforms.

To achieve this objective, this government has brought on a number of amendments before this House to ensure our capital markets continue to function effectively. Madam Speaker, if I'm not mistaken, all of our previous amendments that this government has introduced received unanimous support in this House. As a reminder members of this Chamber have voted in favour of legislation that I introduced to do a number of things, including amending the definitions of a derivative reporting issuer and security, amending the amount of advance notice a witness must provide to appear at a Securities Commission hearing, making smart changes to halt trade provisions, harmonizing provisions related to civil liability, and the list goes on. The important thing here is that we all acknowledge how critical it is to continue updating legislation as required to keep our capital markets strong, and we do so in a fashion that keeps to our three key operating principles.

Madam Speaker, with that very important context in mind let me say a few words about the Securities Amendment Act, 2017, and steps this government is taking to continue ensuring that we have strong investor protection, that we continue to maintain strong market integrity, and that we continue to build the necessary institutional infrastructure to allow for an efficient system of capital formation. Let me also state that these proposed amendments, that I will discuss and that are part of the Securities Amendment Act, 2017, have been developed in line with our key operating principles and in co-ordination with other industry partners.

First, let me focus on investor protection. Currently the Alberta Securities Commission has statutory powers to compel attendance and the production of evidence during both investigations and adjudication phases. However, self-regulatory organizations, or SROs, such as the Investment Industry Regulatory Organization of Canada and the Mutual Funds Dealers Association do not have this authority. It is the view of this government and the ASC that the vast majority of market participants need this change, so we all agree. We need to ensure that self-regulatory organizations, or SROs, have the necessary authority to do their work, like other self-regulatory organizations in our society. Providing SROs with the same authorities as the commission will strengthen their enforcement abilities and improve investor protection.

Let me be clear. The vast majority of market participants are honest, trustworthy, and follow the rules. The issue is that we need to protect against the few bad apples that are out there. As members of this House know well, trust is integral to the integrity of our capital markets. When a few bad apples take action and swindle investors, trust can erode very quickly, and when overall trust erodes in our capital markets, it becomes incredibly difficult if not impossible to raise capital. Therefore, the proposed amendments before you with respect to self-regulatory organizations are important for two reasons. First, these changes will help protect individual investors and, therefore, improve investor protection. Second, and just as importantly, these changes are one step that we can take to improve overall trust in the market and, therefore, help to improve market integrity.

The proposed amendments will also extend immunity to their directors, officers, employees, and agents from civil liability and will also clarify the conditions that immunity is provided to these organizations. Providing immunity from liability for good-faith acts during the exercise of regulatory or delegated duties, functions, or powers makes it possible for these organizations to conduct enforcement more effectively. I think all members of this House can agree that these are common-sense changes and will help to ensure that our capital markets continue to operate fairly and efficiently.

Madam Speaker, while the amendments that I have just discussed form the largest part of this bill, I should add that the Securities Amendment Act, 2017, has a few other very minor components. Most notably, there are some changes that are housekeeping in nature to ensure clarity and better compliance with Alberta securities laws. In particular, amendments to Lieutenant Governor in Council regulations will apply provisions to persons and companies to ensure the act is consistent and allow the application to all parties, as intended by the legislation.

In closing, Madam Speaker, and to summarize, these amendments before this House today will help ensure Alberta's securities regulatory system reflects the realities of today's markets and evolves with international standards and global regulatory reform initiatives.

Let me also add that the common-sense amendments before this House today also have broad support in the financial community. We have worked closely with the ASC and our industry partners like IIROC on developing these changes. These changes or amendments have been widely applauded by groups like the Canadian Association of Retired Persons. For example, Wanda Morris from CARP came out publicly and said the following about the Securities Amendment Act, 2017:

I've heard too many heart-wrenching stories of individuals who have lost their life savings because they trusted the wrong person: an unscrupulous financial advisor. Today's changes will help hold wrongdoers to account.

Wanda went on to say that this legislation is a critical step in bringing rule-breakers to justice and deterring wrongdoing, thus better protecting investors in this province.

Likewise, Andrew Kriegl, president and CEO of the Investment Industry Regulatory Organization of Canada, or IIROC, and former deputy superintendent of the Office of the Superintendent of Financial Institutions, had the following to say about this legislation.

We congratulate the Minister of Finance and the Government of Alberta for their leadership in being at the forefront of investor protection in Canada. With these [legislations] Alberta becomes the first province in Canada to provide [self-regulatory organizations] with a complete toolkit, enabling us to more effectively fulfil our responsibilities as a public interest regulator and bring wrongdoers to justice.

Madam Speaker, I think we can all agree that keeping our securities laws up to date is a good idea and in the best interest of Albertans, and I think we can all agree that improving investor protection is good not only for investors but for the overall long-term health of our capital markets in this province. On that note, I think that the amendments before this House warrant the support of all members. These amendments are reasonable, practical, and in the best interest of Alberta's capital markets. These amendments align with our overall strategy of improving investor protection, strengthening market integrity, and ensuring we have an efficient system to raise capital.

I would ask all members of this House, Madam Speaker, to support this bill as we work to ensure the long-term vibrancy of our unique and innovative capital markets in this province. Thank you.

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

Mr. Fildebrandt: Thank you, Madam Speaker. I rise today to speak to Bill 13, the Securities Amendment Act, which will strengthen our investment regulators and harmonize our regulations with the rest of Canada. I want to thank the Minister of Finance for bringing this forward. I might even give myself a puffball of the day award for the speech I give today.

3:20

Canadian provinces, ours included, have long been opposed to a forced national securities regulator. The Minister of Treasury Board and Finance wrote an article on that subject in April of last year in which he said, "It only makes sense to have a provincially led securities regulator who understands our province's unique needs." I agree with the minister. Don't get used to it, Madam Speaker.

The bill will assist in strengthening our regulatory process and those bodies that best understand Alberta's investment industry. If we are going to control our own securities system, let's make it the best in Canada.

The groups that will be the main benefactors of this bill will be the Mutual Fund Dealers Association of Canada, MFDA, and the Investment Industry Regulatory Organization of Canada, IIROC. Alberta's Securities Commission has delegated investigation powers to both of these organizations, the MFDA and IIROC. These two bodies are responsible for those companies and individuals who are registered beneath them. This is an excellent example of a decentralized structure working more efficiently if everyone is looking for examples as to how to make other parts of our government work more effectively.

IIROC and the MFDA have encountered issues following through with their investigations, especially when it comes to the collecting of evidence. One example provided by IIROC was when they attempted to track down evidence against an investor who was accused of misappropriating the funds of a client for their own personal use. The most obvious way to track whether or not this was true would be to follow the money. IIROC has access to its clients' accounts, and they can see what happens to every cent that is invested with clients of the investors who are registered with IIROC. Of course, this information is only accessed with the permission of their clients, which was granted when the investigation was requested by the client. When IIROC had access to the client's side of the equation, they did not have access to the investor's bank accounts. To trace the money, investigators at IIROC would need to gain access to the bank records of the investor.

Banks are mandated to protect their clients' personal information and are not required to give this information to IIROC. The reason the banks are not required to give up this information is because IIROC does not have the authority to compel the bank to provide this information. This is one example of a need for the change in legislation that is provided in this bill.

With the powers granted within this bill, IIROC and the MFDA would have the equivalent powers as an investigator for the Court of Queen's Bench. If Bill 13 passes and a situation arises where bank records are required to investigate a case of using the client's funds for personal use, IIROC would be able to compel the bank to provide this information.

Another example is when investors are trying to determine if a report of insider trading is legitimate or not. There are many ways of communication in this day and age, and almost all of them are traceable in one form or another. Text messages are recoverable, e-mails are located on both the sending and receiving end, and phone

records show who called whom and when. All of this information can be used as evidence if it can be acquired.

To accuse someone of insider trading is a serious accusation and will result in severe consequences when prosecuted and convicted. There has to be some way to prove that someone with insider knowledge misused this information and spread it one way or another. Text messages or phone records would need to be obtained from the phone company as a piece of evidence with building their case upon the receipt of a warrant. Just like banks, phone companies will protect their clients' personal information and are not required under current laws to provide this information to IIROC or the MFDA. Without this bill investigators will face a roadblock they cannot overcome.

These are just two examples of the reasons why the changes within this bill are necessary.

When Albertans invest, they need to be assured that their money is invested with and not beyond the reach of the law. At the moment, without this bill, there are those who believe they can get away with illegal and immoral use of other people's hard-earned money. Strengthening our regulatory bodies will give Albertans peace of mind. Albertans are already struggling in an economy, and they should not be worried that any of their savings would not be protected by the law. Albertans want to be assured that those they are investing with cannot use loopholes in our legislation to get away with stealing or misusing their money.

One very positive thing I'd like to point out in this piece of legislation is the fact that this would not increase the province's debt. It won't cost us a penny. Nowhere in this bill would the government be spending more money or creating debt. It always pleases me when the government finds ways to solve problems without throwing money at it. If this could be a theme for the rest of the government's last two years of record, that would be wonderful.

