



Province of Alberta

The 29th Legislature
Third Session

Alberta Hansard

Tuesday evening, December 12, 2017

Day 65

The Honourable Robert E. Wanner, Speaker

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

Third Session

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

Aheer, Leela Sharon, Chestermere-Rocky View (UCP),
Deputy Leader of the Official Opposition
Anderson, Hon. Shaye, Leduc-Beaumont (NDP)
Anderson, Wayne, Highwood (UCP)
Babcock, Erin D., Stony Plain (NDP)
Barnes, Drew, Cypress-Medicine Hat (UCP)
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (NDP)
Carlier, Hon. Oneil, Whitecourt-St. Anne (NDP)
Carson, Jonathon, Edmonton-Meadowlark (NDP)
Ceci, Hon. Joe, Calgary-Fort (NDP)
Clark, Greg, Calgary-Elbow (AP)
Connolly, Michael R.D., Calgary-Hawkwood (NDP)
Coolahan, Craig, Calgary-Klein (NDP)
Cooper, Nathan, Olds-Didsbury-Three Hills (UCP)
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (NDP),
Government Whip
Cyr, Scott J., Bonnyville-Cold Lake (UCP)
Dach, Lorne, Edmonton-McClung (NDP)
Dang, Thomas, Edmonton-South West (NDP)
Drever, Deborah, Calgary-Bow (NDP)
Drysdale, Wayne, Grande Prairie-Wapiti (UCP)
Eggen, Hon. David, Edmonton-Calder (NDP)
Ellis, Mike, Calgary-West (UCP)
Feehan, Hon. Richard, Edmonton-Rutherford (NDP),
Deputy Government House Leader
Fildebrandt, Derek Gerhard, Strathmore-Brooks (Ind)
Fitzpatrick, Maria M., Lethbridge-East (NDP)
Fraser, Rick, Calgary-South East (Ind)
Ganley, Hon. Kathleen T., Calgary-Buffalo (NDP),
Deputy Government House Leader
Gill, Prabh, Calgary-Greenway (UCP),
Official Opposition Deputy Whip
Goehring, Nicole, Edmonton-Castle Downs (NDP)
Gotfried, Richard, Calgary-Fish Creek (UCP)
Gray, Hon. Christina, Edmonton-Mill Woods (NDP)
Hanson, David B., Lac La Biche-St. Paul-Two Hills (UCP)
Hinkley, Bruce, Wetaskiwin-Camrose (NDP)
Hoffman, Hon. Sarah, Edmonton-Glenora (NDP)
Horne, Trevor A.R., Spruce Grove-St. Albert (NDP)
Hunter, Grant R., Cardston-Taber-Warner (UCP)
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Jean, Brian Michael, QC, Fort McMurray-Conklin (UCP)
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Payne, Hon. Brandy, Calgary-Acadia (NDP)
Phillips, Hon. Shannon, Lethbridge-West (NDP)
Piquette, Colin, Athabasca-Sturgeon-Redwater (NDP)
Pitt, Angela D., Airdrie (UCP),
Official Opposition Deputy House Leader
Renaud, Marie F., St. Albert (NDP)
Rosendahl, Eric, West Yellowhead (NDP)
Sabir, Hon. Irfan, Calgary-McCall (NDP)
Schmidt, Hon. Marlin, Edmonton-Gold Bar (NDP)
Schneider, David A., Little Bow (UCP)
Schreiner, Kim, Red Deer-North (NDP)
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Sigurdson, Hon. Lori, Edmonton-Riverview (NDP)
Smith, Mark W., Drayton Valley-Devon (UCP)
Starke, Dr. Richard, Vermilion-Lloydminster (PC)
Stier, Pat, Livingstone-Macleod (UCP)
Strankman, Rick, Drumheller-Stettler (UCP)
Sucha, Graham, Calgary-Shaw (NDP)
Swann, Dr. David, Calgary-Mountain View (AL)
Taylor, Wes, Battle River-Wainwright (UCP)
Turner, Dr. A. Robert, Edmonton-Whitemud (NDP)
van Dijken, Glenn, Barrhead-Morinville-Westlock (UCP)
Westhead, Cameron, Banff-Cochrane (NDP),
Deputy Government Whip
Woollard, Denise, Edmonton-Mill Creek (NDP)
Yao, Tany, Fort McMurray-Wood Buffalo (UCP)
Vacant, Calgary-Lougheed

Party standings:

New Democratic: 54 United Conservative: 26 Alberta Party: 2 Alberta Liberal: 1 Progressive Conservative: 1 Independent: 2 Vacant: 1

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Dang	Turner
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Babcock	Rosendahl
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Drysdale	Strankman
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Hanson	van Dijken
Kazim	

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Carson	Miller
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Fraser	McPherson
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Kleinstauber	Woollard
Loewen	

Legislative Assembly of Alberta

7:30 p.m.

Tuesday, December 12, 2017

[Ms Sweet in the chair]

The Acting Speaker: Good evening. Please be seated.

Government Bills and Orders Second Reading

Bill 34

Miscellaneous Statutes Amendment Act, 2017

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

Ms Larivee: Thank you very much, Madam Speaker. On behalf of the Government House Leader I move second reading of Bill 34, the Miscellaneous Statutes Amendment Act, 2017.

Madam Speaker, this bill has been circulated to the opposition parties, and I believe there is consensus on all of the clauses of the bill. It is our hope that it can be passed, therefore, without debate in the House.

Thank you.

The Acting Speaker: Thank you, hon. minister.
Are there any other members?

Mr. McIver: Well, the last thing I want to do is disappoint the hon. minister, but I would like to ask the House for unanimous consent for one-minute bells for the rest of the evening if that is acceptable to the members across the aisle. [interjection] Or for the remainder of Committee of the Whole. Pardon me. Yes. Sorry. For the remainder of Committee of the Whole, please.

The Acting Speaker: Hon. member, we're actually in second reading right now, so do you want one-minute bells for second reading?

Then when we enter Committee of the Whole, we'll have to have a new motion.

Mr. McIver: Yes, please. For the remainder of this bill, yes.

The Acting Speaker: So for the remainder of second reading.

[Unanimous consent granted]

The Acting Speaker: Are there any other members wishing to speak to second reading?

Seeing none, would the hon. minister like to close debate on second reading?

Ms Larivee: Sure. At this time I move that we close debate on second reading of Bill 34.

The Acting Speaker: Thank you, hon. minister.

[Motion carried; Bill 34 read a second time]

Bill 33 Electoral Divisions Act

Mr. Stier moved that the motion for second reading of Bill 33, Electoral Divisions Act, be amended by deleting all the words after "that" and substituting the following:

Bill 33, Electoral Divisions Act, be not now read a second time because the Assembly is of the view that the descriptions of electoral divisions referenced in the bill and described in the

DVD tabled as Sessional Paper 624/2017 do not adequately provide for the effective representation of rural Alberta.

[Adjourned debate on the amendment December 6: Mr. Barnes]

The Acting Speaker: Are there any other members looking to speak to the reasoned amendment?

Seeing none, I will call the question on the reasoned amendment.

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

[Several members rose calling for a division. The division bell was rung at 7:33 p.m.]

[One minute having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Cooper	Loewen	Schneider
Cyr	MacIntyre	Smith
Gotfried	McIver	Strankman
Hanson	Orr	Yao
Hunter	Pitt	

Against the motion:

Anderson, S.	Horne	Nielsen
Carlier	Jansen	Phillips
Carson	Kazim	Renaud
Ceci	Kleinstauber	Rosendahl
Connolly	Larivee	Schmidt
Dach	Littlewood	Schreiner
Dang	Luff	Shepherd
Eggen	Malkinson	Sucha
Feehan	McKitrick	Turner
Fitzpatrick	McLean	Westhead
Goehring	Miranda	Woollard
Hinkley		

Totals: For – 14 Against – 34

[Motion on amendment RA1 lost]

The Acting Speaker: We are now back on Bill 33. Are there any other members wishing to speak? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Madam Speaker, I rise to request unanimous consent to waive Standing Order 32(3), which would eliminate the need for a 15-minute bell when we enter committee later this evening. I would request that we have one-minute bills for the remainder of the evening, as has already been granted, including the waiving of Standing Order 32(3).

The Acting Speaker: Thank you, hon. member.

[Unanimous consent granted]

The Acting Speaker: Are there any other members wishing to speak to the bill?

Seeing none, would any member like to close debate?

Seeing none, I will call the question.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 7:39 p.m.]

[One minute having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Anderson, S.	Hinkley	Miranda
Carlier	Horne	Nielsen
Carson	Jansen	Phillips
Ceci	Kazim	Renaud
Connolly	Kleinsteuber	Rosendahl
Dach	Larivee	Schmidt
Dang	Littlewood	Schreiner
Eggen	Luff	Sucha
Feehan	Malkinson	Turner
Fitzpatrick	McKitrick	Westhead
Goehring	McLean	Woollard

7:40

Against the motion:

Barnes	Loewen	Pitt
Cooper	MacIntyre	Schneider
Cyr	McIver	Smith
Gotfried	Orr	Strankman
Hanson	Panda	Yao
Hunter		
Totals:	For – 33	Against – 16

[Motion carried; Bill 33 read a second time]

Government Bills and Orders Committee of the Whole

[Ms Sweet in the chair]

The Deputy Chair: I would like to call the committee to order.

Bill 30 An Act to Protect the Health and Well-being of Working Albertans

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Cardston-Taber-Warner.

Mr. Hunter: Thank you, Madam Chair. I would like to just recap really quickly the process that we've just gone through. Committee of the Whole was an opportunity that, according to this government, was when we could bring forward reasonable amendments that we could discuss here and we could debate. We could vet those ideas. I can assure you that the stakeholders that I talked to that were very concerned about this bill felt like this was the opportunity for us to be able to really have a fulsome debate about these points.

Unfortunately, we saw the same kind of debate process as we've seen in terms of consultation from this government. In fact, there were times where the minister wasn't even the one standing up to speak to these amendments, which was a slight to the people who actually brought forward the amendments, not myself, and to the people in the industries that actually had thought about it, had taken a look at it, and had felt that it would make this bill not as bad.

I am saddened that we were able to bring forward many good, reasonable amendments and this government was not even willing to debate and vet these bills. Most of the information that we got was terse at best and certainly not a fulsome debate, which is what I think the stakeholders deserved in this situation. We're once again seeing a pattern from this government, Madam Chair, that is very

disconcerting and one that I think stakeholders will obviously take note of in the next election.

What I want to state is that one of the amendments I think was probably the best amendment that came forward. They were all great, but the last amendment that I brought forward, talking about how we are the only jurisdiction that is actually saying "No cap" – now, Manitoba said that they took off the cap, but they do have caveats to that, so we are actually outliers in this situation. We're outliers in Canada.

Now, I've heard many times this government say that they want to be able to bring us into line with the remainder of Canada, the way that the rest of Canada does. We're now in a situation where, by taking off the cap of the insurable earnings – when the cap was on, just so you know, \$98,700 was one of the highest in Canada in terms of the caps. That's net. The gross amount would be, like, \$140,000, which really took into consideration about 90 per cent of all of our workforce. Now we're in a situation where workers' compensation was developed and designed specifically for those people who, if something happened to them where there was no-fault insurance, they had the ability to be able to have something for themselves and for their families or for their loved ones. What we've seen here today by taking this off puts that in jeopardy, and I think it's extremely important for this government to recognize that they will have ownership to that.

Putting an organization that received a billion dollars from about 160,000 companies throughout Alberta to pay into workers' compensation – it was an arm's-length organization. This whole bill actually brings it so that there is a lot of tampering from the government and a lot of intervention where we didn't need to see it. When something is working as well as workers' compensation was working – and I'm not saying that they didn't have problems, but when it was working as well as it was, for them to interject themselves so resolutely and so deeply puts the sustainability of the system at peril. What I'm concerned about is that we are now in a situation where they had the ability to be able to make the tweaks that needed to happen, but they did not have to amputate rather than just a strategic surgery.

7:50

Now we're in a situation where the review panel recommended that there was a special graduated benefit that would have actually brought all workers, 99 per cent of all the workers under the – you know, it would have worked for 99 per cent of the workers. We're now in a situation where the sustainability of this organization, this insurance organization, could be at risk, and I wish that the government would reconsider the path that they're following. Think about the people who are benefiting from workers' compensation. These are the people who we're supposed to be fighting for at this point.

What's happened now is that we're in a situation where they have taken the cap off – no other jurisdiction in Canada has done that – and we're now in a situation where we're putting in jeopardy the very system that is designed to help those people who are potentially at risk, those people who don't make a lot of money. What I don't understand is that they constantly say that we try to help protect our big businesses and our rich friends, but this part, by taking off the cap, really speaks to them helping only the rich, those people who don't need it. They have their personal – they usually have their own insurance. They have their own ability to cushion the blow. Yet the only reason why I can see a cap coming off is to help them. This is very disconcerting, and I think that they need to really reconsider this.

I'll just finish with this, Madam Chair, and that is that they have said that the process that we have in this House is to have an

opportunity where the bill comes forward, we vet the bill, we get it out, the actual written bill, to our stakeholders, and then they have an opportunity to be able to comment on it. We will probably see this thing go through in fewer than seven days. How can a 200-page bill that's written in legalese really be digested that quickly and then be able to bring forward reasonable comments from stakeholders? It's impossible to do. Now, what we're going to have is that they've gotten themselves into another situation where they refused the process of getting fulsome discussion and the proper consultation. I don't know what they're hiding. I don't know what they're so worried about hearing from Albertans if they really believe they're on the right track, and this minister has said this many times.

If they are on the right track – and I will give them this. There were many parts to this bill that I was very excited about them bringing forward, and I've spoken to those things. I've said: look, we need to make sure that we protect those people that need to be protected. The OH and S components in here: I'm glad that they did bring these forward. But this was an omnibus bill, and because it's an omnibus bill, I have a really difficult time supporting all of the component parts in here that are going to be so detrimental to the very workers that we're supposed to be championing, one such being the cap being taken off.

Madam Chair, as much as we tried on this side of the House to be able to bring forward reasonable amendments, we're now in a situation where they have rejected all of our amendments, which came from stakeholders and people who had a vested interest in this, that would be affecting them. We're now in a situation where they have been completely disenfranchised, disenfranchised from the opportunity of being able to give their say on how this bill will be affecting them and for having all members of this House to be able to take a look at it.

I'm disappointed that that's happened, but I will say that I will not be voting in favour of this Committee of the Whole reading.

The Deputy Chair: Thank you, hon. member.

Any other members wishing to speak to Bill 30? The hon. Member for Calgary-Foothills.

Mr. Panda: Thank you, Madam Chair. I'll be very brief. I just wanted to stand up and support the arguments of my hon. colleague the Official Opposition critic on this file for all the good reasons that he explained.

I happened to talk on this last night, too, and our Premier was in the House. She was trying to take one of my comments out of context and asked for me to apologize to Albertans. If my comments from a movie and the dialogue hurt any feelings of any Albertan workers, I want to sincerely, unconditionally, unreservedly apologize to them and withdraw my comments. I hope that the Premier does the same thing. She should do the right thing. For all those comments she made against Albertans, I hope that she would do the same thing, the honourable thing.

Madam Chair, like my colleagues here, I'm not going to support this bill. Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to Bill 30?

Ms Fitzpatrick: Madam Chair, I feel compelled to rise and speak in support of this bill, and I'd like to speak directly to the need for this legislation. I would like to speak my lived experience as a former union representative. I will begin by saying that the number of staff who met with me about being harassed and bullied by management and co-workers was astounding. As a union rep I had two responsibilities. The first was to listen to the concerns and, if a

formal complaint or grievance was made, to investigate and take the appropriate action.