Stakeholder outreach is very important when creating legislation. I'm sure that the government remembers Bill 6 and other fiascos when outreach was not done properly in advance. It seems for the most part that in this case stakeholder outreach has properly occurred.

I'd like to read an excerpt from IIROC's 2016 Enforcement Report, where they ask for another change being brought forward in this bill.

IIROC is seeking statutory immunity for its good faith performance of all of its regulatory functions undertaken pursuant to its Recognition Orders, including action taken by Enforcement. While there are limited common law protections, statutory immunity would ensure that IIROC and its employees have the same protection as provided to the provincial securities commissions and other regulatory bodies. We strongly believe that this immunity is necessary in order to allow us to take appropriate regulatory action in the public interest without fear of reprisal.

I agree with IIROC, in that if they are being directed to fill the shoes of the Alberta Securities Commission, they should be provided with the same immunity as the Alberta Securities Commission while investigating white-collar crime. IIROC and the MFDA are not requesting to be above the law with this change. They are requesting to be able to enforce the law with the same protections as other Alberta organizations who complete the same work.

This protection is not needed for one or two investigations a year. Investigating white-collar crime is not a minor part of their mandate. Last year IIROC alone had almost 1,500 complaints, and 138 of those were investigated. That is more than one investigation every three days. Without this immunity protection granted within

the bill, investigations on this scale would be hazardous for investigators. White-collar crime is devastating to many families, and it should not be devastating to those investigating wrongdoers.

Unlike the laws that the minister of Treasury Board and Finance writes to govern himself and the actions of this government in their fiscal framework, we need to ensure that the laws have consequences and are enforceable. When we pass laws here, we should be bound by them. If that's not the case, we need to make it the case when we're writing legislation for our regulators at the very least. This piece of legislation is a step in the right direction when it comes to prosecuting white-collar crime. The minister should consider some enforcement legislation for how this government complies with our own fiscal framework legislation. We should be a leader, and we should not be above the law.

I'd like to encourage all members of the Legislature to support this bill. We need to protect Albertans, and we need to protect their hard-earned money. It is encouraging to see this government putting forward a bill that protects their hard-earned money instead of taking it from them in the form of taxation, levies, and other terms they'll invent to take more Albertans' money. It is important to close loopholes that allow white-collar crime to get away with misappropriating other people's money. I know that Albertans don't like it when their money is taken from them in any case, so we need to ensure that we have the best possible legislation in place to protect those who are protecting our investors and to protect investors in Alberta.

With that, I will ask all members of this Legislature to support Bill 13 and ensure that it gets passed in short order. Thank you, Madam Speaker.

3:30

The Deputy Speaker: Any other members wishing to speak to the bill? Calgary-Currie.

Mr. Malkinson: Thank you very much, Madam Speaker. It's always a great day when the Member for Strathmore-Brooks and I agree on something.

The Securities Amendment Act, 2017, if passed, would put Alberta at the forefront of investor protection by providing the Investment Industry Regulatory Organization of Canada and the Mutual Fund Dealers Association with the same enforcement powers as the Alberta Securities Commission. This change would empower both organizations to compel attendance and the production of evidence during investigations and hearings, allowing them to better protect Albertans' investments. Thus, enforcing Alberta's securities laws would also be immune from civil liability, allowing them to enforce the law effectively without fear of liability.

Madam Speaker, you know, I have a quote here, actually, from Wanda Morris, the vice-president, advocacy, of the Canadian Association of Retired Persons, who goes on to say that she has heard too many heart-wrenching stories of individuals who lost their life savings because they trusted the wrong person: an unscrupulous financial advisor. Today's changes [would] help hold wrongdoers to account. We welcome today's announcement as a critical step in bringing rule-breakers to justice and deterring wrongdoing, thus better protecting investors in this province. We look forward to additional, practical steps like [these] from the Government of Alberta.

Madam Speaker, I think that's an excellent example of how this Securities Amendment Act is working to make life better for Albertans. It's just like how we are doing that on the business front, where we are making life better for Albertans by supporting our businesses through our investor tax credit that was brought forward by our Minister of Economic Development and Trade and is just –

you know what? – a small example of the many things we are doing in this government, big and small, to help Albertans, to make life better for Albertans.

Now, in the bill itself, Madam Speaker, one of the most interesting sections that is in this bill and that I think is perhaps the most important is section 69.1, where they specifically talk about those investigative powers.

A person [who is] appointed to conduct an investigation has the same power as is vested in the Court of Queen's Bench [before a] trial of civil actions.

What that means is that that person will have investigative powers just like Queen's Bench, and that gives them the ability

- (i) to summon and enforce the attendance of witnesses,
- (ii) to compel witnesses to give evidence on oath or otherwise, and
- (iii) to compel witnesses to produce documents, records, securities, derivatives, contracts and [other such] things

that are needed in the course of an investigation.

Madam Speaker, why are we doing this? I mean, as our Minister of Finance mentioned in his opening statements just recently, you know, Alberta has made an ongoing commitment to reform, modernize, and harmonize securities laws in Canada, and since then Alberta has made a practice of reviewing and updating its securities laws annually, along with other provinces and territories, that came about as a part of a 2004 memorandum of understanding. The securities regulatory landscape in Canada has become more complex, sophisticated, and international in scope and is more driven by technology than ever before. Since the 2007 financial crisis it has become more difficult to sustain quality capital markets, and Alberta's challenge is to deliver the right regulation to support investor confidence and to encourage investment, innovation, and economic growth in Alberta and across Canada.

I, of course, note that when it comes to encouraging investment and innovation and economic growth in Alberta, just recently, Madam Speaker, we have seen a whole lot of investment in our oil and gas industry here in Alberta as Canadian companies such as CNRL have been investing heavily in our oil sands, backed by various large investors throughout Canada and Bay Street and around the world. That, I think, speaks to the business climate that we are bringing forward in this province and, frankly, to the confidence that investors have in our province.

The Securities Amendment Act works to make sure that we keep reviewing our securities legislation every single year and bring in those changes to make sure that confidence is sustained so that consumers can invest with confidence in Alberta or wherever they choose to do so. Alberta must ensure that our securities regulatory system reflects the reality of today's markets and stays in step with evolving international standards as well as global regulatory reform.

Madam Speaker, you know, of course, a lot has been said on this already, and with that, it seems that we have support from the Finance critic from the opposition, the hon. Member for Strathmore-Brooks. It's always nice when we can find agreement on these sorts of things in the House.

With that, I will encourage all members of the House to vote in support of this important and much-needed bill. I'm sure, as many members of the House will note, that it's probably not the most exciting piece of legislation that we have, but it will make a very big difference to consumers who are investing in this province. I think it's important, and as legislators we need to examine it and debate it. I encourage all members of this House to vote in support of the bill.

Thank you, Madam Speaker.

The Deputy Speaker: Standing Order 29(2)(a) comes into effect if there are any questions or comments for the previous speaker.

Seeing none, I will call on Edmonton-Ellerslie.

Loyola: Thank you, Madam Speaker. As always, it's a pleasure to get up in the House and speak to the legislation that's before us. Specifically, when it comes to the Securities Amendment Act, 2017, I'd like to paint a picture for all the members that are here.

Before I do, though, I'll mention that at one point I actually used to work for RBC Dominion Securities, as I've pointed out in the past. As I was going through and reviewing this piece of legislation, I was reminded of a lady, Maria. Maria used to work as a maintenance person, and every paycheque she'd simply put \$50 into a Canada savings bond. That was all she could afford, but that's what she did. Every paycheque would come by, and \$50 would go into that Canada savings bond, and she saved and she saved and she saved and she saved. Finally, when it came to retiring, she transferred her money over to RBC Dominion Securities.

Of course, we don't think about it often, but, you know, when you start saving \$50 every paycheque over a lifetime, it adds up to a substantial amount of money. Maria transferred that money over to RBC Dominion Securities, and then she had a stockbroker invest that money for her, as I recommend all Albertans do. Save that piece of money. Save that little bit of money every month, and make sure that you invest it wisely.

That's why the Securities Amendment Act, 2017, is important and also for us here in the province of Alberta to continue updating our regulatory system through the Alberta Securities Commission: for people like Maria. I want you to imagine a situation where a person who has saved their entire life – you know, I really respect all Albertans but specifically those ones like Maria. Every day they go to work, and they do what they need to do. They honestly gain money through the sweat of their brow, their hard-earned money, as the Member for Strathmore-Brooks pointed out. For them to be cheated out of that hard-earned money that they've saved over an entire lifetime is just a catastrophe. It's a catastrophe.

3:40

I want to say that most businesses here in the province of Alberta are honest. They do what they need to do. They're investing. They're trying to build and help our economy grow, and that's excellent. But there are the few bad apples out there. That's what we're trying to do, protect people like Maria from those bad apples. That's why this piece of legislation – you know, it's been mentioned before that people say: oh, it's not the most exciting piece of legislation. But let me tell you that it sure is necessary. It is absolutely necessary. We often don't think about how capital markets impact the everyday lives of Alberta citizens. This is why I'm trying to highlight Maria's experience, right?

I think it's really important that, as the Minister of Finance and President of Treasury Board has stated, we've consciously taken on the responsibility and made a decision that we continue with having the Alberta Securities Commission, our own commission right here, because of the fact that it responds to the specific market that we're trying to develop within here, inside of the province, and why it's so important to continue amending the Securities Act on a regular basis.

As was pointed out, the regulatory landscape is continuing to become more complex and more sophisticated, and I'll give you the example of crowdfunding. It's a great example. You know, especially start-ups, new technologies, new people, new young people in our communities and in our economy: they're starting to get together and they're working out new ways of putting together businesses. Crowdfunding is a major way that they can explore

research and bring a commodity or a service, a business idea of their own, to market. As we continue to grow here in Alberta in terms of implementing new technologies and new ways of doing business, new ways of providing services, crowdfunding is going to become more and more a way of raising finance capital for those ideas, and the Securities Commission is going to have to be able to respond to that in that way.

We don't want to be in a situation where, let's just say, hypothetically speaking, a group of people decide that they're going to go into a business idea. They start crowdfunding, and then all of a sudden instead of using the money for what they stated it was going to be used for, they use it for something else. Then imagine all those people who bought into the idea to provide that service or that product that these people were saying they were going to do who all of a sudden are out that money that they've invested through that crowdfunding avenue.

I'm happy that we continue to have our own provincial regulator here. I think it's really important, as was mentioned by the Minister of Finance and President of Treasury Board. We're a unique province here, and the investments that are being made here continue to be ways that we build and grow our economy.

With that, I want to say how proud I am that we've passed legislation on the Alberta investor tax credit. These go hand in hand, right? You have Albertans that have been saving that money, and they have a friend or perhaps someone they know, and they want to be able to help that friend or acquaintance grow their business. Of course, the Alberta investor tax credit is a great idea to help Alberta businesses grow and be able to invest that money. What could be better?

You know what? When I go out into the public and I talk about the Alberta investor tax credit with people in the community in my own constituency and others around Edmonton and in the province, they're like: "Oh, a 30 per cent tax credit? Well, that's great. It totally makes sense." It's a great piece of legislation that's going to help spur on growth in our economy. Like the Alberta investor tax credit, the Securities Amendment Act, 2017, is going to help encourage growth and help people like Maria feel that they can trust that we have a good regulatory system here in the province of Alberta.

I want to speak a little bit to the fact that we have unanimous support for this. I think it's great. I think it's wonderful that we can all agree on something that's so important and on how important it is to regulate capital within our markets. You know, there are certain people in this House who I've heard say that they would much prefer a libertarian way of going about capital markets. "No regulations whatsoever" is what they seem to imply, right? I mean, they want no government intervention whatsoever. I think that's kind of strange, right?

At the same time they get up in the House and say that, well, they support this piece of legislation. Great. Wonderful. But I think it's so important to have the intervention from the Alberta government, from the Alberta Securities Commission, people who are investigating and who know capital markets, know how capital formation occurs within the province, that specifically contributes to the growth of industry right here in our own province. Regulation is absolutely essential because at the end of the day, we're helping people like Maria and helping to protect investors.

Now, we're going on and even taking a further step and making sure that other SROs, or self-regulatory organizations, also have the authority to do their own work in making sure that investors are protected. I think this is an incredible move in the right direction. Providing self-regulatory organizations with the same authorities as the commission will strengthen their enforcement abilities and contribute to the protection of people like Maria. As I stated before,

this improves overall trust in the market, which is what the end objective is really all about at the end of the day.

With that being said, the fact that we do have unanimous support, well, what I feel is unanimous support – I want to highly encourage all members of this House to vote in favour of the bill.

With that, I will close, Madam Speaker. Thank you very much.

The Deputy Speaker: Under 29(2)(a), the hon. Minister of Finance.

Mr. Ceci: Thank you very much, Madam Speaker. You know, it's fascinating listening to the real-life example that you shared with us from your experience, Member for Edmonton-Ellerslie. I just wonder: in that circumstance – and, you know, I was out for a little bit, so I didn't hear the whole thing about Maria's situation – it sounds like the duty to compel during investigations would have assisted her situation and brought more information, evidence to the table more quickly so that situation could be totally understood in terms of how she was investing with a group who was fraudulent or misusing the funds that she had committed to that investment. I'd like to hear more about that if I could.

I'd just like to better understand, you know, the kind of feedback you're getting with regard to the independence the Alberta Securities Commission has and the steps this government took to reinforce that, hiring a top-notch executive to be the chair of the commission as well as the CEO, Stan Magidson, who spent time with the ICD as their leader in Toronto and had great support in the capital investment community here in Alberta for his hiring. We're incredibly proud of the work he is doing. He's liaising across Canada to ensure that the Canadian community of securities commissions knows the value that the Alberta Securities Commission brings to that collection of commissions. Alberta continues to be a leader, to know its capital markets extremely well.

Perhaps if you could just tell us a little more about Maria and her circumstance and how these actions will protect her and what you've heard about the Alberta Securities Commission and the actions this government has taken.

3:50

The Deputy Speaker: Before I recognize Edmonton-Ellerslie, just a reminder to always speak through the chair. Also, for the benefit of *Hansard*, the microphones will not pick you up if you're facing away. Thank you.

Go ahead, Edmonton-Ellerslie.

Loyola: Thank you very much, Madam Speaker. Just to clarify, I know that the President of Treasury Board and Finance was on a break, shall we say. I wasn't suggesting that Maria was in any way taken or – actually, I was talking about how Maria had with every paycheque put away \$50 into a Canada savings bond and that this is the experience of many people in our society that work hard every day. You know, they're not people who receive large, large sums of money, as others do in our society, right? I'm talking about your average person. But somewhere along the line they've met someone who has told them: hey, just put that little piece of money away.

You know, having the experience of working in the finance industry at RBC Dominion Securities, I want to urge all Albertans – and I always remind people: you could be making \$30,000 a year, and you're just putting that little bit away, and you're going to save that amount of money for your retirement, or you could be making \$200,000, like some people do, and not save a single penny because you're spending it on toys and a snowmobile and whatever the case may be.

Ms Renaud: A motorcycle. Sorry.

Loyola: I have my money well invested, and I've invested in a motorcycle.

Ms Renaud: Which is awesome.

Loyola: Thank you for that.

Again, getting back to it, I want to urge all Albertans, no matter how much you're making monthly, to just put that little bit away because when it comes to retirement, you want to make sure to have that little nest egg. Our government, through the Alberta Securities Commission, wants to make sure to protect that amount of money that you've saved for your retirement. We want to make sure that . . .

The Deputy Speaker: Thank you, hon. member. I do agree. Motorcycles are very good investments.

Any other speakers to the bill? Sherwood Park.

Ms McKittrick: Thank you, Madam Speaker. I have to disagree with you. I think investment in bikes is much wiser and much better in terms of the carbon levy and the environment, but that's just a minor disagreement.

Madam Speaker, I am so proud today to rise in support of Bill 13, the Securities Amendment Act, 2017. Very often in this house we talk about how small things make a difference. This is one of the things that I'm so proud of our government for, that we're really concerned about how we can change ways of doing things in Alberta to protect people and to ensure that ordinary Albertans do not see their life savings disappear or are not taken for granted.

I'm also reminded that last year we passed a bill around payday loans, which, again, was something that needed to be done for a long time in Alberta, and our government has done something. That has also protected Albertans and their savings and their money. I'm so proud today to support this bill.

You know, things have really changed in Canada and in other parts. In the past people saved for their retirement through a government pension, and the money was invested by professionals through a pension system, either a public pension or a company pension. But things are really, really different at the moment. Many Albertans have to work at saving for their pension right from the beginning, as the Member for Edmonton-Ellerslie explained with this lady saving \$50.

So many Albertans have been taken advantage of by persons who have taken their money and have not been wise about how the money has been invested. I've had a number of constituents come to my office and tell me their sad stories about how they had invested money in a fund or a security that they thought was going to be secure, that had been promised to be protected and so on and found all of their hard earnings, all the money that they had put aside and had saved for retirement gone. One of my constituents saw all of her retirement money disappear. Even though there was a trial, she could never get any of it back.

I really, really appreciate the work that the Minister of Finance and Treasury Board has done to include a strengthening so that the securities organizations can be more diligent about protecting the consumer. You know, it wasn't something that it was immediately apparent needed to be done, but still the Minister of Finance and Treasury Board has done it.

As Wanda Morris from the Canadian Association of Retired Persons says, "I've heard too many heart-wrenching stories of individuals who lost their life savings because they trusted the wrong person: an unscrupulous financial advisor." This is something which not only myself as an MLA but, I would say, many other members of this House have experienced: they have been faced with constituents to whom this has happened. Individual

investors, be it that you have a thousand dollars saved or have a million dollars saved, need to know that the investment industry is being regulated properly.

I am so thankful that in my 20s, when I began earning a little bit of money, I took an investment course because I knew that if I didn't understand the challenge of investment and understand not only how to save properly but who to go to for help and advice and the challenge of knowing how many fees you're paying for and what kind of investment is protected, I might really have started saving and lost all my savings.