Now, as to the need for the legislation, many employers have harassment policies; for example, the federal government, where I worked for over 30 years. As an employer they had a harassment policy since at least the early '90s. However, harassment policies don't carry the same weight as a legislative change. The policy is nothing more than the paper it is written on unless the employer and employees abide by that policy. My experience with the Correctional Service of Canada, CSC, showed me that even when one employee admits to having harassed another staffperson or there is concrete evidence that harassment or bullying has occurred, many federal departments, including CSC, have done nothing.

I will cite just one case. I've got many, but I'll just cite one. This case happened almost two years ago at a local federal institution. Two officers during a shift had a dialogue on the internal telephone network about a female staff member working on their shift. The conversation, which lasted over 45 minutes, was about how they would allow inmates full access to this female staff member should an incident occur in the institution, and they would watch. These recorded statements were stating that they would put her life and her safety at risk. You depend on the people you work with to cover your back if you're working in a jail.

At the same time another incident had occurred elsewhere in the institution, and both staff were called but to no avail because the lines were busy. So the institutional management listened to the recording to see why the phones were busy and the two staff members didn't respond to the call. Management became aware of this and the risk to the female staff member. They did not even notify her of the threat that was posed to her for almost two months. She became aware of the incident through gossip at the institution, at which time management did cough up and allowed her to hear the tape. She withdrew her services under part II of the Canada Labour Code. She remained off work without pay for almost a year and a half and is still off work. The other two staff involved remained on duty and continued to be paid.

8:00

It wasn't until she hired a lawyer and went public that CSC finally took action against the staff involved, including the managers, who were aware of the situation and failed to take action despite there being a policy on harassment and bullying.

A similar situation occurred at another institution in B.C. Both of those situations are public knowledge and have been reported on one of the national media sites. There are many, many more cases like that even though there is a national policy.

On November 27 I spoke in this House about the prevention of violence, specifically family violence, and it's worth reiterating this with respect to supporting this bill.

The 16 days present an opportunity to change the conversation, change attitudes, and change behaviours to prevent gender violence.

We all have a responsibility to stop gender-based violence. I asked if conversations are

respectful and valuing, or are they demeaning and condescending? Do your words and actions empower or diminish? Do you use your privilege to make another feel less than? Do you understand the importance of consent? Do you laugh when a friend makes a derogatory comment, or do you challenge the behaviour [of the person doing that]?

Change actually begins with each of us. Actions speak louder than words. I see a leader as someone who lives those things not just in words but in actions. I am asking everybody in this House to do the same thing.

I can't even tell you how important this bill is. There were so many times when I had somebody in my office, in tears, ready to quit their job, their livelihood because they just couldn't live through what was going on. If there was legislation in place, it would have made a difference. There would have been consequences and direction about what should happen if this behaviour continued.

I stand in full support of this bill, and I ask everybody to stand and support this bill as well. Despite any misgivings you may have, this bill makes a difference to everybody who is working in Alberta. Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to the bill?
Seeing none, I'll call the question.

[The remaining clauses of Bill 30 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

Bill 32 An Act to Strengthen and Protect Democracy in Alberta

The Deputy Chair: Are there any members wishing to speak to Bill 32? Comments, questions, or amendments? The hon. Minister of Indigenous Relations.

Mr. Feehan: Thank you, Madam Chair. I rise this evening to offer an amendment to Bill 32, An Act to Strengthen and Protect Democracy in Alberta. It has a number of different clauses to it, as people will see. I am particularly happy to see one section, that I will read in as soon as I pass this along to the chair and wait for it to be recorded.

The Deputy Chair: Hon. minister, your amendment will be referred to as A1.

Mr. Feehan: Thank you, Madam Chair. There are a number of sections to this amendment. I won't read them all, but I will take the liberty as Minister of Indigenous Relations to speak to part C, which is adding the following after section 52:

Location of polling places on Indian reserves and Métis settlements

52.1(1) In preparation for an election, the Chief Electoral Officer shall consult with the council of each Indian band and with the settlement council and settlement administrator of each Métis settlement to determine whether a suitable building located on the Indian reserve or Métis settlement may be used as a polling place for electors who are residents on the Indian reserve or Métis settlement.

I won't read any more of it.

I'd just like to take this opportunity to talk about how important it is and how proud I am to stand here to again take a moment to recognize that, indeed, indigenous people are Albertans and will be treated as such by this government.

Thank you.

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak to amendment A1? The hon. Member for St. Albert.

Ms Renaud: Thank you. As many of us in this House have now seen, the Chief Electoral Officer has raised some concerns with the current bill.

The Deputy Chair: Hon. member, if I could just interrupt.

Hon. minister, I believe that your amendment is currently not in order. It needs to have a signature on it, so you just have to sign it.

My apologies, hon. Member for St. Albert. If you could please continue.

Ms Renaud: Thank you. As I said, as many of us in this House have now seen, the Chief Electoral Officer has raised some concerns with the current bill. I want to be clear that we recognize the importance of involving key stakeholders as we develop policy, and government officials were in contact with the Chief Electoral Officer throughout the preparation of the bill. That being said, all Albertans are entitled to an equal opportunity to read final drafts of government bills after they are introduced in the House. There is also a process to make any necessary amendments to bills, and that's what we're doing right now. We've carefully considered the Chief Electoral Officer's latest feedback, and I'm proposing amendments to address his points. All of these amendments have been discussed with the Chief Electoral Officer to ensure that they are workable.

We recognize that some of the concerns raised by the CEO involve the use of vote tabulators. We considered vote tabulators very carefully. We had to weigh the potential cost and risks with the potential benefit. Unfortunately, we felt that a potential cost of \$4.4 million was too much to pay for machines that perform a function we already have a tried-and-true way of doing, which is counting ballots. We recognize that vote tabulators may help save on staffing costs for Elections Alberta, but in the end any savings may still be undermined if for any reason the vote tabulators don't function as intended. We made the decision not to include vote tabulators in the bill to reduce the overall costs of our proposed amendments while also helping to enhance the integrity and fairness of our elections.

Part A. The first amendment I'm putting forward has to do with our proposal to allow voters to vote at any advance polling station or special mobile poll even if it's outside their electoral division. As the CEO has written, Elections Alberta may have trouble reporting the official results in a timely manner if they have to send ballots from other parts of the province to the appropriate electoral division to be counted. The CEO also mentioned that vote tabulators would have allowed a ballot to be printed on demand and that this would help ensure that people who are voting outside of their normal electoral division could receive a ballot that reflects the candidates in the appropriate riding.

8:10

The amendment I'm proposing would enable the CEO to make a directive about the handling of ballots from advance polls and special mobile polls. This would give the CEO the authority he needs to outline procedures related to the form and printing of the vote-anywhere ballots and to the delivery and counting of those ballots. When people vote in their regular electoral division, their ballots can be counted as they always have, but when people vote outside of their regular electoral division, those ballots may be transferred to a central location to be counted. This will help ensure that the vote-anywhere ballots are properly provided for and that they can be counted more quickly and that the results are available faster.

The CEO also mentioned that voter assist terminals would not be able to function as intended if Elections Alberta cannot use them in

conjunction with vote tabulators. Voter assist terminals work by marking a ballot that is then counted by a vote tabulator. In other words, there are no voter assist terminals that can function as intended without also requiring the use of a vote tabulator. This amendment would enable vote tabulators to be used only in conjunction with voter assist terminals. Voter assist terminals will enable those needing assistance at the polls to vote with greater dignity and greater privacy. All Albertans have that right, and I would encourage all members to support this amendment.

Parts B and C, polls on reserves. The next two amendments are meant to help ensure accessibility for indigenous communities. Part B will clarify that in section 52.1, which is the subject of part C, the same definitions will apply as are currently in section 21(8). In section 21(8) council, Indian band, settlement administrator, and settlement council are all defined. Part C would include a statutory requirement for Elections Alberta to reach out to First Nations and Métis communities and speak with them about the possibility of having a polling place on their land.

As I've already touched on, one of the major goals of this bill is to make voting easier and more accessible. Some indigenous communities are remote, and we want to make sure that they have access to a poll should they wish to vote. Polling places would only be set up on First Nations, on reserves, or in Métis communities if the appropriate community leaders agree to allow Elections Alberta to do so.

Part D, official results. The next amendment I'm proposing will allow Elections Alberta the time they need to report on the official results of an election. Rather than shortening the time period from 10 days to seven days, this proposed amendment would maintain the 10-day rule. This amendment will address the CEO's concerns and ensure that Elections Alberta has enough time to announce the official results of an election.

Part E, advance polling days. The next part of the amendment I am proposing will address the CEO's concern about the time needed to distribute where-to-vote cards. This amendment would ensure that advance polls take place on the Tuesday, Wednesday, Thursday, Friday, and Saturday before an election day. We had hoped to give voters two Fridays and two Saturdays of advance voting days, but this will not leave enough time for Elections Alberta to distribute their where-to-vote cards. There will still be a fifth advance polling day in addition to the existing four, and this will allow voters more opportunities to exercise their democratic right. This will also leave enough time for Elections Alberta to distribute their where-to-vote cards.

Part F, special ballots. The next amendment I am proposing is also the result of feedback from the Chief Electoral Officer. This amendment will allow the CEO greater flexibility in assigning duties of his staff. The current act requires either the returning officer or the election clerk to handle special ballots, but at the request of Elections Alberta the CEO would now be able to designate other people as well. This amendment would also save time by the returning officer, the election clerk, or a person designated by the CEO to place special ballots in a special ballot box sooner rather than having to wait until election night. This change is intended to help Elections Alberta count the special ballots faster come election night.

Part G, results of recount. I'm proposing another minor amendment that has been requested by Elections Alberta. This amendment will maintain the status quo and ensure that returning officers are responsible for reporting election results even in the event of a recount. The bill had shifted this responsibility to the CEO, and we're proposing to reverse that at the request of Elections Alberta.

Part H, transitional. The next amendment that I'm proposing will allow the Standing Committee on Legislative Offices to begin the hiring process for the new election commissioner position as soon as the bill receives royal assent. When the bill receives royal assent, the standing committee will invite applications for the election officer position, and they will make a recommendation to the Legislative Assembly on their preferred applicant.

Finally, amendment I, coming into force. In follow-up to the previous amendment, this simple amendment will clarify that section 142.1 will come into force on royal assent. Section 142.1 allows the Standing Committee on Legislative Offices to begin the hiring process for the new election commissioner position as soon as the bill receives royal assent.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Chair. It's a pleasure to rise and speak to the amendment. I have a number of questions with respect to the amendment. It's my hope that I can ask a couple of them and that we can just quickly address some of the challenges. I think that for the purposes of our discussion I'll just highlight some of my ongoing frustrations with the legislative process here inside the Chamber.

As you know, Madam Chair, the Official Opposition had asked that this particular piece of legislation be referred to a standing committee so that we could hear from the Chief Electoral Officer specifically about some of his challenges and concerns. Now, I think it's fantastic that the Member for St. Albert and some others on that side of the House have taken the opportunity to call the Chief Electoral Officer finally and have him provide some feedback. We see that in the results of this amendment.

Now, having said that, it's very, very unfortunate that everyone else inside the Chamber hasn't had the opportunity to have a discussion with the Chief Electoral Officer to find out if this is, in fact, exactly what he was hoping for or if this is another government interpretation of what he may or may not have said. As you know, Madam Chair, it's now 8:15, and you may or may not know that the Chief Electoral Officer's office is currently closed, so what's going to happen this evening is that the government is going to ask the opposition to just blindly trust that what they've included in here is exactly what the Chief Electoral Officer has asked for. It is difficult to be in touch with the Chief Electoral Officer at this point in time given that we only received this amendment mere moments ago.

Now, I wouldn't want to misrepresent, and I would be happy to thank the minister. Her office did reach out to mine about an hour and a half ago, perhaps two hours – I don't know the exact timing that it took place – and shared this particular amendment with me and members of the Official Opposition, so I do appreciate that gesture. Unfortunately, the challenge still remains the same. At 6:30 the Chief Electoral Officer was also unavailable for me to correspond with him about whether or not these changes satisfied many of his concerns that he wrote in his letter, that, you will be aware, highlighted the fact that he hadn't been asked to provide input with respect to policy direction on Bill 32.

With that said, I heard the hon. member speak about vote tabulators and the fact that it would cost \$4 million but that the Chief Electoral Officer has spoken at length about why vote tabulators may be a real positive for us. I understand that they're currently being used in Calgary-Lougheed as the Leg. Offices Committee had approved that decision by the Chief Electoral Officer.

I might just double-check with the minister what the difference in cost between – with respect to enumeration. The Chief Electoral Officer has spoken at length about the high cost of door-to-door enumeration, and I'm curious to know the difference between that and what he recommends and the \$4 million that she referred to in her speech, whether or not those numbers would be close to each other, and then I have a number of other questions.

8:20

The Deputy Chair: Thank you, hon. member.

The hon. minister responsible for democratic renewal.

Ms Gray: Thank you, Madam Chair, and thank you very much to the member opposite for the questions around these pieces. You're absolutely correct. My colleague did refer to tabulators as a \$4.4 million expense. But I would also stress that tabulators do the counting of ballots, something that we know currently works from the manual perspective, without introducing machinery or things that are connected to the Internet into our election process. So there is that other aspect to it.

That being said, you asked me for the cost for a full enumeration, and that has been estimated by the Chief Electoral Officer to be \$11.1 million, so I will give you that answer.

The Deputy Chair: The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Minister. Chair, thank you. I also know that the Chief Electoral Officer has said that if we didn't do a door-to-door enumeration and used the equally as effective and exponentially safer version that he has recommended, there would be approximately, say, a \$5 million to \$6 million saving in that, and perhaps that would have, then, been a good use of those resources, to use vote tabulators, as he has suggested otherwise. Now, I'm sure that I'll have the opportunity to propose an amendment around this very reasonable solution, and I hope that at that time the minister will be able to support it.

While I do appreciate this particular amendment, section 6 in part A of the amendment I do have some concerns about, significantly changing the way that we count ballots. Traditionally, as you'll know, Chair, those ballots are sent back to the electoral district to be counted or would be if it wasn't for this amendment. So the government is making a change where we'll have essentially a mass manual counting centre at the head office or the headquarters of the Chief Electoral Officer. I'm wondering if the minister knows what the additional costs may be for that mass centralized counting centre, where they will count all of the vote-anywhere ballots, and if that will actually take place – and I may have to apologize. It may be included here in the amendment; however, I haven't had the opportunity to read each clause. As you know, Madam Chair, it was just introduced minutes ago. But would those ballots, then, be counted on election day, or would they be counted at the close of the advance polls?

[Mr. Sucha in the chair]

Ms Gray: Thank you very much, Member. You're not going to see that spelled out. What we've done with these amendments is essentially given the CEO the authority to make sure that he as the administrator is able to run the election in an efficient way, in a manner that he sees fit. In part A section 6 is amended under (a)(1.1)(a)(i)(C). That is where the Chief Electoral Officer is able to make a directive "providing for the counting of votes" and the process therein. As my colleague mentioned and I will state again, we worked with the Chief Electoral Officer to make sure he had the

flexibility in the drafting of these amendments so that he would be able to administer and run the election efficiently. What we've done with the amendments is given him the ability to determine what that looks like.

The challenge we are solving here: without his ability to provide for the counting of votes, we would have been receiving all of the advance votes at Elections Alberta and then sending them out to the respective districts so that they could be counted there, and the amount of time that would take would be potentially too long. So now they can receive them at Elections Alberta, and through this process, as you referred to, the Chief Electoral Officer would be able to provide for the counting of advance votes at Elections Alberta.