Financial markets are getting more and more complicated every day, and more and more people are relying on financial advisers to help guide their decisions. As a government we need to encourage investment, especially because, as I mentioned, fewer and fewer people have pension plans but also because it is critical to the development of our economy. Last year we passed a bill with tax credits for people who invest in our local economy, and this Bill 13 very much links to Bill 30 that we passed last year.

We also have to do everything we can to protect investors against the very few people in the system who would take advantage of them, and I think all of us in this House know of some really sad, terrible, terrible stories that have attracted attention in Canada. We already have strong organizations in Alberta like the Alberta Securities Commission, whose mandate is to protect investors and foster a fair and efficient Alberta capital market. The commission currently has statutory powers to compel attendance and the production of evidence during both the investigation and adjudication phases. With all the legislation dealing with the fast-changing role of securities law, some of these proposed changes are just housekeeping to ensure clarity and better compliance with Alberta's securities laws.

4:00

I'm wondering how many of the members here are day traders. When I started my investment career, when I was in my 20s, a long, long time ago, there weren't that many options about how you were going to invest your money, and really it was less fraught with problems. You either went to your bank or your credit union and invested or you might have gone to a full-service brokerage firm and met somebody and established a relationship. Now the investment vehicles are so varied. It's very hard to know, really, how secure they are, what kind of protections there are.

Also, there are so many different ways for people to be licensed to provide financial advice. This is an issue that I know many of us have discussed. Now we have people who sell life insurance, we have people in the banks, we have people in the credit unions, we have people in full brokerage, we have people on the phone and on the Internet. It's a lot more challenging work.

I wanted once again to really thank the minister for having done some very small amendments with the Securities Amendment Act to provide everyone in Alberta with the opportunity to know that there are remedies and there's a stronger vigilance about how their money is being invested.

Madam Speaker, I'm happy to see that this bill will have support from all sides of the House. I also would like to support the remarks of my colleague the MLA for Edmonton-Ellerslie that as we debate this bill and we talk about the need to save for retirement and the need to ensure that we save, we all think carefully and choose wisely how we're going to invest and make sure that we invest through the types of investments that are protected under Alberta laws.

Thank you.

The Deputy Speaker: Under Standing Order 29(2)(a), questions or comments?

Seeing none, other members to speak to the bill? The hon. Member for Edmonton-Whitemud.

Dr. Turner: Thank you, Madam Speaker. I am very proud today to stand here to support Bill 13, Securities Amendment Act, 2017. I agree with almost one hundred per cent of everything that my colleague from Calgary-Currie says except when he described Bill 13 as – and I’m paraphrasing – somewhat boring. I’m sure the Minister of Finance doesn’t agree with that, and indeed I stand here really attesting to the fact that I find this to be one of the most exciting pieces of legislation.

Loyola: I didn’t say that.

Dr. Turner: I said Calgary-Currie, by the way. I’m one hundred per cent in agreement with my colleague from Edmonton-Ellerslie and always have been, including my support of left-wing causes.

Calgary-Currie made the mistake – I think he might regret it – of saying that this act really wasn’t all that exciting. Tell that to people like Maria, or tell that to people like a constituent of mine who has been in my constituency office on multiple occasions, a senior citizen on a fixed income who has been the unwitting prey of an unscrupulous financial adviser. This financial adviser actually absconded with more than \$300,000 of this constituent’s wealth, and it forced her to sell her home and to move into less than satisfactory accommodations.

This law that we have now would help prevent that sort of thing. This actual action occurred four or five years ago, and despite appeals to the banking regulator, because there was a chartered bank that was involved in this situation, and despite appeals to the Securities Commission, my constituent has been pauperized by the actions of this individual. That individual has actually absconded and left Canada and is out of the reach of justice in this province.

I want to repeat something that’s been said already. This government is working every day to make life better for Albertans, Albertans of all sorts. In this situation as a senior I’m actually going to speak on behalf of my fellow senior citizens in this province. Many of those seniors are small investors. Whether you’re a senior or not, you’re going to be faced with having to make investment decisions, basically, throughout your life. Seniors have to make decisions, for instance, about how they invest their RRIFs or their RRSPs. At the age of 71 the rules of RRSPs dictate that you begin to withdraw a certain portion of your income. That means that you have to actually make investments that will yield that kind of money and that you withdraw it.

It’s not only people that are investing in RRSPs and RRIFs that need to be aware of this sort of thing. Those young people that are investing in RESPs for their children’s education – and I would certainly recommend that every parent make sure that they have an RESP, taking advantage of the federal monies coming in to help augment the size of the RESPs. The holder of an RESP has to make decisions about where that money is going to be invested, and that means that the holder has to have confidence in the purveyor of these investments. With this law, Bill 13, we are going to make that situation a bit safer for these investors.

There’s another situation in which people of all ages have to make decisions about investments, and that’s in the situation where they might have a pension that is called a defined contribution type of pension. There’s a defined benefit pension, which many of us who are public servants have access to and which is, in my opinion, a better form of pension than a defined contribution pension. But if you do have a defined contribution pension, it is actually your

responsibility to invest the pension money into a suitable investment product.

There have been many instances – you can take the American example of Enron. Everybody knows about Enron.

Some Hon. Members: No.

Dr. Turner: We don’t know about Enron? Enron was an American corporation that basically played fast and dirty with electricity contracts and other energy contracts.

I had a brother-in-law who was a captain of a petroleum tanker in Florida which happened to be owned by a company related to Enron. What Enron was doing was making the people that worked for that tanker company invest their pension, which was a defined contribution pension, into Enron shares. Guess what happened to my brother-in-law’s pension when Enron went broke through malfeasance of the people that ran it? I imagine that some of the members across the way actually know more of the details about that than I do. My brother-in-law basically lost all of his pension. He’s still struggling 20 years later to build back something to take care of himself in his older years.

We definitely need to be paying attention to that.

4:10

I’m going to bring up some other names just because they’re important to be recognized in this context. The name Ponzi, the name Madoff, Bre-X: these were all schemes somewhat like Enron that basically preyed upon the gullibility, if you wish, of the general public in regard to investments. Ponzi actually happened a hundred years ago; Bre-X, maybe – what? – 20, 25 years ago; Madoff, 10, 15 years ago. Yet we’re still struggling with this. I really congratulate the minister and his department for bringing forward this legislation that’s going to at least partially help prevent a repetition of a Ponzi scheme or the Madoff story or perhaps even Bre-X, although that situation is somewhat different financially from the other two.

The financial markets are getting really complicated, and more and more people are relying on financial advisers. That’s probably a good idea. I’m sure, like the Member for Edmonton-Ellerslie, there are probably at least 200 good financial advisers for every one that’s not good, but it is our responsibility as a government to help protect folks in that way.

We need to be encouraging investment because it’s critical to our economy. This is going to help diversify our economy. It’s going to help provide for the security of our senior citizens. It’s going to help provide for the security of getting our children educated through RESPs. I could go on and on. Investors need to be protected in some ways, and this is a good use of, if you wish, red tape or regulation. You know, we already have strong organizations like the Securities Commission and the self-regulatory organizations, but we need to support those.

In sum, because I’m a consumer of these products and I recognize how important investment is to making sure that the whole economy is functioning well, I would urge all of the members of the Legislature to support this fine legislation.

The Deputy Speaker: Under Standing order 29(2)(a)? Go ahead, hon. minister.

Mr. Ceci: Thank you very much, Member, for sharing your information and talking about the situation you’re aware of in regard to the \$300,000 that a constituent was unfortunately bilked out of. You know, there are thousands and thousands of financial advisers in this province, and the vast, vast, vast majority are upright and follow the laws and have no problem at all with regard

to any sanctions from the ASC or IIROC or the other organizations. But there are some wrongdoers out there, and this amendment, the Securities Amendment Act, Bill 13, will give greater powers for that investigation to go on with regard to the people, the self-regulatory organizations, so that they're more in line with the powers of inspectors from the ASC.

Could you just maybe focus a little bit on how you think this will prevent future wrongdoers from taking the actions that occurred with your constituent? I mean, we're looking at changing things so that people can be properly investigated and prosecuted and monies can be recovered or attempts to recover money can be more successful. What effect do you think these amendments will have on preventing these actions in the future?

The Deputy Speaker: The hon. member.

Dr. Turner: Well, thank you, Madam Speaker. I think these are very important questions, and I'm pleased to respond to them. In my experience, I've dealt with probably at least a dozen or more financial advisers over my adult life, and all of them have been credible, honest, of high integrity, and what I hear from my friends who are financial advisers is that, basically, their image needs to be burnished. I think many people look at financial advisers somewhat like used-car salesmen in that there's maybe a taint to even that title. So having these sorts of protections built into the regulations I think is going to be a great help to the investment advisers who are competent and who deal with clients with great integrity.

To answer the question specifically, what impresses me about Bill 13, specifically in reference to the constituent that I was mentioning, is that the legislation will force the respondents to respond. They're actually compelled to respond, and they have a much shorter time to respond than they do now. During that month that they have to respond now – and it's going to be shortened to two weeks, as I understand – many of these folks go to Belize or some other place that they can't be extradited from, and they basically hide their ill-gotten gains and make it difficult to have recovery.

I think that many of the provisions of this bill are going to help in enforcement, if you wish, but I think its greatest benefit is going to be to provide more faith and trust by the general public of our investment organizations.

The Deputy Speaker: Any other questions or comments under 29(2)(a)?

Seeing none, other speakers to the bill? Edmonton-McClung.

Mr. Dach: Thank you, Madam Speaker. Pleased to rise today to speak to this piece of legislation as proposed as a major regular update of the legislation in keeping with Alberta's commitment that was made to ongoing reform and modernization and harmonization of securities laws in Canada. Alberta made that commitment in a 2004 memorandum of understanding with other provinces and territories across the country, and since then we've had a regular practice of reviewing and updating the securities laws annually along with other provinces and territories, and this legislation, these amendments, are in keeping with that commitment.

The securities regulatory landscape in Canada has become more complex, continues to change over time, becomes more sophisticated and international in scope, and is driven by technology more than ever before. Since the 2007 financial crisis, which the world is still recovering from in many quarters, it's become more difficult to sustain quality capital markets. Alberta's challenge is to deliver the right regulation to support investor confidence and encourage investment, innovation, and economic growth in Alberta and across Canada. Once again, these amendments are designed to maintain

our momentum in ensuring that we keep up with the times with respect to securities regulation globally. We must ensure that our securities regulatory system reflects the realities of today's markets and stays in step with evolving international standards and global regulatory reform initiatives.

These powers, as I say, are more than housekeeping changes. These amendments will help ensure Alberta has fair and effective capital markets by extending powers to recognized regulatory organizations so that they can compel testimony and the production of evidence during a disciplinary hearing. This is a significant change, which will give more teeth and more legitimacy to the regulatory organizations which protect the public in securities investment in the province.

4:20

The changes will extend immunity to the directors, officers, employees, and agents of regulatory organizations from civil liability when conducting enforcement activity, something which is absolutely essential in order for those directors to do that task of oversight and enforcement. Not being protected from civil liability would expose them to legal suits that would make it impossible for them to conduct their job. That's why this immunity is being granted to the regulatory officers by this amendment. The people responsible for enforcing securities rules must be able to do their jobs without fear of being held personally liable.

It's something that is very common in self-regulated industries as well, where there are oversight bodies and members and directors who have the responsibility to make decisions and adjudicate over that particular industry. They are commonly granted this immunity from prosecution so that they can freely do their jobs. Protecting them from liability for carrying out their duties in good faith makes it possible to enforce the rules more effectively.

Compared to other jurisdictions, Madam Speaker, the immunity and statutory powers to compel attendance and the production of evidence at securities laws investigations were recommended by the Investment Industry Regulatory Organization of Canada, and this came as a result of hearings and broad public consultations with industry and investors. These changes are also planned by other jurisdictions across Canada. Quebec is considering similar investigative authority for regulatory organizations. B.C., Ontario, Saskatchewan, New Brunswick, Prince Edward Island, and Yukon have committed to adopting immunity provisions. We're not doing something that's out of the ordinary. It's in keeping with the momentum that we have committed to in annually updating our regulations, on a regular basis. The Minister of Finance and head of the Treasury Board will bring forward amendments to ensure that the modernization of the securities regulations in Alberta keeps up with the changing landscape of the global securities field.

The Alberta Securities Commission is an industry-funded provincial corporation responsible for ensuring a fair and efficient capital market in Alberta. The Securities Commission develops and enforces securities regulations, it offers information and resources to Albertans about investing, and it administers Alberta's Securities Act and regulations.

Now, I mentioned that regulatory organizations would be granted having the powers extended to them to compel testimony and the production of evidence, and I wanted to maybe explain a little bit more about the organizations. Firstly, the Investment Industry Regulatory Organization of Canada is a national regulatory organization which oversees all investment dealers and trading activity in debt and equity marketplaces in Canada. The Investment Industry Regulatory Organization of Canada was created in 2008 through the consolidation of Investment Dealers Association of Canada and Market Regulation Services Inc. and sets high-quality regulatory

investment industry standards, protects investors, and strengthens market integrity while maintaining efficient and competitive capital markets. It was from there that the recommendations to have these new amendments occur came. The Mutual Fund Dealers Association of Canada is a national regulatory organization for the distribution side of the Canadian mutual fund industry. The association regulates the operations, standards of practice, and business conduct of its members and their representatives.

Now, the government delegates authority to regulatory organizations for specific reasons. Provincial regulators have delegated certain aspects of their authority to regulatory organizations to provide more effective and efficient regulation of the market and market participants.

Madam Speaker, what we're doing today is going to satisfy the desires of a lot of investors in this province, people who rely upon the provincial government to ensure that rules are in place that govern those involved in the investment and securities industry in a way that makes them know that should they contravene the rules, there will be severe consequences and that the regulators have the tools at their disposal to ensure compliance and investigate any wrongdoings that are brought forward.

Many people in this province over time have suffered as a result of wrongdoing by investment dealers, and of course the stories have been relayed or spoken about in this House by other members previously. What we're doing is continually updating our rules and regulations so that these types of bad-news stories are kept at a minimum. By and large, we know that the investment dealers throughout the province and indeed across the country are very highly respected, but no matter what industry one talks about, there are rules and regulations and government orders in place to protect the public, as there should be. We in Alberta are once again leading the way in bringing forward these types of amendments so that the standard of care for our public is the highest it possibly can be.

Extending powers to recognized regulatory organizations so that we can compel testimony and production of evidence through a disciplinary hearing is a natural progression of the oversight powers that the public demands we have for our Alberta citizens and for protection of their hard-earned money and their investments as they retire and save for their end of life as well as when they save to protect the educational opportunities for their children or perhaps for those in their families who may be looking to having to survive with a disability after their parents have died. There's a mechanism for them to invest as well.

It's important that all of those investments that people rely on are protected and given the highest level of scrutiny so that anyone with malintent is weeded out of the industry and properly sanctioned by rules that are continually upgraded after oversight and recommendations by people in the industry, by citizens who are involved in investing, and by other bodies and members of the industry that have an interest in making sure that the reputation of investment dealers and the investment community is absolutely stellar in this province. That's what this legislation continues to do as we meet our commitments to review this legislation on an annual basis, in step with other provinces and the territories as well as the federal government, in keeping the legislation across the country relatively in line with each jurisdiction, one with respect to the other, so that you don't end up with crossjurisdictional difficulties.

That's the way in which we will continue to operate in this province and ensure that there is a very healthy and transparent and reliable investment regulatory system and framework in place so that when people do receive a request or a recommendation from an investment dealer or securities agent that they are engaging with, they can have confidence that that individual's activities have the scrutiny of oversight and so that they know that if indeed there is

something that they think has gone awry, there's a place that they can report it to and know that it will receive significant scrutiny and oversight and that the body that does actually look at the transgression will have the legal teeth necessary to fully investigate and, if necessary, sanction those individuals who may be contravening the laws.

With that, I will once again commend the Minister of Finance and thank him for bringing this legislation up to date with these amendments, that he's advised us he will continue to do in future years. I agree that this is actually much more than simple house-keeping on an annual basis, because it is a fairly significant step to not only grant immunity to the directors, officers, employees, and agents of these regulatory bodies and also to clarify the conditions under which immunity is granted to these organizations, but in the first place to give them the authority to compel witnesses and to compel documents to be produced is a major step forward to changing how these organizations are viewed by those who might consider bending the rules for their own advantage.

I think that it will go a long way in helping investors in Alberta have confidence that the landscape in Alberta for investors has changed in their favour and they can know that there is an even greater layer of protection laid upon them by the amendment to this legislation for their protection and that of their families as they invest for their future.

Thank you.

4:30

The Deputy Speaker: Questions or comments under Standing Order 29(2)(a)? The hon. minister.

Mr. Ceci: Thank you. To the Member for Edmonton-McClung, Stan Magidson, the chair and the CEO of Alberta Securities Commission, agrees with you. He said recently, "Strong investor protection is a critical component of our mandate, and we support meaningful and practical regulatory advances such as this that can have a real impact on protecting Albertans from financial misconduct."

I agree with everything that you said just now. I guess I know that you're a lifelong professional in terms of real estate in this province. I just wonder. With seeing so many clients who are saving money for often their first home and, you know, the protections that the real estate industry has in place with regard to monies needing to be deposited and put in trust and all those sorts of things, I wonder if you've heard from any of those clients or know situations where people have perhaps been with unscrupulous financial advisers and lost money that they could not then put into their home or to use for the benefit of their family with regard to making important purchases, the biggest purchase that they often make in their life in terms of housing. Do you know of situations where, you know, with other parts of their investments they were not treated so well?