The Acting Chair: The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you. Listen, I, as you know, have spoken glowingly about the Chief Electoral Officer, and I have all of the faith in the world – well, maybe that's a bit of an overstatement. I have a significant amount of faith and confidence in the Chief Electoral Officer, but to be clear, we are turning over how thousands and thousands and thousands – like, for example, in Calgary-Lougheed there were 3,500 people that voted in the advance polls, and advance polls are becoming more and more popular all across the province. Now we're going to have vote-anywhere advance polls, and while I think that it is a net positive, we are essentially making significant changes to the legislative process and then giving the Chief Electoral Officer virtually no oversight or guidance or direction with a pretty core fundamental of our democracy, which is counting the votes, the most important poll of all, and offering him the opportunity to do it in whatever way he sees fit.

While I appreciate the Chief Electoral Officer – certainly, the current one has done a fantastic job and will continue to do one – I must admit that I do like a little bit more certainty in the democratic process, something that we have all become very, very accustomed to. It's important to us. You know, we have no idea how scrutineering is going to work, who may or may not be allowed there. I'm not saying that there is anything untoward happening by any stretch of the imagination, but I do have some reservations about this particular clause in not fully knowing how the ballots will be counted.

Mr. Chair, I think that comes back down to the way the government has decided to legislate, the way that the government has decided to not refer things to committee. I'm certain that the Chief Electoral Officer probably could have provided us with reasonable answers, solutions, and then we could have an amendment that would have alleviated the concerns of not just me, but presumably some Albertans are concerned about this particular clause.

Now, no Albertans – not no Albertans. There are probably dozens of people watching online this evening, and now they have a sense that there may be a concern. Tens and tens of people, Mr. Chair. Now, they may have some concerns about this particular clause, but we didn't go to committee, which would have been a really good idea. We could have heard from the Chief Electoral Officer.

But let me proceed. Unfortunately, we don't have all night. Well, we do, but I think that we can continue on in some of the other areas of this particular amendment, this multipage amendment coming from the government.

I'd just like to speak briefly to changing the advance polling days to the Tuesday-Wednesday and then the Thursday-Friday-Saturday of the following week. While I think that having five days of

advance polls does make sense, I find it interesting that this particular clause would have never been needed if the government had just gone and, say, asked the Chief Electoral Officer if they would have been able to do the very important task of getting where-to-vote-cards mailed to Albertans prior to the first day of advance polling, which was an issue that I raised in my very first remarks with respect to Bill 32 at second reading.

I just would like to remind the government that perhaps it would be important to double-check with the Chief Electoral Officer before making significant reforms to this particular piece of legislation, or if the government's past track record is any indication of their future track record, there's a good chance that we're going to be coming back to fix some of their mistakes in this particular piece of legislation anyway, so we might want to double-check with him prior to that.

The last question I have – I believe it'll be the last question, anyway, on this particular amendment and on balance, as far as I can tell. There's more good than negative in this particular case, so while I think it's unlikely that I will find it within me to support Bill 32, I will be quite likely happy to support this particular amendment.

The question, though, that I have is with respect to part H of the amendment, the transitional section, when it speaks to the elections commissioner.

I hope to move an amendment a little bit later on in the evening, so I might just send this particular amendment to the table while I speak here. Perhaps the table officer would be able to quickly review it while I ask this question and to determine if the amendment in the future would be in order or out of order given that we are amending a section of this particular legislation as a result of part H, the transitional section, and that the amendment I hope to move a little bit later is around the elections commissioner. So whether we might be changing or closing this section of the act or not, we'll take it from there.

8:30

In fact, I may need to have one of my colleagues – I know that the Member for Calgary-Hays has a couple of questions as well, so perhaps it would be helpful if he would rise and ask a couple of those prior to us proceeding on a vote on this particular amendment. Again, it accentuates the point about why we should be doing this at committee, not in the Assembly, on short notice at 8:30 at night while we try to get pieces of legislation across the line for all Albertans.

With respect to part H, Minister, my question really surrounds what happens to third-party advertisers. I know that you'll know that the Alberta Federation of Labour is one of those third-party advertisers. Let's just say that they wanted to engage in some advertising or hold an event or sell memberships. Who knows what they might like to do between now and when the independent election commissioner is appointed? Who answers questions for third-party advertisers? As you'll know, Minister, there is a significant amount of discretion inside Bill 32 that will ultimately be determined by the elections commissioner, and the elections commissioner will be the judge, jury, and disciplinarian on a wide range of sections in this legislation.

Between now and whenever that might happen – as you've noted here on the transition, when it receives royal assent, the Standing Committee on Legislative Offices shall invite folks to apply for the elections commissioner. Let me tell you, I have some things to say about whether or not we're on the right path with the elections commissioner, but in the meantime this bill might not receive royal assent for four weeks, eight weeks, depending on when the government gets around to it. I know the Lieutenant Governor has

a very busy schedule, so she may or may not be able to provide royal assent in an expeditious manner. Then the committee will need to strike a search committee, people will need to apply, there will be deadlines and so on and so forth. It's going to take some time, maybe up to six months or longer. What happens between now and then? How will third-party advertisers have any certainty about whether or not they're going to be in breach of the legislation?

The Acting Chair: The hon. Minister of Labour.

Ms Gray: Thank you very much, and thank you to the member for the question. I think that's very important. My advice to third-party advertisers would be that upon royal assent they can no longer do the work of political parties. They can no longer sell memberships. They can no longer gather lists of names to be used for political purposes and passed to a political party. They can no longer fund raise directly for a political party and funnel money in that way.

What they can do: the legislation, which will come into force on royal assent, will give them some clear guidelines that if they are a third party or involved in advertising, they can register with Elections Alberta. They can continue their activities because we are not restricting their free speech through these amendments. Now, if they have questions, what do they do? They can talk to the Chief Electoral Officer, who will continue to be our Chief Electoral Officer throughout this process and will be able to answer questions.

The guidelines that have been put in place have essentially two forms. Third parties, essentially, cannot do the work of political parties. That is something they are prohibited from. Apart from that, there is the requirement that they register with Elections Alberta, and they need to disclose their donors for the activities that they are undertaking when they are engaged in political advertising.

I look forward to future questions. Thank you.

The Acting Chair: The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Mr. Chair, and thank you to the minister for her answer. I just have a bit of a concern, then, because in many respects we are creating some significant grey area for third-party advertisers, including those that want to engage in the political process. While I certainly can appreciate that they are unable to do the work of political parties – and I think that this, you know, is a step in the right direction – I think that we probably could have been well served to do that at the special ethics committee. This particular piece of legislation speaks about what third-party advertisers can and cannot do – I can't remember the section off the top of my head; I am just taking a quick peek here – with respect to third-party advertisers' ability to, say, hold a meeting where there is a significant benefit to a political party or to a candidate, a nominated candidate.

Let's just say, for example, that the Alberta Federation of Labour would like to hold a meeting that would be a Q and A with the hon. minister of environment: come and meet the minister and ask all of the questions you have. This third-party advertiser, in this case the Alberta Federation of Labour, promotes this widely amongst their members. You'll know that the minister of environment is widely respected around the province of Alberta, and many people might want to come and hear her.

An Hon. Member: Tens of people.

Mr. Cooper: Maybe tens and tens of people. I don't know.

Let's just say that there are tons and tons of members of the Alberta Federation of Labour. A case could be made that there's

significant benefit to her as a registered nominated contestant between now and when the independent election commissioner might be appointed. Well, a case could be made that that particular third-party advertiser is, in fact, in breach of the legislation, whether or not they wanted to or intended to be or they didn't.

My concern, through you, Mr. Chair, to the minister, is that the Chief Electoral Officer, as it very clearly states in the legislation, isn't responsible for providing decisions around third-party advertisers because it is at the direction of the elections commissioner. So between now and then that presents significant concerns to third parties. I mean, I don't know if it does because I just received the amendment now, but I can imagine that that is a concern that the ATA or other third-party advertisers may have with respect to perhaps inviting the Education minister to a forum.

The only person who can actually provide advice with respect to the legislation – Mr. Chair, through you to the minister, you'll know that the fine is up to \$5,000, not a small amount of money. I know that all of those third-party advertisers, particularly the ATA, likely take the expenditure of members' dollars very seriously, and they wouldn't want to be in a position where they were in contravention of the law.

I appreciate your thoughts around: well, just ask the Chief Electoral Officer. Is that really the only path forward or the best-case scenario given the fact that he's actually not the disciplinarian once this piece of legislation comes into effect?

The Acting Chair: The hon. Minister of Labour.

Ms Gray: Thank you very much. What we've done with the rules that have been outlined in Bill 32 is really make sure that some of the guidelines are clear for third parties. In Bill 32 there are clear qualifications about what is a restricted event.

Now, until such time as the elections commissioner is in place, the Chief Electoral Officer is a resource available to all Albertans, where we can ask questions. In the case of a third-party advertiser they would be able to talk to the Chief Electoral Officer about their event and whether or not that event might be a good idea.

8:40

Mr. Cooper: Just for clarification's sake, then, and then I think we can move on: would you agree that the legislation requires that the independent election commissioner is, in fact, the one who will determine whether or not there has been a breach in the legislation and not the Chief Electoral Officer and that, as such, that presents a problem between now and whenever the independent election commissioner is actually appointed?

The Acting Chair: The Minister of Labour.

Ms Gray: Thank you. The CEO is going to be able to provide advice. Once appointed, it is the election commissioner who is going to be the one to investigate complaints, take enforcement action, recommend prosecutions, or any number of other tasks that we have assigned to the election commissioner, but the Chief Electoral Officer is going to be able to work with third parties to provide advice in the meantime.

The Acting Chair: The Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you. So I am correct in saying that the Chief Electoral Officer could provide advice that would be not agreed to or in line with what the independent election commissioner may say upon appointment. As such, even though they asked the Chief Electoral Officer, they still could be in contravention of the

legislation and wouldn't know that until the elections commissioner is appointed.

Through you, Mr. Chair, to the minister: this is a significant problem, one that you need to consider and one that, frankly, needs a solution so that you can provide clarity to all third-party advertisers. I am of the opinion that this stifles their ability to engage in political discourse during this transition period, and I don't think that's good for anybody. I don't think that it's good for members on that side of the House and I don't think it's good for members on this side of the House when we are, essentially, passing legislation that only creates a grey area as to what third-party advertisers can and cannot do.

I know that the minister disagrees because of what she has said with respect to the clear direction that they've provided, and I agree. With respect to selling memberships, they can't. With respect to fundraising, they can't. With respect to sharing the political party information that they gather for political purposes, they can't. It's clear. But there are many, many, many, many activities that a third-party advertiser may engage in that they would like the advice of the judge, jury, and disciplinarian on. What the minister is proposing in this amendment and in Bill 32 is the exact opposite of that. I think that the minister should reconsider. I think that the minister in this case – and don't misunderstand me. There are other things in the amendment, particularly with respect to voter assist terminals and some of the things that have been highlighted, that are a net positive, but this sort of grey area that the minister has created is not a positive.

The Acting Chair: I'd caution members not to use names.

Ms Gray: Thank you for the new pun.

I would like to clear up this grey area. What I have been saying is that the CEO will be available to answer questions. If you go to page 104 of Bill 32, section 142, it is clear that prior to the election commissioner being appointed, the references in the sections of the new Election Act to the election commissioner "shall be read as a reference to the Chief Electoral Officer." Essentially, between now and the appointment of the new election commissioner the Chief Electoral Officer will be the one enforcing this act.

Mr. Cooper: Well, to the minister: thank you for the clarification. I appreciate that. It certainly did create some grey area over the last 20 minutes or so. Well, we pointed in one direction, and now we have another, which, I can't reiterate enough, is a good reason that this should have been sent to committee. But if in fact the Chief Electoral Officer can do the job between now and when there's one appointed, I hesitate – I'm curious to know exactly what the point is of an additional legislative officer, but we can move to that later.

I know that some of my colleagues have some additional questions, so I will hope that they can take those.

The Acting Chair: The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Thank you, Mr. Chair. I'd like to discuss the amendment, part C, the location of polling places on Indian reserves and Métis settlements. One of my questions is: is it already a practice to have polling stations on reserves and Métis settlements? One of my other questions is: by putting this into the legislation, does this now allow us to put that in there? Another question. Right now we're asking permission from the settlements and the reserves, from the councils. Are we setting precedents now that we need to ask other municipalities for permission to be able to hold polling stations? Another question I have is: if a reserve or settlement is remote and they deny access to the settlement or reserve, what solution is there

to allow those Albertans to be able to vote? If the minister could answer some of those questions, I would really appreciate it.

Thank you.

Ms Gray: Thank you very much for asking questions about this very important section regarding location of polling places on Indian reserves and Métis settlements. First off, I'll start with the last question you asked. If there will not be a plan for a polling station in a remote location, we have enhanced the special ballot process, and that can be taken advantage of by all Albertans. What we've done to improve that process is allow people to request special ballots ahead of writ drop because there was a certain percentage of special ballots that were not being returned in time to be properly counted. That continues to be an option for all Albertans if they are not able to get to a polling place.

We felt it was very important to make sure that as we were preparing to work with the Chief Electoral Officer in making sure that there are adequate polling locations on reserves and Métis settlements, there was consultation with the band or with the local settlement administration for each settlement as we go forward, to make sure that they are consulted because we need to find suitable building locations and suitable technology set-ups. There needs to be power, there needs to be Internet connection and so on. There needs to be collaboration between the Chief Electoral Officer and any polling location, and that process is used now, where the Chief Electoral Officer will contact school boards to work with them prior to putting a polling place in a school, for example. Going forward, because we are allowing more advance and mobile poll locations, they will be reaching out to universities, as an example. But there needs to be adequate resources for there to be a polling station.

The Chief Electoral Officer cannot unilaterally decide that there will be voting in X place because there needs to be co-operation, so through part C we are essentially enshrining that there needs to be a strong effort to make sure that we are reaching out to our First Nation and Métis peoples, that we are connecting with reserves and, where possible, placing polling locations to suit the populations that are there.

I hope that addressed your questions.

The Acting Chair: Bonnyville-Cold Lake.

8:50

Mr. Cyr: Thank you. One of my questions was on how the process works. I do know that in my own constituency I've got three reserves and two settlements, and I truly want them to participate in the election process. The way I understood it was that the CEO would book a facility on that site, and then they would hold that as a polling station. Now are we creating an extra level or an extra layer that potentially could prevent my First Nations and Métis constituents that want to vote but can't because suddenly, say, a council decides that they don't want to participate? My question is – again, this is where I want clarity on this – are we adding an extra level of barriers for these important people within my constituency to vote? That's my question.

The Acting Chair: The hon. Minister for Indigenous Relations.

Mr. Feehan: Thank you very much. I'd like to thank the member for a very thoughtful question. I think that it is an important thing for us to be concerned about. The circumstances are such that, particularly with regard to First Nations communities, they are truly sovereign on their land, and we can't simply make a decision to do something on the reserve without the permission of the band and the band council. It's the nature of the reality of the jurisdictional divide between the province and federally, so it needed to be

worded in such a way that we were making sure that we were acknowledging the jurisdiction of the band council to make decisions for things that occur on their land.

As a result, you know, we worded it in such a way that we will have the CEO have a conversation with the band council. I would hope and I would imagine – all of my conversations with the band councils are that they want to be participants in the election – that they will simply turn it over to the CEO to find a space on the council. But it was a way of acknowledging and reflecting the reality of who has authority on that land.

Thank you.

Mr. Cyr: I understand and I completely agree that we need to respect First Nations reserves and also settlement land.

Now, this moves on to the next question. If we are treating the reserves and the settlements in this fashion, are we now going to be starting a precedent that we need to ask every town or city to be able to put polling stations? I think that's a reasonable question because I can see that we're doing it here, and I think that it's important to establish that. I would like to understand what sets this apart from the others.

The Acting Chair: The Minister of Indigenous Relations.

Mr. Feehan: Thank you very much.