We heard earlier from another member who knew of a situation where \$300,000 was misappropriated, and that person did not get those monies back. This kind of legislation will, as you said, be able to get to the heart of and investigate these matters more quickly so that people will know what's happened, will be able to see some actions taking place so that those same individuals who are doing wrong with investment advice and taking monies and giving bad advice and not being straight with their clients – we'll be able to get to the heart of the matter more quickly. Have you heard of other situations where that hasn't occurred because this kind of protection wasn't in place?

The Deputy Speaker: The hon. member.

Mr. Dach: Thank you, Madam Speaker. I'm pleased to respond to the Minister of Finance's questions. Indeed, I did over a 30-year real estate career come across many, many situations where people saved their hard-earned money and made the difficult decision of sacrifice each and every paycheque to put that money away and were very disciplined in doing so. It's not an easy thing to do, particularly when you're – no matter what age you are, saving is a hard thing to do. It takes a lot of effort and, really, a lot of dedication and sacrifice from a family to put together that down payment, whether it's a minimum 5 per cent down payment or you're looking at a 15 per cent down payment to avoid the Canada Mortgage and Housing Corporation. It's been two years, so I may have those percentages wrong.

I know that when I had a family come to me, particularly first-time homebuyers, I'd sit down and I'd do a one and a half, two-hour interview before we'd even go looking at houses. That was my standard *modus operandi*. If you wanted to go looking at houses with me and you wanted me to represent you, I wanted to know who you are and where you're at and what exactly your needs were.

I have had situations, Madam Speaker, where the family would talk to me and we'd have an initial interview. Even when I'd meet somebody anywhere – I would talk real estate no matter where I was; in an elevator, grocery store, didn't matter what – people would say: "Oh, well, we've just started out. We're looking next year. I don't know when we're going to buy a house." I'd say: "Well, that's okay. Come talk with me. I'll talk with you for an hour and a half anyways, get you going." Even knowing that those people may be a year and a half, two years away from purchasing a property, I'd sit down and spend that hour and a half, two hours with them and go through that process and find out what their needs were and try to determine a savings plan so they could more effectively save that money and get into that house faster than they otherwise would because they were paying more in rent than they really needed to. If there were solutions that could be made to adjust what they were paying in other output costs, then we'd take a look at that so that that savings would rise quickly.

Some of the times when I looked at the investments that they had those savings in, they weren't very appropriate. It was, in some certain cases, because they chose the wrong investor's help.

The Deputy Speaker: The time has expired for 29(2)(a).

The next speaker, Spruce Grove-St. Albert.

Mr. Horne: Thank you, Madam Speaker. You know, as I was considering this bill, at first I didn't think too much of it. I haven't heard too much about securities from my constituents, but then I did a little bit of digging on, you know, demographic trends and such, and in parts of my constituency I've got everything from, like, subsidized trailer parks up to multimillion-dollar homes, so certainly there are a lot of constituents that are seeking the services of a financial adviser. I, actually, just the other year myself did the same thing. There seems to be a theme today. Earlier I was talking about protecting homebuyers with their large financial decisions. Now I'm talking about people as they seek the advice of financial advisers. I think these are both equally important issues.

You know, for a lot of Albertans, not just my constituents, of course, they need to be able to know that whoever they discuss their finances with, they can trust that person. Especially if it's a situation where there are large amounts of investment or indeed if it's your only savings, that can be very sensitive information. I think that the majority of financial advisers, I'm sure, are fine, outstanding people, but there's always that one or two that give the entire industry a bad name. I think it's really great to see some legislation coming forward to show that we are both protecting the person

seeking the services as well as the financial advisers as a collective group. I think that legislation like this really helps to provide some confidence when seeking the advice of a financial adviser.

You know, regulation bodies like what is being discussed here really help to make sure that if there are those oddball people out there who aren't necessarily the most outstanding citizens or perhaps – it's entirely possible that they're just ignorant of the regulations. But it provides some certainty that there's a possibility of recourse there. So I think that having that certainty provides a lot of comfort for Albertans. For many Albertans these are things like their retirement we're talking about here. We're talking about, you know – I myself am definitely a long ways away from retirement, but there are some programs available that I've kept my eye on, and hopefully by the time that I can make use of those, they're still there.

4:40

But, you know, there are RESPs, your children's education and, really, their future and RRSPs as well as TFSAs and everything else as well as direct investments. When Albertans and indeed anybody go to seek advice on these things, they need to know that not only the person that they are talking to knows what they're talking about but also that there's nothing shady going on. When I was going through school, there was a lot of talk about identity theft, especially with the growing digital age, and, you know, that's certainly something that you would be opening yourself up to when you seek some financial advice. So it's really important to see that there are protections there for Albertans.

You know, I am very happy to see the minister bring forward this legislation to help protect the person seeking these services. It also helps protect the people doing the investigations. It helps protect the employees of the regulatory organizations, and I think that's certainly very important. When we have a regulatory organization, they need to have the ability to investigate any allegations that do arise. Certainly, having the ability to compel attendance and produce evidence in cases of alleged wrongdoing: I think that's very important. It helps them be able to do both their jobs but also helps protect the investors themselves. I think that's something that's certainly very important. It also helps ensure that these investigations are carried out in good faith and that regulatory bodies are really able to engage in their duties with that faith in mind.

Now, I know the minister reached out to several of the organizations involved, you know, the Alberta Securities Commission as well as the Investment Industry Regulatory Organization of Canada, and they helped develop this bill along with the minister. I think that that shows that there's some buy-in from the financial adviser community here.

Overall I think that this is a good bill. You know, the world of financial securities changes constantly. It's not the first of these amendment bills that we've seen, and I'm sure it certainly won't be the last, nor indeed do I think it should be the last. New technologies, new practices, new agreements between jurisdictions: these come up all the time. I know there was a federal one just recently, a similar amendment act, that was a result of an agreement with some place like Gibraltar, like, a fairly small country. But it's very important that we keep on top of all of these.

I would like to take a moment to thank the minister for bringing this forward, and I hope to see all members of this House support this bill. Thank you.

The Deputy Speaker: Any questions or comments under Standing Order 29(2)(a)? The hon. Member for Lacombe-Ponoka.

Mr. Orr: Yeah, and I'm just speaking to the bill, not 29(2)(a).

The Deputy Speaker: You want to speak to the bill?

Mr. Orr: Yeah, if you're ready for that.

The Deputy Speaker: Okay. In a second.

You had a question under 29(2)(a), hon. minister? Go ahead.

Ms Hoffman: Thank you very much, Madam Speaker and to the member. It's always great to hear people planning for their future and making investment decisions. I guess a question to him and to others who might be thinking about that: what were some of the criteria that you used in choosing who to work with, and how can others maybe do some of that work to feel confident, especially at such a young age?

[Mr. Sucha in the chair]

I want to commend you not only for being very significant in your savings, but you're also very significant, I know, in donations to a variety of organizations. So you are clearly making many efforts to make life better. How do you ensure that the people who are supporting you in that work have those same values?

Thank you, Mr. Speaker.

The Acting Speaker: The hon. member.

Mr. Horne: Thank you, Mr. Speaker, and welcome to the chair. And thank you to the minister for the question. You know, prior to being elected, I was working part-time as I made my way through university. Then suddenly I had a rather large increase in both the paid hours I was working – of course, I was putting a lot of work into my school time – but also in my income, so I felt that it was prudent to reach out and seek some advice early, before I developed any habits that I would later regret down the road.

I started asking around to people I knew: who did you talk to? And there was one name that seemed to have a fairly good rapport in the community, a local guy in St. Albert. I reached out to him and asked his advice. You know, at that point we were looking at purchasing a home and everything, and he said: okay; well, here are the steps that I myself would take if I were to be looking towards that and was in your financial situation.

So we've been putting some money into RSPs as well as trying to avoid things like credit card debt. I also made the purchase of a vehicle fairly recently, slightly used. Well, I bought a 2016 car used in 2016, but it was a rental. [interjection] The hon. Member for Calgary-Hawkwood is telling me how to park. For those of you that don't know, his parking spot is next to mine.

You know, I bought it slightly used. I did my research, and I picked a car that doesn't depreciate that much. Some of the other cars on the lot I looked at were five years older, but they were selling for only, like, \$1,000 or \$2,000 less. So I thought that that was a fairly prudent investment. In fact, to get any significant savings, I had to go to a car that was 10 years old, and it looked like it had some engine issues and was starting to get some rust around the wheel well and things like that. So I figured that given the two choices, it was more prudent to go with the slightly used car.

So, yeah, back to the minister's question. I reached out to the community and to people that I knew had talked to financial advisers and asked them who they went to. I've made similar inquiries about various other services that I didn't need as much before. You know, I didn't have much need for tailoring in my previous life, so I reached out and discovered who had a good reputation in the community. I think that's a great process, that many constituents can use and many Albertans can use. Well, I would go so far as to say that anybody anywhere can use this approach.

I saw the minister making motions towards haircutting. Actually, I didn't have to ask people about haircutting because . . .

4:50

The Acting Speaker: The time for 29(2)(a) has expired.

The hon. Member for Lacombe-Ponoka.