I appreciate you following up with your concerns. We're not setting a precedent because towns and councils do not own the land around them. It continues to remain part of the province of Alberta, but there is a very different status on-reserve. It is not, in fact, Alberta land. It is federal land that they are on, and the jurisdiction for responsibility of what happens on the land remains with the band and the council, so it is already in law a different situation than anywhere else off-reserve in this province. We're just simply acknowledging a reality that we cope with and we deal with all the time.

In terms of our concerns, you know, as the province of Alberta we have found that very frustrating, as I know many other governments have. Of course, we want First Nations to be full participants in our democracy, in our economy and so on, and it has from time to time frustrated us that we couldn't simply do things on-reserve that we would like to do throughout the rest of the province.

That jurisdictional divide has been a problem, and I think it's been a very negative problem in terms of assisting people on-reserve, but we also cannot just simply pretend that it does not exist. This honours the law. It respects and honours the integrity of the sovereignty of the bands on their own land yet at the same time provides for them to be full participants in the democratic process here in the province of Alberta. It's not a process we have to worry about anywhere else in the province because the issue of whose land it is and who has sovereignty on that land only exists in that one unique situation.

Thank you.

The Acting Chair: The hon. Member for Bonnyville-Cold Lake.

Mr. Cyr: Okay. I can see where the thought process for the minister is coming from when it comes to our First Nations. But is it not true that land is also held by the province? I hear your discussion point here, sir, that says that towns and cities are different, and I would fully agree when a reserve is involved with this. I don't mean to actually in any way, shape, or form say that we shouldn't be consulting with these groups to ensure that they get out there and are active. How is a settlement different from a town or city when it comes to this, sir?

Mr. Feehan: Thank you very much for the question. You know, it is more of a concern in this situation, as you pointed out, because the land on settlements continues to remain in the province of Alberta. It's not considered federal land at this point. However, there have been recent decisions, particularly the Daniels decision, that recognize that the Métis people are indigenous people or aboriginal, as it says under the section of the act. As a result, we know that moving forward the federal government will be making new decisions about the treatment of indigenous land as presently occupied by Métis people. They are in the process right now of signing framework agreements with both the Métis Nation of Alberta and the Métis settlements, and we anticipate that they will be moving in this direction.

In this case I think you're identifying that we are seeking to honour our relationship with the indigenous people who are Métis in this province in a way that is somewhat anticipatory of the direction that we'll be moving in in the future. I don't believe that this will be problematic in terms of setting a precedent anywhere else in the province. I appreciate the concern, however. I think that we can be fairly confident that because the lands have been set aside uniquely for the Métis people and they have a unique government that only Métis people can vote for on that settlement, they indeed represent the Métis people on the settlements in a manner which is very similar to or akin to the nature of the relationship on-reserve.

I think that it's sort of good for us to acknowledge our new relationship with the indigenous people of this province, to respect that in our lives, and to signal that in the province of Alberta we are going to take to heart the commitment to adopt the United Nations declaration on the rights of indigenous peoples, which includes Métis people, and we will act on that as if it were law. That's essentially what, you know, the federal government has agreed to do most recently, just even last week, and what we as a province here in Alberta had indicated we would do some time ago, when we first formed the government in this province. It's consistent with the desires of the people of this province, the desires of the government to move forward, and the desires of the people who will be affected by that; that is, the Métis people in this province.

I do appreciate your concern. I know that you have a great respect for the people in your community and, of course, throughout the province, and I'm sure you will, you know, want to work with us to ensure that the indigenous people in this province become full participants in this great democracy that you and I share and have benefited from by being here today.

Thank you.

Mr. Cyr: Thank you, sir, for your answer. You mentioned the Daniels case. I think that we had a lot of Métis people within Canada celebrating that case.

Looking at this legislation, part C, can I then move to the conclusion that you are anticipating to transfer our settlement land to the federal government? That is what it sounds like you are anticipating with this legislation, sir.

Mr. Feehan: Thank you very much for the question. I think that would be presumptive to think that that would indeed happen. It is a possibility that if the federal government at some point along the way follows through on some of their at this point mused about notions of setting aside land for Métis people in very much the same way that they have done for First Nations people in this province, then I suppose at some point in the future that is true. I would hate for that to go on the record at this time because there have been no consultations on that. There have been no discussions explicitly on that. It is something that we anticipate could possibly be an event

in the future but one that I would not want to codify in *Hansard* or anywhere in the law in this province.

9:00

The Acting Chair: The hon. Member for Calgary-Hays.

Mr. McIver: Thank you, Mr. Chair. Let me say that in looking at this amendment, which has arrived here to us at the eleventh hour, more of it seems good than anything else. I will say that.

[Ms Sweet in the chair]

An Hon. Member: It's only 9 o'clock.

Mr. McIver: The hon. minister is questioning the time zone we're in, I suppose.

But, Madam Chair, you know what? I have to say that this amendment, if it's the result of finally talking to the Chief Electoral Officer, really draws attention to the fact that our side of the House has been talking for days now about how the Chief Electoral Officer should have been consulted along the way. The government has been insisting that the officer was, and now they've kind of admitted that what they've been saying isn't, in fact, what's been the actual situation since a late-in-the-game consultation has led to this amendment. I will put that on record because it really speaks to who can be believed around here.

On a more positive note, even though I don't think Bill 32 can be saved, this amendment may well improve Bill 32. I'm particularly fond of the sections for locations of polling places on Indian reserves and Métis settlements. I see that as, in my view, a positive step and one that we should encourage. Surely, on the committee for the children in care panel, with members from all sides of the House, they will know that I've often asked the question, "Are the children in care more Albertan or more Canadian?" which, of course, simply means that if they are indeed Albertans, then perhaps they should be treated like Albertans, with all the rights and privileges everybody else gets, and this seems like a consideration of a similar way of looking at them, saying: "Let's bring them, as much as we can, more closely, more completely into the electoral process. Let's make sure they're welcome. Let's make it easy." This appears to be a step in the right direction.

However, some of the discussion has been around who owns the land and the fact that the reserves in particular are federal land instead of provincial land. Of course, on the reserves part of the rights that they have there is to allow people on the reserves or not allow nonaboriginal people on the reserves when they choose to. To the minister: have you considered the possibility of any complications?

Again, let me be clear. I'm very much in favour of having polling stations on the reserves, but what, for example, if there's a particular candidate – it doesn't matter which party because it's the same for all parties here – and they have a hard time getting their scrutineer to the polling station because they can't get on the reserve land? There are a number of legitimate reasons why that could crop up. I just wanted to ask the minister whether in any way the minister has considered these possible eventualities, or perhaps the minister has actually gone past what I'm musing about and indeed has an answer. Either way, I would be pleased if I could hear some comment.

The Deputy Chair: Thank you, hon. member.

The hon. Minister of Indigenous Relations.

Mr. Feehan: Thank you. I appreciate the question that has been raised by the Member for Calgary-Hays. I am concerned, though, that we not begin to characterize the relationship with our friends

and our country mates on the reserves as somehow acting in a way to exclude people from their communities. In a way, that would be problematic in this case. I appreciate the concern. I guess there is some potential that something could happen, but it's not based on any experience that we have, and while I guess I could not rule it out ultimately, because there is some power to limit who comes onto reserves and who doesn't, there has not been even a single incident in the past that would make me concerned that there has been a model of rejecting people entering on reserves for these kinds of purposes.

In fact, in my time of working with reserves, initially as a social worker some 30 years ago and now as minister, I have seen such an incredible welcomeness and openness on the reserves in this province and people welcomed on for multiple reasons. I think that we need to really stand on our experience of the relationship with the community and acknowledge their extreme kindness to us from the day we settlers came to this country to the present. You know, I would just ask us to fall back on the relationship as the way to provide ourselves some comfort in this situation.

Thank you.

The Deputy Chair: Thank you, hon. minister.

Mr. McIver: You know, I want to say to the minister how much I appreciate that, and I, too, have had nothing but positive experiences. Nonetheless, in light of planning for all eventualities, I thought the question was worth asking.

I will just close by reiterating that I think the idea of offering First Nations reserves and Métis settlements the opportunity to have polling stations is a positive one and one that I surely support.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Chair. I just want to rise and speak again to section H of the legislation and more about the election commissioner. Unfortunately, because the government has chosen to move this amendment, it has limited the opposition's ability to make any other changes to the independent office of the election commissioner. I had intended on speaking at some length about some of the challenges around the election commissioner. In fact, I had hoped to be able to move an amendment that would take the election commissioner and make them responsible to the Chief Electoral Officer because, in fact, the independent office of the election commissioner is going to create significant amounts of duplication of what the Chief Electoral Officer can already do and perform.

We're going to see a significant amount of increased costs with respect to the independent election commissioner, and there's no reason why we can't have the election commissioner inside the office of the Chief Electoral Officer. I know that this government likes to speak at length about how they do things in Manitoba, and so much of Manitoba has been infiltrated by the NDP world view there. One of the things that they have in Manitoba is an independent elections commissioner. But, interestingly enough, Madam Chair, the independent elections commissioner doesn't actually function as an independent office of the Legislature, as we've seen this government propose in this bill. So I had really hoped to be able to move an amendment that would take the election commissioner and put them inside the office of the Chief Electoral Officer.

One of the reasons why I had hoped to do that is the significant amount of cost savings that would have been realized in that. You'll know, Madam Chair, that independent officers of the Legislative

Assembly are expensive. The Elections Alberta office alone ranges from \$7 million to \$30 million a year, depending on where we are in the election cycle. The office of the Public Interest Commissioner is \$1.2 million alone. The office of the Ombudsman: \$3.2 million. The office of the Auditor General: \$26 million. The office of the Information and Privacy Commissioner: \$6.7 million. The office of the Child and Youth Advocate: \$15 million. Unfortunately, I don't know that I have the Ethics Commissioner's here with me this evening, but you can see that there are significant costs that are going to be associated with the independent office of the election commissioner. I wondered if the minister might briefly just let us know exactly what the costs of this commissioner are going to be.

9:10

The Deputy Chair: Thank you, hon. member.

The hon. minister of democratic renewal.

Ms Gray: Thank you very much, Madam Chair. Before we talk about costs, I'd like to address the member's concern that this is going to be duplication. I can tell you fairly clearly that the Chief Electoral Officer, who's responsible for administering the election, running an election, is going to be doing very different things from our election commissioner, who is going to be doing investigations and working on the complaints that essentially, if I were to imagine what this might look like six months from now, probably involve concerns around dark money, that people are concerned is seeping into our electoral system. And those special investigations will have a very different focus than somebody, the Chief Electoral Officer, who is concerned with and focused on administering and getting ready for the 2019 election, dealing with new boundaries, assuming the boundaries amendment act passes this session, and dealing with all of the processes gearing up to the 2019 election, so two offices doing very different work.

The member opposite also talked about Manitoba. We did look at what Manitoba was doing, but we also looked across the country in all jurisdictions, and one of the key areas that we found that had a model that we decided to emulate was the federal government. The federal government has had a separate office for their elections commissioner, someone who could do investigations and, not only that, someone who could request or hire special investigators in specific situations, people with expertise, to look into a particular type of concern. It was the federal model that we, in fact, chose to model our updates on, making sure that we could have that information and that set-up in a way that would respond to the concerns that we've been hearing from Albertans.

What I've been hearing from Albertans, in Mill Woods and across the province when I'm travelling in other communities, is the concern that parties are looking for loopholes or looking for gaps in the system to be able to bring in dark money, whether that be out-of-province or corporate money, and connecting that directly to parties. That was why it was so important for us to put in anticollusion mechanisms, why it was so important for us to really reconsider, through the amendments to the Election Act, how we could make sure that we are getting dark money out of our politics, that we are making sure that politics will remain with Albertans, and that people will be able to know who is trying to influence them, who is trying to sway their opinion on any given matter.

Now, we had to balance those issues, very clearly, with freedom of communication, freedom of speech, freedom of association. We saw a private member's bill brought forward with a very different model, one that specifically defined what a PAC is, one that specifically banned corporate and union donations to that PAC. I appreciate the work that the other party did on that private member's bill, but we could not, in good conscience, do something

that narrow and that specific, because by defining “PAC,” you’re leaving room for somebody to shift and to change what they are just enough not to fit that definition anymore. By banning corporate and union donations to those entities, you are impeding free speech, and despite what I’ve heard some people say on CBC lately, the Supreme Court has ruled on freedom of speech for unions and for corporations, and it would not have stood. Making sure that we separate out some of those items was important to us.

In looking into setting up the election commissioner and a separate office, to us reviewing the Manitoba model and the federal model seemed to be the best use of resources and the best way for us to meet the demands of Albertans who wanted to get big money out of politics, who wanted to know who was paying to influence their opinion, who wanted to be involved in those items. Madam Chair, I will follow up on the exact cost of that office just shortly.

The Deputy Chair: Thank you, hon. minister.

The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Chair. You know, I find it interesting that the minister talks about getting dark money out of politics. Listen, I think it’s a good cause. She talks about out-of-province money. Just two days ago in the House the Member for Lac La Biche-St. Paul-Two Hills tabled a document of those who’ve been donating to the Alberta Federation of Labour’s third-party advertiser group – you might call them a PAC as well – including a union from Burnaby, British Columbia, making donations to such an organization that is spending significant amounts of resources supporting the NDP. They like to talk about dark money, and perhaps they should talk to some of their colleagues over at some of the large unions as well with respect to over half a million dollars being donated just this year alone to that PAC.

I find some significant concern in this edition of the independent office of the Legislature. Members on that side of the House, including Edmonton-Centre and Calgary-North West, have spoken about the costs, spoken against seniors’ advocates, disability advocates being independent officers of the Legislature, and now they want to make the elections commissioner an independent officer of the Legislature. I think it’s very disappointing.

There is a risk that Albertans will be confused about whether or not they need to contact the Chief Electoral Officer or the independent elections commissioner. Certainly, the office of the Chief Electoral Officer does this exact work now. We could have had significant savings by expanding the office. In fact, the amendment that I intended to propose didn’t remove an independent elections commissioner but more reflected the Manitoba model and put that inside the office of the Chief Electoral Officer. The minister references the federal model, but I think that it’s interesting because even that isn’t, in fact, an independent office of Parliament. It reports directly to Justice, I believe, or otherwise. You know, Madam Chair, I have significant concerns about the elections commissioner being an independent office of the Legislature. I think we already have a well-established independent office of the Legislature that does a fantastic job in the form of the Chief Electoral Officer.

I get a little apprehensive when the government is essentially going to be appointing who that person is. Although it will be done through the Legislative Offices Committee, as we see in section H of the amendment, the challenge is that that selection committee will almost certainly be weighted in the favour of NDP members of the Assembly.

There are a lot of concerns. I’m very disappointed that I’m unable to move this amendment that would bring the elections

commissioner into the office of the Legislature, but there is significant work to still be done this evening, so I think it may be best if we move on and address some of the other significant concerns in Bill 32.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A1?

Seeing none, I will call the question.

[Motion on amendment A1 carried]

The Deputy Chair: We are now back on the original bill. Are there any other members wishing to speak to the bill? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Chair. I wish to propose an amendment.

The Deputy Chair: Thank you, hon. member.

Hon. member, your amendment will be referred to as A2. Please proceed.

Mr. Cooper: Thank you, Madam Chair. The amendment before the Assembly this evening is as follows: section 2(a) is amended by striking out clause (iv) and substituting the following. The long and the short of the amendment – and there’s been significant debate around this particular clause – is with respect to residency and requirements for voting in elections here in Alberta. The amendment amends the section which removes the mandatory six-month residency period. This amendment changes the requirement from having to reside in Alberta on the day of the election to being a resident for 30 days.

9:20

Madam Chair, I think the intent of encouraging voter engagement is a very important intent. Here on this side of the House we also want to encourage those to engage in the electoral process wherever possible. Now, having said that, I believe that a six months’ residency requirement is, in fact, too long. I know that during the last provincial election I had numerous constituents in the outstanding constituency of Olds-Didsbury-Three Hills come to the office and speak about some of their concerns, that they’d love to be able to vote in the upcoming election; however, they had only been here for three months or four months. They had expressed some concern about whether or not half a year was really reasonable for them to have to wait to vote here in the province of Alberta.

I fully acknowledge that six months is, in fact, too long for people to have to wait. But I also believe that 30 days is significantly more reasonable, and requiring zero residency, as in that you can move to the province of Alberta on the day of the election and still be able to vote – now, I certainly acknowledge that there are requirements with respect to valid Alberta ID or that someone would vouch for you and be on the voter list. It is possible to vote without that ID, but obviously the easiest path forward would be to have some form of Alberta ID.

But this particular clause, Madam Chair – and I know that I’ve had the opportunity to speak with a number of constituents in Olds-Didsbury-Three Hills, and my office has received significant feedback from Albertans, and it’s important. At the end of the day, that’s what we’re for, to represent those constituents, and I am certain that all members of the Assembly have received some feedback around residency requirements. Thirty days is a reasonable amount of time. It means that on the day that the writ dropped, you are also already in the province of Alberta and you have been able to follow along in the election process, get a real

sense of the direction, also that you are in fact intending on continuing to be an Alberta resident, or certainly you've made some commitment to do that.

We do have significant concerns with respect to no residency requirement. I will acknowledge that there are other provinces that have moved towards this, but I think that it is very important that we do what is best in Alberta for Albertans by Albertans, and that is exactly what we have the opportunity to do here this evening, to provide Albertans some sense of certainty.

You know, I will be the first to acknowledge that the Chief Electoral Officer has said that this is difficult to enforce. But we shouldn't legislate; we should allow honest people to continue to be honest. I recognize that someone could also not be honest about 30 days, and it would be difficult to enforce. But lots of legislation is difficult to enforce, and we shouldn't not have things in place to protect our democracy because it might be difficult to catch someone doing the wrong thing. We ought to provide Albertans the best opportunity to be honest and also provide Albertans other assurances that there are some protections around the democratic process, particularly with respect to residency here in the province.

I won't belabour the point too long this evening as I know that at the other portions of the legislative process we have spoken about this particular requirement. I encourage all members of the Assembly to consider what I would suggest is a very reasonable compromise and still does a number of things that the minister has tried to do in terms of encouraging voter turnout.

It also has addressed some of the issues that I know the Chief Electoral Officer has had, not fully but certainly some of them, with respect to information sharing between Elections Alberta and Elections Canada. With a 30-day limit it provides them the opportunity to share information freely and openly. I know that six months didn't.

Certainly, this is reasonable. I encourage folks to support it and provide Albertans what they have been contacting my office and asking for; that is, some assurances that those who are voting in Alberta elections are actually Albertans and are here legitimately, want to stay, and want to be part of our process as well as have met some very basic requirements to ensure that our democracy is protected.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A2? The hon. minister responsible for democratic renewal.

Ms Gray: Thank you very much. I appreciate that the member opposite has taken the time to make sure he's accurately describing both his amendment and also the change that our government has put forward. I'm not surprised to hear that he has had a lot of contact in his constituency office given the inaccurate social media shareables that have been out there on this issue, making it hard to gauge this issue given that misinformation was deliberately put out, confusing people on this issue.

We are not changing the ID requirements in that process. Rather, we are following a recommendation from the Chief Electoral Officer, which I appreciate the member opposite acknowledges. I understand that you've spoken with him. The year 2014 was the first time, I believe, that the CEO brought this forward. It was discussed at length at a committee of the Legislature, and at that time the decision was made to shorten the six-month window. But the CEO was asking for its removal. Other jurisdictions have removed it. The CEO repeated his recommendation in 2015 to the Select Special Ethics and Accountability Committee.

When someone moves to Alberta and puts down their roots here, they should be able to vote in our elections. Putting up barriers creates voter disenfranchisement, and I do not want to be a part of that. When someone becomes a new Canadian citizen, they can vote the very next day, but if someone moves from B.C., they can't. That doesn't make sense to me. I want to make sure that people who move to Alberta, who live in Alberta, who make it their primary residence, which is how the legislation is worded – that is what they are looking for, the ordinary residence of the person – will be able to vote in our elections.

For those reasons, I will not be accepting the amendment.

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak? The hon. Member for Grande Prairie-Smoky.

Mr. Loewen: Thank you, Madam Chair. I do want to take the chance to speak on this amendment. I think it's a very reasonable amendment, 30 days. I know the government itself, even though they won't admit now, have considered this, too, that maybe that would be reasonable, you know, to have a 30-day window. Of course, now they've dug in their heels. They're probably not going to change.

I want to point out a couple of things that have been said about this in this very House. Now, the Member for Edmonton-Centre got up and said something along these lines here:

It reminds me of some of the ridiculous claims we've heard from south of the border about phantom suggestions of mass voter fraud.

Another thing he said was:

If this, Madam Speaker, is a mass conspiracy for voter fraud, it's a [expletive] of an inefficient one.

Of course, later on we heard from the Member for Calgary-Elbow. He said:

But to attempt to deceive Albertans to think that somehow we're going to be overrun by hordes of Saskatchewanians and British Columbians and people from Prince Edward Island . . .

He goes on to say:

So to suggest that this is going to lead to widespread voter fraud, frankly, smacks of the kind of untruths that we see coming out of the United States right now . . .

Then he goes on to say:

There was not widespread voter fraud in the United States, and there will not be widespread voter fraud in this province.

9:30

Madam Chair, when I look at these comments on this very issue, I guess the only thing that they're concerned about is massive voter fraud. But you know what, Madam Chair? I'm concerned about voter fraud, period. I guess it appears from these comments that these people are only worried if it's massive. Well, I think we should be concerned about any voter fraud at all, and to suggest that, you know, if it's widespread, it's different than if it's isolated – I guess that's okay, then, if it's just some isolated voter fraud.

Now, if we look at the Member for Little Bow in a past election: won by 10 votes.

Mr. Cooper: Whoa. How many? Landslide. Landslide, Little Bow.

Mr. Loewen: Ten votes is all it would have taken to make a difference in that election. Actually, 11, I guess. So, Madam Chair, I don't see that there's a problem with the 30 days.

Now, the Member for Calgary-Elbow actually made a very bold statement, I thought. He said, "We will not have people who are fraudulently or illegitimately voting because of this bill. It simply

will not happen.” Well, I hope he’s willing to stake his political career on that because that’s a pretty bold statement, I would say.

Madam Chair, now, one thing that was brought forward is the issue of vouching. Of course, if somebody doesn’t have any ID to prove where they live or anything, then somebody that’s from the constituency that can prove where they live can vouch on behalf of somebody else that can’t. Of course, the way the law is written now, you could only vouch for one person in an election year. On April 20, 2010, the Premier brought forward an amendment to Bill 7, the Election Statutes Amendment Act, 2010. In this amendment it says, “be amended in section 31 in the proposed section 95 by striking out subsection (4). Subsection (4) states: ‘No elector shall vouch for more than one elector at an election.’” So the Premier at one time wanted to strike out the restriction to vouch for only one person per electoral year.

So, Madam Chair, I think we see some issues here. I think that this is a reasonable amendment. Thirty days isn’t a long time. I think we can see that the idea of vouching is not a bad idea. I think it helps in a lot of situations to increase voter opportunity. But it does offer an opportunity for the possibility of voter fraud, especially when you remove this requirement of six months and bring it to nothing. It’s not even a day. It just doesn’t exist anymore. I guess it’s one second; as soon as you show up in Alberta and you can have somebody vouch for you, then I guess you can be eligible to vote.

I know they talk about residency, Madam Chair, but, you know, as long as somebody is willing to show up and say that they plan on living here, then I guess they can change their mind after the election, whatever the case. This is a reasonable amendment. We should support this amendment. Like I say, I’m concerned about voter fraud, period, not just mass voter fraud.

Thank you.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Edmonton-Centre.

Mr. Shepherd: Thank you, Madam Chair. I appreciate the moment just to offer a few remarks quickly before we go ahead and, I assume, probably, vote on the question for this particular amendment. I did just want to note that when we are weighing these sorts of questions, as was in fact weighed in a court case, which the Chief Electoral Officer did reference in terms of the removal of the six-month residency requirement, what we are looking at is the likelihood of there being damage from making that decision. Looking at weighing whether allowing someone as much access as possible to their constitutional right to cast a vote versus the possibility of public harm due to an incident of something such as voter fraud: that is a very careful consideration to make. In general the principle under the rule of law is to err on the side of freedom and try to ensure the protection of someone’s rights. In this case that court ruling was that it was more important to protect that individual right than it was likely that that was going to cause severe harm.

The member that just spoke spoke about his concern about any voter fraud, and indeed that’s fair enough. But again, Madam Chair, to remind the House, there is no more likelihood of voter fraud under the legislation that we are proposing than there is under the current rules. Absolutely none. Someone is still perfectly capable right now, if they wish, of vouching for someone and saying that they are indeed a resident when they in fact are not. Somebody is perfectly capable of making that lie, making that misrepresentation under the legislation as it currently stands. Removing the six-month residency does not increase the likelihood of that occurring.

I respect the member’s opinion. I certainly respect the desire to protect the position that they’ve put forward as a party, but I cannot support this amendment.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A2?

Seeing none, I will call the question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 9:37 p.m.]

[One minute having elapsed, the committee divided]

[Ms Sweet in the chair]

For the motion:

Cooper	Loewen	Pitt
Cyr	MacIntyre	Schneider
Ellis	McIver	Smith
Hanson	Orr	Strankman
Hunter	Panda	Yao

9:40

Against the motion:

Anderson, S.	Goehring	McLean
Carlier	Gray	Miranda
Carson	Hinkley	Nielsen
Ceci	Horne	Phillips
Clark	Jansen	Piquette
Connolly	Kazim	Renaud
Coolahan	Kleinsteuber	Rosendahl
Cortes-Vargas	Larivee	Schmidt
Dach	Littlewood	Shepherd
Dang	Luff	Sigurdson
Eggen	Malkinson	Sucha
Feehan	McCuaig-Boyd	Turner
Fitzpatrick	McKitrick	Westhead

Totals:	For – 15	Against – 39
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[Motion on amendment A2 lost]

The Deputy Chair: We are now back on the original bill. The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Chair. I have an amendment. I feel like Gary Bettman. There’s been a trade.

The Deputy Chair: Hon. member, if you can just wait until I see the amendment.

Mr. Cooper: I would love to wait until you’ve seen the amendment.

The Deputy Chair: Hon. member, your amendment will be referred to as A3. Please go ahead.

Mr. Cooper: Why, thank you. A3, my favourite amendment. Well, Madam Chair, we just heard the minister speak about how she’s listened to the Chief Electoral Officer with respect to residency requirements and it’s something that he had asked for. While I personally disagree with going to zero requirements, I believe that it was a very reasonable amendment. The minister has said that she’s been listening to the Chief Electoral Officer all along. Well, his letter did indicate something different than that.

I thought that I would bring before the minister an opportunity to listen to the Chief Electoral Officer again. I don’t know why she, through you to the minister, wouldn’t want to listen to the Chief Electoral Officer. This amendment specifically will eliminate the

requirement for a door-to-door enumeration. Madam Chair, I think that it's important. There are a number of reasons why we ought to go ahead and pass this particular amendment, particularly because the Chief Electoral Officer has provided significant feedback and communication around just how ineffective door-to-door enumeration has become, how costly door-to-door enumeration has become, and, perhaps most importantly to the Minister of Labour, the significant concern that the CEO has expressed about the safety of sending out enumerators on a door-to-door as well as a rural basis. There has certainly been significant discussion about crime in rural and central Alberta, and there is a significant concern around this particular risk. I know that the Minister of Labour will know that any worker is able to refuse unsafe work, and the Chief Electoral Officer has expressed significant concerns around the safety of enumerators, but not just the safety; he's also identified that the vast majority of individuals in his role, in the form of Chief Electoral Officers, are moving away from door-to-door enumeration and towards targeted and specific enumeration as well as mail-outs.

The Chief Electoral Officer quite recently, in fact on the 1st of December, spoke at length about the full cost of door-to-door enumeration being approximately \$11 million. Eleven million dollars. "As detailed in our 2014 budget submission, door-to-door enumeration" – I'm quoting from the meeting of December 1 – "is no longer effective in updating the register of electors." I'll stop there because the good news, Madam Chair, is that the minister responsible for democratic renewal knows better than the Chief Electoral Officer, who says that it's not effective, because I can't imagine her making a recommendation to spend \$11 million on something that she doesn't actually believe is the most effective use of those resources. Now, the Chief Electoral Officer has said that it isn't, but clearly she believes differently and knows better than the guy who's responsible for delivering this particular task.

I will continue to quote from that meeting now.

As previously reported by the former Chief Electoral Officer in his enumeration report, returning officers have expressed difficulty in recruiting staff. Fifteen per cent of the staff hired quit during the enumeration process. There were 336 polling subdivisions that went unenumerated. We experienced the loss of electors' personal information.

That's a problem.

There were three polling subdivisions where elector information was lost.

Kind of an important bit of information to keep track of if you're collecting people's personal information, that was in the custody of those enumerators after it was lost.

We had a high volume of Workers' Compensation Board claims, so slip-and-fall accidents, dog bites, and physical threats from electors at the door. There is also a high number of Albertans who refuse to open the door or are not home. Albertans are concerned about their safety, and this concern has grown over the last seven years. We've listened to discussions in . . .

Oh. This is a wonderful quote from him.

. . . the Legislature this week specifically about the safety in rural Alberta, and I share similar concerns about the safety of sending enumerators across the province.

Imagine. I know that the government doesn't like to talk about rural crime and that the government doesn't like to have emergency debates on very important issues, but the Chief Electoral Officer pays attention to what's happening in the Legislature, and he knows that there are significant safety concerns in sending enumerators out across the province. But, Madam Chair, I am fearful that the minister responsible for democratic renewal will choose to continue on the path of not listening to the Chief Electoral Officer and, as

such, not accept this particular amendment, that would not require a full door-to-door enumeration.

I'll quote again from the meeting of December 1.

No jurisdiction in Canada performs a full door-to-door enumeration because of the concerns mentioned in the previous slide and due to the establishment of a permanent register of electors that is updated on a monthly basis from public data sources. The last two jurisdictions to do full enumerations were Saskatchewan and Manitoba.

Manitoba's last enumeration was in 2016, so five years after our last door to door, and the Chief Electoral Officer from Manitoba has stated . . .

I know they love Manitoba over there.

. . . in her report that 60 per cent of returning officers experienced difficulty . . . 39 per cent of enumerators found it difficult . . . to perform the task.

9:50

I could go on and on, but I think the point is very clear – very clear – the clearest point I've made all night, perhaps. The Chief Electoral Officer has significant concerns about the safety and well-being of those who might be performing this. It is a drastic, classic overexpenditure on something that everyone has walked away from in every other jurisdiction across the nation, yet this minister knows better than everyone else, it would appear. Spending \$11 million on something that is not going to get us results is profoundly disappointing. I hope that the minister will reconsider and accept this amendment.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to speak to amendment A3? The hon. minister responsible for democratic renewal.

Ms Gray: Thank you very much, Madam Chair, and thank you to my colleague both for this amendment as well as for reflecting for the record the concerns and thoughts of the Chief Electoral Officer on this item. I would like to draw attention to essentially what I am attempting to do, what we are attempting to do as a government with Bill 32, An Act to Strengthen and Protect Democracy in Alberta, and that is that we are looking to encourage voter participation. We are looking to see a higher voter turnout in the 2019 election. We want Albertans to be engaged in our democracy, and we've implemented a number of measures to reduce barriers to allow Albertans to be able to engage.