Mr. Orr: Thank you. Yes. I'd love to speak to this, bring a little bit of excitement to it, because I think this is actually a fascinating topic. I've always been truly interested in this, and I can support Bill 13, the Securities Amendment Act, 2017.

I think it's important because of the evolving complexities of the marketplace. There are ever-new financial products out there, ever-new derivative markets being created, and, in fact, ever-new trading platforms that are confusing and difficult. Because of the complexity of the market, we have to keep up to it. I think there's also the reality of the increasing needs of people in our complex society to have financial instruments as a way to not only park but even have assets.

You know, in days gone by people were more focused on land. They would oftentimes have rental or lease revenue. It's a small part of the population that can actually have, for instance, business dividends that can carry them into years of retirement or whatever. Not everybody gets a government gold-plated pension. The reality is that people need some mechanism by which to preserve their assets and their wealth. It's an increasingly complex world; therefore, we need to keep up to date with how we protect people as they try to do those kinds of things.

Because it's an increasingly complex world, I fear a little bit that people somewhat tend to just throw up their hands in frustration and, consequently, trust their broker too much. There are too many people that I've run into who just feel like: I don't know all this stuff; whatever they tell me is what I'll do. Yeah, that's an easy way out. But the truth of the matter is that the crooks will take advantage of that in our society.

I guess what I'd like to say is that it's a great bill as far as it goes, but it's sort of after-the-fact protection. I'd also like to see some sort of before-the-fact protection maybe more, and I think maybe the only way for that to happen is through increased investor education and increased investor knowledge. Never trust a dealer. That is my advice to everybody.

I remember years ago I was quite involved, actually, through some family business with some listings on the Vancouver Stock Exchange, and I read a book that I would recommend to everyone for their financial education. I see on the Internet here that it's still available today. It was written by a journalist and is called, *Fleeing the Lamb: The Inside Story of the Vancouver Stock Exchange*, by David Cruise. I would encourage anybody who hasn't read that book to read it. It will increase your knowledge of how the markets work, why they work, who they're for.

The markets are not for the benefit of consumers, I assure you that. The markets are for the benefit, really, of businesses to raise capital. That's why they create shares, so they can sell little, tiny pieces of the company and create capital with which to function. Now, that's a good thing because it allows for business to grow and develop and our economy to develop, but there are risks in it to the consumer. Too many people just aren't willing to be educated well enough to understand the risks and are frustrated by the complexity and just give up on it.

I also want to say that because the modern economy needs a marketplace, we do need to be careful also of the extreme reaction of too much regulation. Businesses will avoid marketplaces that are so regulated that it becomes impossible for them to function. That, to some degree, has happened in the last 15 to 20 years in our North

American equities markets. In many cases the markets have become nothing but exit strategies for insiders and owners. They just want a way to liquefy their assets and turn shares into cash. Then what happens is that some of these publicly traded companies that become viable are taken over, on the other hand, by private equity, so the good investments for the ordinary people are often pulled out of the marketplace.

There's a real need for balance here in terms of regulation and the freedom and the viability of our economy because the reality is that stable, reliable, healthy marketplaces are key to a health economy, key to the generation of jobs in a society, key to a middle-class lifestyle. In fact, healthy marketplaces are one of the key metrics by which countries' viabilities are measured. Third-world countries that struggle economically to provide middle-class income for their citizens in many cases don't have viable equity markets, so it's extremely important. Access to capital is necessary to build businesses, innovation, GDP, raise our standard of living, and protect the wealth that we have.

I think it's a great bill. I think we always need to be paying attention to and finding that balance between protection of consumers, protection of industry and of the economy itself and how we move that forward.

Thank you.

The Acting Speaker: Are there any speakers under 29(2)(a)? The Deputy Premier.

Ms Hoffman: Thank you so much, Mr. Speaker. It's my honour to get a chance to ask some questions around this. I have to agree. I think it's really important that we ensure that all individuals have opportunities to gain greater understanding in terms of financial literacy, investment prudence, and educational support to be able to support themselves, ask critical questions when necessary. Definitely, I think that's one half of it. I think the other half is ensuring that there's recourse if something does happen that is unbecoming to the individual.

I guess the main question I want to ask is around work we're doing in curriculum redesign to make sure that all students have opportunities to have these types of knowledge to be able to care for themselves. Certainly, there are a number of areas that are related, and I think one is financial literacy. When I was on the Edmonton public school board, I was really proud to bring forward a resolution to the Alberta School Boards Association, along with the rest of my board, that this be incorporated into the upcoming curriculum review. That was a number of years ago.

Obviously, it needs to be done, and I think this is an opportunity. I'd be happy to hear if the member opposite would support that through the curriculum redesign, increased opportunities for financial literacy and financial acumen, and what other areas he thinks might relate as the minister engages in that work in supporting all Albertans to prepare for opportunities not only in the world of work but also in the world of investment.

The Acting Speaker: Lacombe-Ponoka.

Mr. Orr: Yeah. That's a great question. I actually was going to make a note about it earlier, but I figured I'd keep it limited. I truly think that incorporating some financial literacy into our education curriculum would be very helpful, considering the kind of society we're in. The Education minister, of course, isn't here at the moment, but I'm sure he'll consider that.

The Acting Speaker: Hon. member, just to remind you about referring to the presence of members in the House.

Mr. Orr: Because he's not here. Right. Sorry. My apologies. I'll stick to the Health minister.

Yeah, I think that incorporating that, especially at the higher grades, the high school level, would be extremely important.

The other thing that I think would be helpful in that regard might be to somehow look at how we, either through regulation or simply asking the industry's self-regulation itself to do that, include a higher or a more extended level of education with customers when they come in and they're looking for something like that. I know a lot of the businesses are working in that direction. But I do think that an increased level of education would be extremely valuable and would protect customers in many cases from making mistakes, not only just from fraudulent issues but even just from making mistakes in the kinds of investments that don't actually benefit them in the long run because that's not really helpful either.

Thank you.

The Acting Speaker: Under 29(2)(a), any other members? The hon. Member for Edmonton-Whitemud.

Dr. Turner: Thank you, Mr. Speaker. I'm actually rising to congratulate the member opposite on his presentation. I think it has been a valuable contribution. My question would actually relate to something he mentioned about the complexity of modern investment vehicles. I know that in this legislation we are referring, or we did in previous legislation, to how the derivative market is working, but there are other novel things going on these days such as the Bitcoin and alternate currencies.

I read a fascinating book a while back. I've forgotten the title of it, but it was about how investment corporations in the United States had actually created a fibre-optic link between Chicago and New York, and they actually had to make sure that there were no curves in the line. They had to keep it as straight as possible because in millionths of seconds they could actually beat the market. I'm just wondering if the member opposite had comments on how the securities market in this province can be protected, I guess, from that sort of manipulation.

5:00

Mr. Orr: Yeah. That's a really interesting subject. The whole evolution of automated trading – and it's actually evolving at a rapid, rapid pace – does hold serious risk for retail investors and maybe even, quite frankly, for the industry as a whole, as we saw with the package real estate market meltdown in 2008 in the U.S. That was a part of the derivative market. So I think there is an ongoing, serious need to monitor it.

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

Mrs. Littlewood: Thank you, Mr. Speaker. It's nice to see the Member for Calgary-Shaw in the Speaker's chair. It's my privilege to stand and speak to Bill 13, the Securities Amendment Act, 2017. I'm speaking in support of it.

I just wanted to go back to maybe some basics for those that maybe need a quick rundown on exactly what it is that we're talking about. Securities regulation: what it is is the conduct of securities market participants, including issuers, that raise capital through securities offerings, and their directors and officers and securities firms, the directors and officers and employees registered to advise and trade in securities.

Canada does not have federal securities regulation. Regulation falls under provincial jurisdiction, and the provinces are working together through the Canadian Securities Administrators to coordinate securities regulation throughout Canada.

Securities regulation in Alberta is the responsibility of the Alberta Securities Commission. The Alberta Securities Commission is an industry-funded provincial corporation that is responsible for ensuring that a fair and efficient capital market exists in Alberta. It also develops and enforces securities regulations, offers information and resources to Albertans about investing, and administers Alberta's Securities Act and regulations.

Regulatory organizations such as the Investment Industry Regulatory Organization of Canada and the Mutual Fund Dealers Association of Canada have authority that is delegated by the Alberta Securities Act to make sure that their member firms meet standards set by the province's securities laws. Regulatory organizations are an important part of the enforcement mosaic in Canada. The three key regulatory organizations, as overseen by members of the Canadian Securities Administrators, are the Investment Industry Regulatory Organization of Canada, the Mutual Fund Dealers Association of Canada, and the *Chambre de la sécurité financière*. These three organizations concluded 139 enforcement cases in 2015, and that compared to 112 in 2014. In 2015 the Canadian Securities Administrators' members concluded matters that involved 233 individuals and 117 companies, or 350 total respondents.

There are certain securities violations that proceed to prosecution either through an administrative tribunal or a provincial court, depending on the type of violation and the jurisdiction where it occurred.

For those that don't know what the Canadian Securities Administrators is, it is an umbrella organization of Canada's provincial and territorial securities regulators whose objective is to improve, coordinate, and harmonize regulation of the Canadian capital markets.

For those that don't know what the Investment Industry Regulatory Organization of Canada is, it is the national regulatory organization that oversees investment dealers and trading activity in debt and equity in the marketplaces of Canada. It also was created in 2008 to consolidate the Investment Dealers Association of Canada and Market Regulation Services Inc., and it sets high-quality regulatory and investment industry standards, protects investors, and strengthens market integrity while maintaining efficient and competitive capital markets. The government delegates authority to these regulatory organizations so that they can provide effective and efficient regulation of the market and market participants.

What this bill sets out to do, other than just some standard updating to ensure that it's in line with international standards, is that it will provide regulatory organizations the same enforcement authorities as the Alberta Securities Commission. It will give regulatory organizations the ability to compel attendance and production of evidence so that they are better able to do their jobs and to protect Alberta investors. It will also protect the people who investigate these cases from liability while carrying out their duties in good faith. This is one of the ways that our government is working to make life better for Albertans, making practical changes that will make sure that Albertans' investments are safe.

To again quote Wanda Morris from the Canadian Association of Retired Persons, she said, "I've heard too many heart-wrenching stories of individuals who lost their life savings because they trusted the wrong person: an unscrupulous financial advisor." Unfortunately, sometimes individuals are taken advantage of with a lack of regulation or a lack of scruples. Unfortunately, sometimes these people also lose their lives because of the stress that it causes themselves and their families, which is always quite tragic.

Individual investors and large investors need to know that the investment industry is being regulated properly. The commission currently has statutory powers to compel evidence and attendance

during both the investigation and adjudication phases. However, self-regulatory organizations such as the Investment Industry Regulatory Organization of Canada and the Mutual Fund Dealers Association do not currently have this authority. Alberta will be the first in Canada.

Andrew J. Krieger, president and CEO of Investment Industry Regulatory Organization of Canada, says, "We congratulate the Minister of Finance and the Government of Alberta for their leadership in being at the forefront of investor protection in Canada," and that these legislative changes will mean that "Alberta becomes the first province in Canada to provide IIROC with a complete toolkit" that will enable more effective fulfillment of "responsibilities as a public interest regulator and bring wrongdoers to justice."

This actually was quite meaningful to me when it came forward because I actually have had constituents come into my office that have been victims of money schemes, of Ponzi schemes, as a matter of fact. There was a case that involved a person by the name of Wade Robert Closson, who was able to take \$10.8 million away from 125 investors, and none of these people have ever been paid back. The commission found that Closson lied to investors. Instead of investing the money in mortgages, what he did was that he used \$5.6 million of new investor money to pay returns to other investors and \$3.9 million for other projects outside the scope of the investment's purposes and used \$800,000 of that for his own personal use. As a note, he does owe almost all of that money still to investors. The fine that was waged on him was \$1 million, and he does have a permanent ban placed on him on being able to trade.

However, when you have someone in front of you like I had in my office, telling you that they lost their entire life savings to someone like this, they obviously will never feel like it's enough to actually address what happened to them.

[The Deputy Speaker in the chair]

There's also the really terrible case of someone named Jeremy, or Jay, Peers. There were 11 counts he committed that breached the Alberta Securities Commission, and he was guilty of taking \$80 million of investors' money and causing it to disappear in the practices that he was engaging in. He was fined \$5 million and was sentenced to five years less one day. That decision was upheld by our Alberta Court of Appeal, and it was also upheld by the Supreme Court of Canada.

5:10

So I think it is incredibly important that we continue to move forward with legislation that will ensure that we're looking after Albertans and their hard-earned money because it's not just money, but it's individuals and their families that are trying to make plans for the future. When there are individuals that lack the scruples to be able to actually manage those funds as someone has entrusted them to do, it can end in incredibly tragic consequences for those that are involved.

With that, I will thank the Minister of Finance and look forward to continued support for these amendments. Thank you, Madam Speaker.

The Deputy Speaker: Any questions or comments under 29(2)(a)? Seeing none, any other speakers to the bill?
Are you ready for the question?
The hon. Minister of Finance to close debate.

Mr. Ceci: Thank you very much, Madam Speaker. I just want to commend all of the speakers on both sides of the House for their time and attention here today with regard to Bill 13, the Securities

Amendment Act, 2017, that we have been elucidating in the different discussions and different presentations.

As was rightly pointed out, since 2004 governments in Alberta have been yearly bringing forward securities amendment acts to stay abreast of all the evolving changes in securities legislation across the country and in best practices. I think there was only one year that there was a miss in terms of amendments being brought forward, and it was around 2012, when an election intervened and there was not an opportunity to bring a bill forward with that government.

Since the new government has been elected, May 2015, I have three times brought to this House bills that would improve the securities sector in this province and bring greater clarity to the application of the securities laws in this province and give more enforcement teeth, as we are doing at this time with this bill, this amendment. We have also shortened the length of time necessary for people to produce evidence, when they are now compelled to produce evidence in terms of investigations, and other actions have improved that situation for our investigators.

Madam Speaker, the ASC is the overarching regulator in this province, and they have given self-regulatory permission to two SROs that we're dealing with today, IIROC and the Mutual Fund Dealers Association. Now the investigators for those two organizations will be able to have the same sorts of powers that current ASC investigators do and immunity from malicious suits and so be better able to do their jobs without fear of reprisals from those who are doing wrong and want to stymie the progress of investigations.

We have good partners in IIROC and the Mutual Fund Dealers Association. We have great advocates in people like the Canadian Association of Retired Persons, who are fully onside with the actions we're taking here today, and we'll continue to work with our partner jurisdictions throughout the country. Notably, Quebec is taking similar kinds of actions to what we're taking today in this province so that investors can be better protected in that province. I might note that today Quebec had a summary judgment from the Court of Appeal, a decision on a particular part of the securities regime in that province. What I read from that work that they did in terms of going to their courts is that they're in line with Alberta in terms of the independent securities regulator, and they're getting support from their courts to say that the actions they're taking to be independent make a great deal of sense and are in the best interests of investors in that province.

That's why we took the actions we did, Madam Speaker, to make sure that Alberta's unique investment community had an independent regulator who could be closely in touch with and mere feet away from the investment community here instead of thousands of kilometres away in terms of being on Bay Street or in Ottawa. We believe strongly that continuing to have that independent securities commission in our province and the chair and CEO, Stan Magidson, is in the best interests of Alberta.

Madam Speaker, the work we've done today I think will continue to prove well for this province. Continuing to amend the Securities Act is in the best interests of our investment community and the protection of investors here. We are taking actions that will provide immunity for the regulatory organizations that work with the Alberta Securities Commission, and we are taking actions to

compel the production of evidence during investigations and not just during hearings so that the full tool kit is now available for the people who take on the difficult task of trying to unravel sometimes the fraud that goes on with unscrupulous investment personnel.

I just want to quickly say that the vast, vast majority of people who are involved with investments have the utmost high standards in terms of ethicalness and competency. There are from time to time people who take advantage, though, and those people need to be brought to justice as quickly as possible. The actions we're taking today will assist in making that happen so that we have integrity and confidence that when we go to people, when we put our hard-earned money in the hands of other people, they will treat that with the kind of care that we know needs to be taken. It's just like assurance that our monies are in good hands. When they get into wrongdoers' hands, though, those people need to be brought to justice as quickly as possible, as I say. The situations that members here today elaborated on, situations they know about where these negative actions occurred as a result of wrongdoers: those are tragic. We need to be assured that actions are being taken and that organizations like the Mutual Fund Dealers Association and IIROC are able to use the full tool kit available to them.

I would just say that I look forward to standing in this place again soon to bring additional improvements to the Securities Act so that we continue to stay at the forefront. I am the chair at this point in time of all the ministers of the Crown across the provinces who are responsible for securities in their provinces. I am taking great comfort in knowing that there's a great deal of support and that we can be the leaders in this initiative across Canada and that other provinces, once they see what we're doing and see the benefit of the SROs having these additional tool kit functions, will take similar actions or that there'll be consequential actions in their provinces to make that happen.

5:20

I'm also looking forward to being able to find out from those ministers of the Crown responsible for securities in their provinces what other things can be done to improve the investment communities in this province and bring greater integrity and security to the investment sector as a result of actions they're taking that we can take.

I would like to close debate on second reading of Bill 13. Thank you very much for your attention, Madam Speaker.

[Motion carried; Bill 13 read a second time]

The Deputy Speaker: The hon. Government House Leader.

Mr. Mason: Thank you very much, Madam Speaker. In view of momentous events that are going to be occurring this evening and the fact that we made such great progress and wonderful strides today in our legislative agenda, I move that the Assembly now adjourn until 9 o'clock tomorrow morning.

Some Hon. Members: Let's go, Oilers.

The Deputy Speaker: I feel like I don't even have to call the motion. That was so enthusiastic.

[Motion carried; the Assembly adjourned at 5:22 p.m.]

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