In this case, door-to-door enumeration – that personal touch of someone coming to your home to remind you of the electoral process, to remind you of your ability to vote in an election, to confirm your information, to compile that voters list to make sure that there is accurate voter information, and to encourage people to vote – is something that I think may help with voter participation. One hasn't been done in Alberta since 2011. We have not been doing door-to-door enumeration for quite some time. The opportunity to talk to the voters, to let them know of their rights to vote, to engage on that may have value.

Now, I am a former programmer, Madam Chair. I love technology. But database trawling and doing the online digital updates could be missing that interpersonal touch of telling someone, "There's an election coming up, and here's how you get onto the voters list or off the voters list," and working with them to that effect. Door-to-door enumeration is something which, I would remark, might be the most convenient way for an elector to get onto the list because someone comes to their door to engage them rather than them having to go to a website to sign up or to be tracked through some other digital update. In my opinion, I think that door-to-door enumeration and making sure that we have a final update of

our voters list, given the huge amount of change in Alberta since 2011, people moving here, people moving within Alberta – let's do one last door-to-door enumeration and update the list and assess at that point, on a go-forward basis, whether door-to-door enumeration has value or not.

These are the reasons why we have included a door-to-door enumeration. We want quality lists. More than that, we want Albertans to know about the upcoming election and how they can get onto the voters list and their ability to participate in our democracy. Making sure that we have good voter information and encourage participation is paramount to me. That is why so many of the pieces of Bill 32 are focused on voter participation and encouraging people to be part of the democratic process.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any other members wishing to speak to amendment A3?

Seeing none, I'll call the question on amendment A3 as proposed by the hon. Member for Olds-Didsbury-Three Hills.

[Motion on amendment A3 lost]

The Deputy Chair: We are now back on the bill. Are there any other members wishing to speak to the bill? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Why, thank you. I have an amendment to propose.

The Deputy Chair: Thank you, hon. member. Your amendment will be referred to as A4.

Please go ahead.

Mr. Cooper: Thank you, thank you, thank you, Madam Chair. I propose an amendment. There has been much, much, much discussion about getting big money out of politics. I have had the opportunity to speak at length about the importance of getting big money out of politics. I've also highlighted the fact that there's no bigger money in politics than government money and their continual desire and unquenchable thirst for making announcements during elections, by-elections and advertising government programs during all of that time.

I would like to thank the minister for putting some restrictions on government advertising during elections and by-elections. However, in Bill 32 the government has proposed a number of exemptions that, you might say, Madam Chair, you could drive a government announcement through. This particular amendment proposes to strike out a number of the clauses that provide exemptions for government advertising.

[Mr. Sucha in the chair]

Now, I will be the first to acknowledge, Mr. Chair, that there is important work of the government that needs to proceed during elections and by-elections, particularly with respect to public safety, particularly with respect to health and other major issues that may be before Albertans. On issues of public health and safety I fully agree that the government should continue to be able to advertise when necessary during a by-election or a general election. I also continue to agree that during an election or by-election governments should be able to advertise with respect to procurement or other advertisements required by law.

Unfortunately, within the Bill 32 legislation the government has chosen to include clauses that will allow announcements during by-elections that may specifically have a larger impact on the constituency that is in the middle of a by-election. An example that

I have been given by members of the ministry is that the government would still be able to make an announcement with respect to the ring road in Calgary even though there was a by-election going on in Calgary-Lougheed because it affects all of the city and not specifically the constituency.

Mr. McIver: You could drive an announcement through that.

Mr. Cooper: You could drive a government announcement right around the ring road of Calgary that would have a significant impact or could potentially on the by-election happening in the Calgary area. It is a big ring road.

It's a big loophole. This amendment would remove that loophole, tighten up some of the restrictions around making government announcements. In fact, there's no reason to announce a school anywhere in the province during a by-election. Those sorts of announcements can wait 28 days. The only reason is that it is a significant benefit to government when making an announcement during a by-election. This amendment removes those giant, giant holes that are left before us.

10:00

I encourage the member, if she's serious about getting big money out of politics, that will include government advertising during by-elections – I appreciate the efforts that she's made thus far. Unfortunately, they leave significant discretion for the government to still continue to abuse this particular clause. I encourage her to tighten up the loopholes. Let's move forward, make sure that we're actually doing what we say, and that is to strengthen democracy here in the province of Alberta and get big money, the darkest money of all, government money, out of by-elections.

An Hon. Member: Grey, grey.

Mr. Cooper: Grey money.

The Acting Chair: The hon. Minister of Labour.

Ms Gray: Thank you very much to the member for this amendment. We need to make sure that the government is able to communicate to people on significant issues even during a by-election.

Now, we have put in place that during a by-election we will prohibit the advertising and the communication of things that disproportionately impact that area. In the example of the Calgary-Lougheed by-election we would think that it would be a bad idea to announce schools in the middle of a by-election in the by-election riding. We got that idea from reviewing some past behaviour, making sure that we do not – and those people are sitting across the way now. You could talk to your colleagues about these events. Making sure that we are putting some good constraints on government advertising communications is necessary because we have seen some terrible behaviour in Alberta in our not-so-recent past, and that is what we have done.

But discontinuing publications or advertisements required for ongoing programs, departments, or provincial corporations is too much. Discontinuing that is too much. Keep in mind that we are talking about provincial corporations. That includes things like ATB, who does economic impact updates on a regular basis. I do not think that those should stop because there is a by-election, and that is why we have put these exemptions in here.

As well, I would not want to see our budget delayed because a by-election was called. I've just startled our Minister of Finance. I apologize for that, Joe.

We're making sure that if a by-election needs to be called during the operation of the Legislative Assembly, we are able to continue to work because we cannot predict when these things will be called. And sometimes people demand that a by-election must be called immediately or else democracy is forever broken. Immediately. Now. Call it now. When that happens, we don't want that to have to impact the government planning and what is happening.

Making sure that we are able to balance those opportunities is what we've done, so I'm really proud that we have fulfilled our commitment, one that we made from the very beginning, to put some serious restrictions on government advertising. As the minister responsible for democratic renewal this has been very important to me, and we have that in front of us now.

I appreciate the members opposite and their amendment, but I will not be supporting it.

The Acting Chair: Are there any other members wishing to speak to amendment A4?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A4 lost]

[Several members rose calling for a division. The division bell was rung at 10:04 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Sucha in the chair]

For the motion:

Cooper	MacIntyre	Smith
Ellis	McIver	Strankman
Hanson	Pitt	Yao
Hunter	Schneider	

Against the motion:

Anderson, S.	Fitzpatrick	McCuaig-Boyd
Carlier	Goehring	McKittrick
Carson	Gray	McLean
Ceci	Hinkley	Nielsen
Clark	Horne	Phillips
Connolly	Jansen	Piquette
Coolahan	Kazim	Renaud
Cortes-Vargas	Kleinstauber	Rosendahl
Dach	Larivee	Schmidt
Dang	Littlewood	Shepherd
Eggen	Luff	Sigurdson
Feehan	Malkinson	Westhead

Totals: For – 11 Against – 36

[Motion on amendment A4 lost]

The Acting Chair: The hon. Member for Olds-Didsbury-Three Hills.

Mr. Westhead: Mr. Chair, point of order. I believe there's a member on the opposite side that may not have voted in the past division.

The Acting Chair: Sorry. Member for Lac La Biche-St. Paul-Two Hills, you didn't have a recorded vote for this amendment.

Mr. Hanson: I was voting for the amendment. Sorry.

The Acting Chair: Oh, you're voting for it?

Mr. Hanson: I never stood up in time, I guess.

10:10

The Acting Chair: All right. Just to indicate to all members, you have to stand during the divisions, standing votes.

As clarification for the Member for Lac La Biche-St. Paul-Two Hills, you said you were voting in favour?

Mr. Hanson: Yes, Mr. Chair, I was voting in favour.

The Acting Chair: Okay. So we'll cite that as 11 in favour.

I'll move on to the next topic item. The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: I have an amendment.

The Acting Chair: Okay. This will be referred to as amendment A5.

Carry on, Member.

Mr. Cooper: Thank you, Mr. Chair. I have an amendment to propose, and I believe, much to the chagrin of all members in the Chamber, I am sure, this will be my last amendment. [interjections] I, too, am sad.

My last amendment for this evening, barring any significant change – and there always could be that. This particular amendment is with respect to the election commissioner. While I expressed some major disappointment earlier about the role of the election commissioner and the fact that I felt that he or she should be within the purview of the Chief Electoral Officer, unfortunately, that was unable to be moved. But I do think that there needs to be some certainty around the election commissioner's ability to respond to third-party advertisers or nomination contestants. As we all know, there is a significant list of folks who are affected by this particular piece of legislation and how they interact or how they don't interact and those that want to engage in third-party advertising or advertising of a political nature.

As has been established by the minister, the election commissioner will rule on a number and a wide range of sections of the legislation, and they are solely responsible to do that. The fines for not following the legislation are up to \$5,000, which is fair, reasonable. This is a serious matter. We want third parties to be held to account to make sure that they are in fact following the legislation.

There are some matters where a third-party advertiser might like to ask the opinion of the election commissioner, but there's no actual requirement on the election commission to respond. Now, good practice would obviously indicate that the election commission would like to respond, but in the course of a general election, which we all know is only 28 days, a third-party advertiser might ask at the beginning of the election and they may not hear a response from the election commissioner for quite some time.

There is a significant number of areas where the election commissioner may be required to provide feedback, so I felt that it would be reasonable, particularly reasonable, to put some parameters on which the commissioner would be required to respond. This amendment asks that the election commissioner would respond within 14 days of a request, and it's reasonable that the election commissioner would do that. We also would never want to be in a situation where the election commissioner, for whatever reason, would choose not to respond. There are potentially some very complex decisions to be made about whether or not they have done that. It would essentially provide a preruling as to whether or not a particular event or advertisement would be considered to be in contravention of the legislation.

I think putting some sense of guidelines on what will be expected of this particular independent office of the Legislature is reasonable and also will provide third-party advertisers with some sense that they will be able to get the guidance and direction that they need. With that said, I encourage the minister to recommend to her colleagues, as I know that that's the only way things get done over there, to support this amendment.

The Acting Chair: The hon. Minister of Labour.

Ms Gray: Thank you very much, Mr. Chair. I think that in the case of this new office and officer, applying restrictions at this point is premature. There will be opportunities to work with the new officer through the legislative committee that he or she will be reporting to, so in this case I am not in favour of this amendment.

That being said, the reason we are creating an election commissioner is precisely for the situation that the member opposite describes, which is in the middle of a busy election, a short period of time, being able to respond effectively and quickly, when the Chief Electoral Officer is busy administering an election. It is completely fair because that is such a huge task. Having an election commissioner who will be able to respond to third-party advertisers, to political parties, and to potentially investigate things within, well, hopefully very soon after they are reported: that is what we want to be able to see happen, and that is why we are moving forward with plans for an election commissioner.

Thank you to the member for the question. This is probably going to be a very good question to ask the election commissioner as he presents his first annual report to the standing committee, how he was able to respond to requests and what tools and resources he may need and whether that is more legislation or how that can be addressed.

I will not be supporting this amendment. Thank you.

The Acting Chair: Are there any other members wishing to speak to amendment A5?

Seeing and hearing none, I'll call the question.

[Motion on amendment A5 lost]

The Acting Chair: We are back on Bill 32. The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Mr. Chair. I have an amendment.

An Hon. Member: Hooray.

Mr. Clark: Hooray.

The Acting Chair: That will be referred to as amendment A6. Please carry on, hon. member.

Mr. Clark: Thank you very much, Mr. Chair. I move that Bill 32, An Act to Strengthen and Protect Democracy in Alberta, be amended in section 70, in the proposed section 125.1, (a) in subsection (2) by adding the following after clause (a):

(a.1) facilities on Indian reserves;

(a.2) facilities on Metis settlements;

and (b) in subsection (4)(a) by adding "(a.1), (a.2)," after "(a)".

10:20

Mr. Chair, this has the effect of listing specifically where special mobile polls are to be considered. Section (2) is: "Facilities at which a special mobile poll may be established include the following." It's important that we specify indigenous reserves and Métis settlements as a specific area within this bill as I know this

government and, I hope, all members are committed to reconciliation. This is one of those small, symbolic but, I think, very important points in terms of ensuring that we make elections free, fair, and accessible. Our country has a very sad and, frankly, shameful history when it comes to voting status for indigenous people. Indigenous people did not have the right to vote until 1960, which is absolutely shocking and simply wrong.

So it is very important that we ensure that remote areas – often indigenous and Métis settlements are, obviously, very remote – have the opportunity for a special poll. It's interesting, of course, that voter turnout tends to be very low on First Nations and Métis settlements, on average, in 2015, 20 per cent lower than the Canadian average. The more people who vote, the more engaged they are. It is, of course, the democratic right of everyone in this country to access voting. Special polls are one way of doing that. If the chief and councils ask for a special mobile poll, I think it's important that we accommodate them and make it easier to vote, not harder. I have had some conversations with government on this, and I am encouraged that perhaps they will in fact support this. I would obviously like very much to see that support.

I also want to just very briefly, as I conclude my remarks here, thank Parliamentary Counsel for some quick work this evening in fixing up this amendment for us and renumbering it here at the last minute. Of course, I also would be remiss if I didn't mention my very capable staff, who proposed this idea. Thank you to each of them for the work that you've done to move this amendment forward.

Thank you very much, Mr. Chair.

The Acting Chair: The hon. Minister of Labour.

Ms Gray: Thank you very much, Mr. Chair, and thank you to the member for this amendment. As you stated, yes, we are committed to reconciliation, and we've already moved an amendment this evening that specifically addresses Indian reserves and Métis settlements.

As such, I think this is good, and I'd like to recommend that we accept my colleague's amendment.

The Acting Chair: Are there any other members wishing to speak to amendment A6?

Seeing and hearing none, I'll call the question.

[Motion on amendment A6 carried]

The Acting Chair: Are there any other questions, comments in relation to Bill 32?

Seeing and hearing none, are we ready for the question on Bill 32?

[The remaining clauses of Bill 32 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Acting Chair: Opposed?

[The voice vote indicated that the motion to report the vote carried]

[Several members rose calling for a division. The division bell was rung at 10:24 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Sucha in the chair]

For the motion:

Anderson, S.	Gray	Miller
Carlier	Hinkley	Miranda
Carson	Horne	Nielsen
Ceci	Jansen	Phillips
Clark	Kazim	Piquette
Connolly	Kleinstuber	Renaud
Coolahan	Larivee	Rosendahl
Dach	Littlewood	Schmidt
Dang	Luff	Schreiner
Eggen	Malkinson	Shepherd
Feehan	McCuaig-Boyd	Sigurdson
Fitzpatrick	McKitrick	Turner
Goehring	McLean	Westhead

Against the motion:

Ellis	McIver	Smith
Hanson	Pitt	Strankman
Hunter	Schneider	Yao
MacIntyre		
Totals:	For – 39	Against – 10

[Motion to report the vote carried]

Bill 33 Electoral Divisions Act

The Acting Chair: Are there any comments, questions, or amendments to be offered with respect to this bill?

Seeing and hearing none, are we ready for the question?

[The remaining clauses of Bill 33 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Acting Chair: Opposed?

[The voice vote indicated that the motion to report the vote carried]

[Several members rose calling for a division. The division bell was rung at 10:29 p.m.]

[One minute having elapsed, the committee divided]

[Ms Sweet in the chair]

For the motion:

Anderson, S.	Gray	Miranda
Carlier	Hinkley	Nielsen
Carson	Horne	Phillips
Ceci	Jansen	Piquette
Clark	Kazim	Renaud
Connolly	Kleinstuber	Rosendahl
Coolahan	Larivee	Schmidt
Cortes-Vargas	Littlewood	Schreiner
Dach	Luff	Shepherd
Dang	Malkinson	Sigurdson
Eggen	McCuaig-Boyd	Sucha
Feehan	McKitrick	Turner
Fitzpatrick	McLean	Westhead
Goehring	Miller	

10:30

Against the motion:

Ellis	MacIntyre	Schneider
Hanson	McIver	Strankman
Hunter	Pitt	Yao
Totals:	For – 41	Against – 9

[Motion to report the vote carried]

Bill 34 Miscellaneous Statutes Amendment Act, 2017

The Deputy Chair: Are there any questions, comments or amendments to be offered in respect to this act?

Seeing none, I'll call the question.

[The clauses of Bill 34 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

The hon. Deputy Government House Leader.

Ms Larivee: Thank you. I'd like to move that at this time we would rise and report.

[Motion carried]

[Ms Sweet in the chair]

The Acting Speaker: The hon. Member for Calgary-Shaw.

Mr. Sucha: Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 33 and Bill 34. The committee reports the following bills with some amendments: Bill 30 and Bill 32. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official record of the Assembly.

The Acting Speaker: Does the Assembly concur in the report? All in favour, please say aye.

Hon. Members: Aye.

The Acting Speaker: All opposed, please say no. So ordered.

Government Bills and Orders Third Reading

Bill 30 An Act to Protect the Health and Well-being of Working Albertans

The Acting Speaker: The hon. Minister of Labour and minister responsible for democratic renewal.

Ms Gray: Thank you very much, Madam Speaker. It is a privilege to be able to rise today to move third reading of Bill 32, An Act to Strengthen and Protect Democracy in Alberta.

I'm not going to speak for very long.

An Hon. Member: Bill 30.

Ms Gray: Oh, Bill 30 – thank you; the other bill – An Act to Protect the Health and Well-being of Working Albertans, which is also very important and I'm also very proud of.

I'm not going to speak for very long, Madam Speaker. I really just want to highlight that this bill is a huge leap forward, updating occupational health and safety and enshrining the three rights for workers: making sure that harassment is defined and included in OH and S, making sure that responsibilities for all workplace parties are clearly defined, and on the WCB side making sure that we have a sustainable system that provides the supports that Alberta's workers need, provides the rehabilitation that they need. With the changes on the OHS and the WCB side this bill is really going to make a difference for working Albertans.

I'm very proud of the work that went into this. I want to say thank you to the team that helped to draft this bill and worked on it as well as all Albertans who took places in some very large consultations to get us to this point.

Thank you very much, Madam Speaker. I'm very pleased to speak to Bill 30 in third reading.

The Acting Speaker: Thank you, hon. minister.

Are there any other members wishing to speak? The hon. Member for Cardston-Taber-Warner.

Mr. Hunter: Thank you, Madam Speaker. I rise this evening to speak to this third reading of Bill 30, An Act to Protect the Health and Well-being of Working Albertans. It's important to begin by saying that this bill includes several provisions that will live up to its title of protecting Albertans, Alberta's workforce.

First and foremost, harassment, bullying, intimidation, or assault of any kind, be it physical or verbal, are completely unacceptable. I echo the Member for Lethbridge-East's sentiment on this issue and thank her for speaking so passionately about this issue. That goes for the workplace or anywhere else, for that matter. Harassment has many faces, and they are all ugly. As members of this House we should strive to set the standard for comprehensive legislation against workplace harassment.

Second, this bill protects a worker's right to refuse unsafe work conditions without fear of reprisal from an employer or supervisor. Years ago the most junior employees on a work site were sometimes thrown into the most precarious situations. That is unacceptable. Often these employees had the least experience, but they were the least likely to complain to a supervisor for fear of losing their jobs. This bill aims to protect those workers, and I applaud that.

10:40

Third, I want to recognize how important it is to ensure our province has an OH and S and WCB system that is current. It's been over 15 years since we looked at this legislation, and it's vital that our province stay on top of evolving trends. This includes studying and reporting on a constant basis how we can make the workplace a better environment to be in while also protecting the rights of those who may have tragically been injured while doing their job.

These provisions and others lead me to believe that the hearts of members on the other side of this House are in the right place. Unfortunately, the execution of this bill overall falls short of what we would expect to be in the best interests of the province and its workforce. Now, Madam Speaker, I've spoken at length on this bill, both in Committee of the Whole and second reading, so I hope I don't sound like a broken record, skipping and repeating myself ad nauseam. But the strength of Alberta's workforce and, by association, our economy are too important to concede ground on this bill.

The most glaring deficiency with Bill 30 is the lack of public consultation. I can already see the eyes roll on the other side, but the government did not adequately discuss this massive piece of legislation with representatives from the employees' and employers' sides. I've heard the numbers: 1,300 completed surveys, eight town halls and meetings, 90 written submissions from industry, and the list goes on. However, I must remind the government that that is only half the job.

I've made a point in my life of not putting all my financial eggs in one basket. Because of that I've worked in several different fields, construction being one of them. I can tell you that when we took on a project, we always finished it. Imagine building a house and not putting on a roof. Imagine taking a cab and then getting dropped off two-thirds of the way to your destination. So I ask, through you, Madam Speaker: why is it okay in government that we only work in half measures?

This bill was introduced last week. How can the government expect that we fully consult stakeholders after the bill is introduced in a matter of a week? It's impossible. Most people don't take notice of these kinds of massive changes until the media reports on it. That's when the letters and calls start flooding in, but by this time it's too late. Those concerns directed at the government fall on deaf ears, and the fact that this government didn't even approve a single amendment proposed by the opposition proves that.

Madam Speaker, a letter was sent to the minister and MLAs from the Alberta Road Builders & Heavy Construction Association that expressed concern over the speed at which this piece of legislation was introduced and moved through the legislative process. An excerpt from the letter reads:

We are concerned at the speed at which Bill 30, introduced on November 27, 2017, is moving through the Legislature and request time for a full costing analysis to be done by the department before the bill proceeds to third reading.

Like many other industry associations ARHCA represents countless businesses. The minister may think that these are faceless organizations, but they are not. They employ real workers who go home each night to spouses, children, brothers, and sisters. Where is the concern for their jobs?

Had a full economic impact study been completed, the government would have learned how this bill will adversely affect small and medium-sized businesses and larger businesses as well, Madam Speaker. Large corporations are robust enough to absorb these costs, but one industry association told me that of the hundreds of businesses they represent, fewer than 10 per cent could even be considered large. The rest are at serious risk of layoffs and reduced employment hours as many parts of this bill take effect almost immediately in the new year. Had an economic impact study been carried out, the government would have realized the mistake of removing the maximum insurable earnings on WCB claims. From the government's perspective, I can see that the intention here is to certify that injured workers will be made almost entirely whole, but then there are those pesky unintended consequences.

In this case it's like a domino effect, which has the potential of risking recovery. One, remove the maximum insurable earnings cap. Two, WCB premiums increase to reflect the new cost of insuring workers. Three, employers have less capital to invest in their business and pay workers. Four, business is downsized, and workers get laid off. Five, fewer jobs become available in Alberta. Six, Alberta becomes less attractive for investment. Seven, tax revenues diminish, as we are seeing happen right now, resulting in social programs and services in jeopardy. Eight, people move away from Alberta, and the spiral continues downward.

In conclusion, I will end by saying that the members opposite have fine-tuned the skill of creating unintended consequences. If

that is how they wish to be remembered, then so be it. But in good conscience I cannot support this bill if its unintended consequences could cause Albertans to lose their jobs.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to third reading?
The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Madam Speaker. You know, in the summer of 1992 I worked for a marble and tile company. I was very young at the time, spry. But the comment from the hon. member before, saying that the newest workers were given the most precarious jobs: that was absolutely true in my case. I'll never forget being on the corner of 4th Avenue and 5th Street S.W. in Calgary climbing a rickety scaffolding, carrying 500 pounds of granite.

An Hon. Member: Come on.

An Hon. Member: By yourself?

Mr. Clark: Okay. With another guy, but with one arm. In the other arm I had seven bags of cement. Yeah. [interjections] It was an easy day, yeah. It was a huge slab of granite. I will acknowledge that there was another person there to help me do it. But I recall that that was not probably the single safest thing I've ever done. No fall protection. I'm pretty sure that I was wearing steel-toed boots, but that's about it. I was a lot fitter at the end of that summer than I was when I started, let me tell you.

You know, I compare that to, maybe, five years ago, when I was working in IT in the oil and gas industry, sitting in a boardroom on the 30-somethingth floor of a tall office tower in downtown Calgary. Yes, I could barely carry my laptop at that point. But at the start of that meeting we would do a safety moment. We would do a safety moment at the beginning of that meeting in a cloistered office far away from the oil sands plant of the customer that I was working at. That tells you a lot about the change, the evolution of safety culture over the last couple of decades, and I think this bill is in keeping with that broad evolution. It reflects the changes that we've seen, that a safety culture is a far more important thing now than it was in the past.

That's a very important thing to note. Responsible companies will have a strong safety culture, and that's an important thing, but there is a role for legislation. There is a role for legislation to ensure that that safety culture is not the only thing that we rely on and that, in fact, workers have recourse should they find themselves in unsafe situations. So, certainly, a lot of aspects of this bill I support.

We did try to amend it to make it even better, especially as it relates to vulnerable workers and to ease the burden on not-for-profits, to allow them some flexibility in, perhaps, pooling of resources on the administrative side to comply with some aspects of this bill. Very important, of course, that not-for-profits, as all companies or organizations, should be expected to comply with the health and safety standards and WCB regulations but to perhaps, given their limited administrative resources, pool some resources. It's unfortunate that we were not able to convince the government to pass that.

Also, education and alternative sentencing as it relates to vulnerable workers. We would have liked to have seen that as well as measures on the code of conduct provisions and making sure that that is reviewed on a regular basis.

I'm very pleased to see the change as it relates to psychological injuries, posttraumatic stress, and I think I would be remiss if I didn't note the importance of the bullying and antiharassment provisions of this act. Industry, of course, has a role in that, but there is a very

important role for legislation and very clear rules that people know. There must be legal recourse if they are abused on the job or fired for being sexually harassed. It's not acceptable. At no time has it ever been acceptable. It's certainly not acceptable now, and it's good to know that this bill is in place to strengthen those protections even further.

While we do certainly have some questions and some concerns about this bill, the Alberta Party caucus will be supporting it at third reading. Thank you very much, Madam Speaker.

10:50

The Acting Speaker: Thank you hon. member.

Are there any members wishing to speak – oh, 29(2)(a). My apologies.

Seeing none, are there any other members wishing to speak to the bill? The hon. Member for Red Deer-South.

Ms Miller: Thank you, Madam Speaker. I rise today in support of Bill 30, An Act to Protect the Health and Well-being of Working Albertans. Alberta's Occupational Health and Safety Act is important legislation. Hard-working Albertans know that health and safety can affect their lives and the lives of their colleagues and families. I believe Albertans and their families should have faith that they come home safe from a long day at work. That doesn't always happen.

Last year more than 44,000 workers were injured on the job, and 144 workers never made it home. That is unacceptable. It is a heartbreaking tragedy. In 2015, which is our most recent data, a study placed Alberta at number 2 in the country for workplace fatalities per million when it comes to our working population. Bill 30 seeks to change that record.

What makes workplace incidents even more tragic is that most are preventable. Preventing accidents and near misses is done with public awareness, training, proper precautions like using PPE, and effective enforcement of up-to-date legislation. Bill 30 will create a responsive system that can adapt to changing hazards to better prevent illnesses, injuries, and support workers' return to work. Bill 30 does this, first, by clarifying roles and responsibilities of everyone in the workplace, employers and workers alike, to ensure everybody's health and safety. Bill 30 enshrines workers' rights: the right to know about workplace hazards, the right to participate in workplace health and safety committees, and the right to refuse unsafe work.

People want to know that they are being listened to and that they have been heard. When an employee feels protected and respected, morale goes up and both performance and profitability increase. This mentality and its effects contribute to a strong economy. Our economy doesn't exist without workers, and this bill protects workers. Bill 30 will make it mandatory to promote a strong health and safety culture in our workplaces. All of these changes do more than bring occupational health and safety laws into the present; they also bring Alberta's workplace rights and protections on par with the rest of Canada. This in turn will make it easier and cheaper for employers to do business across the country.

Madam Speaker, a strong system of workplace health and safety programs saves lives. The changes in Bill 30, An Act to Protect the Health and Well-being of Working Albertans, are long overdue and deserve our full support. They are based on thorough reviews and extensive public input. They will better protect workers from injury and illness and will also better support workers if they do get hurt on the job. Bill 30 means a WCB system that's more fair, accessible, and better supports workers and their families. As legislators we have an obligation to make it happen and protect our fellow Albertans. Alberta's workers deserve these changes, and I will be voting in favour of this bill and encourage all in the House to support it.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?
Seeing none, are there any other members wishing to speak?
Seeing none, is there any member wishing to close debate?
Seeing none, I will now call the question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 10:55 p.m.]

[One minute having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Anderson, S.	Gray	Miranda
Carlier	Hinkley	Nielsen
Carson	Horne	Phillips
Ceci	Jansen	Piquette
Clark	Kazim	Renaud
Connolly	Kleinstauber	Rosendahl
Coolahan	Larivee	Schmidt
Cortes-Vargas	Littlewood	Schreiner
Dach	Luff	Shepherd
Dang	Malkinson	Sigurdson
Eggen	McCuaig-Boyd	Sucha
Feehan	McKitrick	Turner
Fitzpatrick	McLean	Westhead
Fraser	Miller	Woollard
Goehring		

Against the motion:

Ellis	McIver	Smith
Hanson	Pitt	Strankman
Hunter	Schneider	Yao
MacIntyre		

Totals:	For – 43	Against – 10
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[Motion carried; Bill 30 read a third time]

The Acting Speaker: The hon. Deputy Government House Leader.

Ms Larivee: Thank you, Madam Speaker. At this time I'd like to request unanimous consent that notwithstanding Standing Order 77 the Assembly proceed to third reading of Bill 32.

[Unanimous consent granted]

11:00

Bill 32
An Act to Strengthen and Protect
Democracy in Alberta

The Acting Speaker: The hon. Minister of Labour.

Ms Gray: Thank you very much, Madam Speaker. I'm very excited to speak to third reading of Bill 32, An Act to Strengthen and Protect Democracy in Alberta.

This bill is going to make voting easier and more accessible for Albertans. This bill is going to get dark money out of our political system and increase the transparency for all Albertans through the creation of a new election commissioner and by making sure that third parties have reasonable restrictions and rules so that Albertans will know what's happening in their democracy. I'm very proud of

Bill 32, An Act to Strengthen and Protect Democracy in Alberta, and the positive changes that it brings for Albertans.

I'd like to thank all those who contributed to this bill and to the debate that has happened in this Legislature. It's been a pleasure to work on this piece of legislation.

Thank you very much, Madam Speaker.

The Acting Speaker: Thank you, hon. minister.

The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Speaker. It's a pleasure to rise and speak to Bill 32, An Act to Strengthen and Protect Democracy in Alberta. I might just say that it's sort of a rubbish title. The fact of the matter is that there is so much about this legislation that really has missed the mark – has missed the mark – which is why I would use such strong language about the title.

Madam Speaker, much has been said not just this evening but over the past number of days as we're well and truly into, you know, extending the session and discussing this particular piece of legislation, that really hasn't accomplished all the goals that the government had set out to achieve. We've spoken at length about some of those concerns with respect to residency requirements. We've spoken at length on some concerns about the lack of consultation with the Chief Electoral Officer. We saw earlier this evening some movement around that particular area and, finally, the government listening to some of his concerns.

I highlighted at some length in Committee of the Whole the significant challenges around enumeration. The government seemingly likes to pick and choose all sorts of different things, and in this case the Chief Electoral Officer has very, very, very clearly laid out a case both for tabulators as well as, very clearly, a case against a door-to-door enumeration and highlighted a lot of concerns, including safety of workers, something that I was under the impression this government was in favour of. When the Chief Electoral Officer says, "I have safety concerns about a door-to-door enumeration; I have significant concerns around the fact that every other province and jurisdiction in this great land of ours has gone away from a door-to-door enumeration," the minister says: "No. Don't confuse me with the facts. I've already made up my mind. We want to spend 11 million bucks on something that's not going to provide the types of results that we say it is."

The Chief Electoral Officer has said that it is going to put workers at risk, which is exactly – the Chief Electoral Officer has said that he has significant safety concerns around this, yet the government has chosen to go in the exact opposite direction, spending to the tune of \$5 million more and getting worse results. It's exactly what this government continues to do in multiple areas of their tenure here in this Assembly, to go in the exact opposite direction, including tabulators, vote tabulators, where they could have saved \$5 million on enumeration and then delivered on something that the Chief Electoral Officer actually asked for, which was good enough for the by-election in Calgary-Lougheed, probably would have been good enough for the general election. But this particular minister has chosen not to heed the advice of the Chief Electoral Officer and to go in the exact opposite direction, Madam Speaker, and it should be concerning to every member of the Assembly.

While I will acknowledge that there are some sections in the legislation that have moved our democracy in the right direction – I believe a number of the regulations around third-party advertisers have certainly added value and clarity to the roles and responsibilities of third-party advertisers, and I fully support those. I think we made some good progress this evening on providing more access to democracy at a wide range of locations here in our

province with respect to First Nation and Métis settlements. I think we've made some positive progress with respect to voter terminals that will allow more individuals to vote. I think this is a real step in the right direction. I think we've made some positive progress around mobile polls.

But, on balance, there are major, major, major challenges with Bill 32. The Official Opposition made some significant commitments and some significant contributions to the debate this evening, much of which were not heeded by the government. So it is exactly for those reasons that I encourage all of my colleagues on this side of the House to vote against Bill 32, an act that, in fact, will not, to the fullest extent that was required, strengthen and protect democracy in Alberta. In fact, the Chief Electoral Officer had concerns about degrading the services that voters will come to expect.

With that, I encourage all members of the Assembly to vote against Bill 32.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Madam Speaker. You know, in many ways, this bill would not have been necessary. Certainly, most of it would not have been necessary had this government allowed the Select Special Ethics and Accountability Committee to do its work back at the outset, back in 2015-16.

Unfortunately, that committee was allowed to fizzle out before we had a real opportunity to tackle the challenge of third-party advertisers or PACs, so this legislation is required to try to undo some of the damage that was done through the unintended consequences or the lack of oversight that this government has allowed to happen as it relates to third-party advertisers, as it relates to PACs. It was an opportunity to really address overhauling Alberta's electoral system, both the Election Act itself as well as the Election Finances and Contributions Disclosure Act, and to put in place a new model, a new framework that would last for a generation.

What I genuinely worry about is that should this government find itself out of power after the next election and should our friends in the Official Opposition somehow find themselves in government, we've set ourselves up now for this whipsaw of governments just putting election laws in place that benefit them and don't benefit all Albertans. Should that happen, I'll be sitting here, perhaps with a few more friends next time, and talking about the UCP stacking the deck. You know, the NDP really did try to stack the deck in their initial changes to election law, and unfortunately they've realized that that was perhaps detrimental to – let's be generous – the entire province or perhaps their own election prospects.

So here we are with Bill 32. The fact that the Chief Electoral Officer was not adequately consulted in preparation for this bill and the fact that we have three or four pages of wide-ranging amendments presented tonight to try to fix some of the problems that would have been created had the bill been passed in its original form, I think, are telling. It's unfortunate that the government didn't take the time to sit down with the Chief Electoral Officer or perhaps even use something like the Select Special Ethics and Accountability Committee to do that work, which we were meant to do.

11:10

Having said that, it is the job of those of us in opposition not just to oppose the government but to propose alternatives and ones that we – and I will give the minister responsible for democratic renewal

credit and appreciate very much her acceptance of our amendment to specifically enumerate Métis settlements and reservations as locations that should be considered for special ballots and polling. I think it's very important that we make democracy accessible to every single citizen of our province and most especially those who have in the past not had as much access to democracy as they should have, specifically indigenous people in the province of Alberta. So I'm certainly very proud that we have seen that.

The last point I would like to make is that I hope there are some measurable outcomes that we're able to see from the government, especially higher voter turnouts by underrepresented peoples. There are some things in this legislation that I would hope would increase voter turnout and participation by marginalized people, and we will be certainly looking for that.

One final point, Madam Speaker, that I would just like to make once again. If I'm being generous, the unfortunate characterization of the change to the residency period that we've seen from Jason Kenney – if I'm not being generous, I would call it dog-whistle politics – is appealing to our basest instincts, certainly not my basest instincts but the basest instincts of some of those in our society who would seek to divide rather than unite. This is a change that is brought about by a court ruling from Ontario. It has to do not with ensuring that people can simply fly into Alberta on a Monday and vote on a Tuesday; it has to do with reflecting the reality that the six-month residency period that we have in place, that other provinces are going away from, that other provinces have already gone away from, is simply not enabling access to democracy.

I'm certainly not happy with every aspect of this bill, but some of the debate that we've seen, both within and outside the House on some aspects of this bill and particularly on the residency portion of that, has been I hope not a foreshadowing of what we're about to see in the next election. I fear it may be. But I think that when we see that, it's incumbent and important for all of us to call it out, and I've done so.

With that, Madam Speaker, I will vote in favour of Bill 32. Thank you for the opportunity to make these comments.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, are there any other members wishing to speak to third reading?

Is there any member wishing to close debate? The hon. minister.

Ms Gray: Thank you. Madam Speaker, I'm happy to close debate.

The Acting Speaker: Thank you, hon. minister.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 11:13 p.m.]

[One minute having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Anderson, S.	Gray	Nielsen
Carlier	Hinkley	Phillips
Carson	Horne	Piquette
Ceci	Kleinstauber	Renaud
Clark	Larivee	Rosendahl
Connolly	Littlewood	Schmidt
Coolahan	Luff	Schreiner
Cortes-Vargas	Malkinson	Shepherd
Dach	McCuaig-Boyd	Sigurdson

Dang	McKitrick	Sucha
Eggen	McLean	Turner
Feehan	Miller	Westhead
Fitzpatrick	Miranda	Woollard
Goehring		

Against the motion:

Cooper	McIver	Smith
Ellis	Pitt	Strankman
Hanson	Schneider	Yao
MacIntyre		

Totals: For – 40 Against – 10

[Motion carried; Bill 32 read a third time]

The Acting Speaker: The hon. Deputy Government House Leader.

Ms Larivee: Thank you, Madam Speaker. At this point I'd like to request unanimous consent that notwithstanding Standing Order 77 the Assembly proceed to third reading of Bill 34.

[Unanimous consent granted]

Bill 34

Miscellaneous Statutes Amendment Act, 2017

The Acting Speaker: The hon. Deputy Government House Leader.

Ms Larivee: Thank you very much, Madam Speaker. On behalf of the Government House Leader I move third reading of Bill 34, the Miscellaneous Statutes Amendment Act, 2017.

11:20

The Acting Speaker: Thank you, hon. Minister of Children's Services.

Are there any other members wishing to speak?

Seeing none, hon. Minister of Children's Services, would you like to close debate?

Ms Larivee: Sure. I will close debate.

[Motion carried; Bill 34 read a third time]

The Acting Speaker: The hon. Deputy Government House Leader.

Ms Larivee: Thank you, Madam Speaker. At this point I'd like to request unanimous consent that notwithstanding Standing Order 39 the Assembly proceed to consideration of Government Motion 38.

[Unanimous consent granted]

Government Motions

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

Committee Membership Changes

38. Ms Larivee moved on behalf of Mr. Mason:
Be it resolved that the membership of the Assembly's committees be replaced as follows:
- on the Standing Committee on the Alberta Heritage Savings Trust Fund that Ms McPherson replace Mr. Taylor;
 - on the Standing Committee on Legislative Offices that Mrs. Aheer replace Mr. Nixon;
 - on the Standing Committee on Private Bills that Mr. Orr replace Mr. Fraser, Ms Kazim replace Ms McPherson as chair, and Mr. Taylor replace Ms McPherson;

- on the Standing Committee on Privileges and Elections, Standing Orders and Printing that Mr. Nixon replace Mr. Ellis, Ms Miller replace Ms McPherson, Mrs. Pitt replace Mr. Schneider, and Mr. Gotfried replace Dr. Starke;
- on the Standing Committee on Public Accounts that Mr. Hunter replace Mr. Fraser, Mr. Nielsen replace Ms Goehring, and Mr. Carson replace Mr. Westhead;
- on the Special Standing Committee on Members' Services that Mrs. Pitt replace Mr. Orr;
- on the Standing Committee on Alberta's Economic Future that Mr. Clark replace Mr. Gill, Mrs. Littlewood replace Ms McPherson, and Dr. Starke replace Mr. Panda;
- on the Standing Committee on Families and Communities that Mr. Ellis replace Mrs. Aheer, Ms Renaud replace Ms Jansen, and Ms McPherson be appointed to the vacant position;
- on the Standing Committee on Resource Stewardship that Ms McPherson replace Mr. Clark, Mr. Drysdale replace Mr. Hunter as deputy chair, and Mr. Fraser replace Mr. Hunter.

Ms Larivee: Thank you very much, Madam Speaker. By way of explanation to the House I can indicate that this motion is being made due to a number of changes to the makeup of this Chamber that have taken place since these committees were struck and were populated with members at the commencement of the spring sitting. The changes are being made based on consultation with all parties and with independent members. I can assure the House that attempts were made to accommodate all requests from members although that was not possible in every case.

In particular, I understand that the Member for Calgary-Elbow has raised a number of concerns with regard to the motion as it appears on the Order Paper. First, he has raised an issue regarding the balance between his own duties and those of his seatmate, the Member for Calgary-Mackay-Nose Hill. I can indicate that my colleague the hon. Member for Banff-Cochrane will be presenting an amendment which should address that concern.

Second, I understand that the member also wants additional representation on more committees. This is an issue that he first raised in this Chamber on June 16, 2015, in the context of the Public Accounts Committee, and his concerns today relate to the Members' Services Committee.

As was indicated by the Government House Leader at that time, it's not always possible to accommodate every request. We believe this motion strikes the right balance between the needs of the government caucus, the Official Opposition, the Alberta Party caucus, and independents. Additionally, I do know that a subcommittee of the Members' Services Committee has been struck to review various matters and that their mandate includes looking at official party status and what that means.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. minister.

Are there any other members wishing to speak?

Mr. Clark: I have plenty to say. I look forward to the hon. Member for Banff-Cochrane moving the amendment. As it stands now, my hon. colleague from Calgary-Mackay-Nose Hill has three committee assignments and I have one, and much as I would like very much to off-load more of the work to her than to myself, I think that we should have some equity in our committee assignments. So I look forward to ensuring that in fact I am placed on the heritage savings committee instead of my colleague from Calgary-Mackay-Nose Hill.

I will say, though, that being now a caucus of two, in 1997 a great deal of precedent was established as it relates to official party status,

and that was established by a two-member caucus of the NDP. They were able to do that because they had a seat at the Members' Services Committee and were able to move motions and vote in Members' Services. As it stands now, these committee assignments do not reflect our standing as third party in the House, and we do not have standing on Members' Services, which is a great disappointment. I think, frankly, it does not serve democracy well.

I would also note that in 2001 the two-member NDP had a seat and a vote on Members' Services. That caucus included the now Government House Leader. In 2008 there was a two-member caucus, which included the now Premier and now Government House Leader, that had a vote on Members' Services at the time. I will say again, Madam Speaker, that I am profoundly disappointed that the Alberta Party caucus has not been afforded the opportunity to have a seat on Members' Services. But rest assured that we will continue to attend Members' Services meetings. We will continue to pay very close attention to the goings-on of that committee as well as any subcommittees that are struck and ensure that the minority interests of members in this Assembly continue to be reflected and preserved.

It's something that I would encourage, that the government remember where they came from, remember that one day they may perhaps find themselves back in the same situation that they were in the past, and I would certainly hope that they don't establish precedent that would disadvantage them at some point in the future. Even so, it really should not be about whether it's in the direct interest of one party over another; it should be what's in the best interest of governing our province. I think that democracy would demand that a party that has two members would have a seat on Members' Services. I would encourage the government and hope that as you bring this amendment, I'll be happily surprised that you will add the Alberta Party caucus to Members' Services and, again, remind you where you came from and that you may find yourselves back here one day.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Banff-Cochrane.

Mr. Westhead: Thank you, Madam Speaker. I'd like to move an amendment.

The Acting Speaker: Hon. member, if you could just wait until the table has the original and I have a copy, please.

Mr. Westhead: Absolutely.

The Acting Speaker: Hon. member, your amendment will be referred to as A1. Please proceed.

Mr. Westhead: Thank you. For the benefit of those who haven't received it yet, I'll read it. I'm to move that Government Motion 38 be amended in part A by striking out "Ms McPherson" and substituting "Mr. Clark."

Just to refresh everyone's memory, part A of Government Motion 38 deals with the Standing Committee on the Alberta Heritage Savings Trust Fund, so the effect of this amendment would be to have Mr. Clark replace Mr. Taylor in that respect.

That's about all I have to say, and I look forward to any further discussion.

11:30

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak to amendment A1?

Seeing none, I will call the question.

[Motion on amendment A1 carried]

The Acting Speaker: We are now on the original motion. Are there any other members wishing to speak? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Cooper: Thank you, Madam Speaker. As you'll know, there's nothing that I enjoy more than speaking on a procedural motion here in the Chamber. Some people like real things in life, and I like this. I just can't miss an opportunity to rise and speak to Government Motion 38 as amended, and I'd just like to highlight a couple of things very briefly with respect to the former independent member from Calgary-Elbow as well as the former leader of the Alberta Party.

While I appreciate some of his concern with respect to two-member caucuses inside the Chamber, there are certainly other bodies of work and precedent that require four members to be a party here in the Legislative Assembly of Alberta. The times when there were two, I think one of the particular times he refers to in 2010, I believe, they were recognized as a party and then not. The previous time there was very little other opposition, so there were some requirements, if you will, to recognize two-member caucuses as parties.

I would just like to highlight something very specifically about the Official Opposition now and what is, in fact, the largest Official Opposition since 1993, the same year that he has referenced in his remarks. This particular motion that is before us now is actually going to see the Official Opposition lose total percentage of representation on these particular committees. While I can appreciate the Member for Calgary-Elbow's comments about the special things that he would like for a two-member caucus, the reality is that, as the Government House Leader has mentioned, not all caucuses get what they want all of the time. In fact, we are seeing a significant reduction in total numbers. As you know, Madam Speaker, the Official Opposition has increased to the largest Official Opposition, yet on no committee have we seen an increase in representation with respect to total percentages.

I just thought it would be prudent to highlight that there are certainly some concerns with this motion. There are some concerns with the makeup of committees.

In light of the hour I will leave my comments at that.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)?

Seeing none, would the hon. Deputy Government House Leader like to close?

Ms Larivee: Sure. I would like to close debate. Thank you.

[Government Motion 38 as amended carried]

The Acting Speaker: The hon. Deputy Government House Leader.

Ms Larivee: Thank you, Madam Speaker. Having made incredible progress this evening, which I think we are all very thankful for, I would like to move at this time that we adjourn until 9 a.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:35 p.m.]

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For inquiries contact:

Managing Editor

Alberta Hansard

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875