



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Wednesday evening, June 24, 2020

Day 37

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta

The 30th Legislature

Second Session

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New Democrat: 24

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Legislative Assembly of Alberta

7:30 p.m.

Wednesday, June 24, 2020

[The Deputy Speaker in the chair]

The Deputy Speaker: Good evening, everybody. Please be seated.

Government Bills and Orders Committee of the Whole

[Mrs. Pitt in the chair]

The Chair: Hon. members, I'd like to call the Committee of the Whole to order.

Bill 15 Choice in Education Act, 2020

The Chair: We are on amendment A7. Are there any members wishing to speak to the amendment? The hon. Member for Edmonton-North West.

Mr. Eggen: Well, thank you, Madam Chair, and good evening, everyone. Welcome to democracy in action. There's going to be lots of action this evening, and I hope that everyone can keep track of what's to come.

First up, with the final amendments for Bill 15, you know, I think that we all know that we indeed do have choice in education and have had so for quite a long time. I was just thinking back around the last four years, and I know that in regard to charter schools, for example, I don't think we had a new charter application come forward over the last four years. So while the charters are definitely functioning and doing a good job and educating kids and so forth, it's not as though there were people beating down the doors to put in new applications for charter schools as such.

Now, that could change over time, and it's within the realm of possibility to do so, but, I mean, it's important for us to look at the evidence as it stands, to not, you know, make presumptions around those things. We know that there are charter schools that are growing, and we did make some provision for that. There are charter schools that provide very specialized education, and we always want to make provision for that, too.

Again, I know that the rhetoric gets hot, and it's all about politics and so forth, but, I mean, let's not deny the facts that we indeed do have some of the greatest diversity of choice between different types of education here in the province of Alberta of any jurisdiction in Canada. We have public schools. We have Catholic schools, which are public as well. We have charter schools. We have francophone school boards, which are growing exponentially, I must say. You know, just free advice from the opposition to the government: make sure you look after the exponential growth that we see and will see in francophone education over these next few years. We have private schools, of course, and we have home-schooling. All of those, I believe, are not just functioning but thriving here in the province of Alberta. They have done so, and they will continue to do so, too.

With our humble amendments – we have a couple more here – to perhaps hone the raw material that we've been given here with this choice in education amendment act, I hope that everyone is feeling in a co-operative mood and that they might consider these amendments that we have here this evening, starting with the one that's on the floor tonight.

Thank you.

The Chair: Any members wishing to speak to amendment A7?

Seeing none, I will call the question on amendment A7 as moved by the hon. Member for Edmonton-Glenora.

[Motion on amendment A7 lost]

The Chair: We are back on the main bill, Bill 15. Any speakers wishing to speak to the bill? The hon. Member for St. Albert.

Ms Renaud: Thank you, Madam Chair. It's my pleasure to rise and to speak to Bill 15. Actually, I have an amendment.

The Chair: Hon. members, this will be known as amendment A8. Please proceed.

Ms Renaud: Thank you, Madam Chair. I would actually like to read this amendment. The intent of this amendment is to strike out section 8 and substitute the following:

Section 25 is amended as follows:

- (a) subsection (1) is amended by striking out "The Minister may issue a charter" and substituting "Subject to subsection (4), the Minister may issue a charter";
- (b) by repealing subsection (1)(a) and substituting the following:
 - (a) focuses on
 - (i) a learning style, a teaching style, approach or philosophy or pedagogy that is not already being offered by a board of a public or separate school division or Francophone regional authority operating within the geographic area in which the charter school will be located, or
 - (ii) vocation-based education,
 - (c) by striking out subsection (2)(b) and substituting the following:
 - (b) subject to subsection (4), renew the term of a charter, or
 - (d) by adding the following immediately after subsection (3):
 - (4) The Minister shall not issue or renew a charter under this section unless the charter contains a term requiring the charter school to implement a policy of non-discrimination with respect to the enrollment of students with physical or mental disabilities.

And (b) by striking out section 10 and substituting the following:

The following is added before section 29:

Recognition of private schools

28.1(1) Private schools are recognized as being important in providing parents and students with choice in education, and a person responsible for the operation of a private school shall ensure

- (a) students enrolled in the private school are provided with an education program consistent with the requirements set out in the Act and the regulations, and
- (b) the private school implements a policy of non-discrimination with respect to the enrollment of students with physical or mental disabilities.

Finally,

- (2) A private school must not be registered or accredited by the Minister as a private school unless it implements a policy referred to in subsection (1)(b).

I think it's pretty self-explanatory that there are number of great private and charter schools already in Alberta, but it has been the experience of some families and guardians of children or students with disabilities that have not been able to access participation in charter schools like other students without disabilities. I think that

this simple amendment actually says and everybody that votes for this amendment says: absolutely; every student in the province of Alberta shall have equal access to education, whatever they decide that education should look like. You want to talk about choice? Let's give equal choice to every single student in Alberta. That means students with disabilities as well. You know, based on experience, that has not been the experience of everybody. That's why this amendment is necessary.

I would also like to remind members of this House that one of the agencies, boards, and commissions – there's a member here tonight, I think just one, that sits on the Premier's Council on the Status of Persons with Disabilities. As you know, the role of this particular group is to provide advice to the Premier through various ministers, using that lens of looking at whatever policies, whether it's tourism, whether it's education, whatever it is – they're using a lens of disability to ensure to do as much as possible to remove barriers so that inclusion is a reality. I think that we, probably all of us, know some children or students that have whatever disability, and, you know, life is not always easy, so it is important for us to do what the Premier's Council on the Status of Persons with Disabilities is tasked with doing: looking at everything with that lens.

The guiding principle that they use is the United Nations convention on the rights of persons with disabilities. I think that particular declaration – which is old, now, sadly. It's from the 1970s. I mean, it was great when it happened. It seems like we still have a lot of work to do. The goal of this declaration is really to address obstacles that are created by social institutions in society, whether or not they're done deliberately, particularly in education. It certainly focuses on education because we all know – we've heard every member, probably, just about, stand up in this place and talk about the importance of education.

Now, we've heard some people talk more about the importance of choice in education, which I would agree with in this case. Choice needs to be applied equally to every single person. That means people with disabilities. I don't believe that Bill 15 as it is right now, today, is clear and provides unequivocal direction to every future private, charter, whatever school so that whatever they decide to do or however they decide to deliver their supports, they do so in keeping with the United Nations convention on the rights of persons with disabilities. That means acknowledging that there are systemic barriers and doing everything they can to remove them.

7:40

You know, we've proposed a number of amendments to the bill. I've said this before. I think it is wrong for any government to believe that they get everything right all the time. I think it's natural for people to forget things or make mistakes. I would suggest that this particular amendment is very important if you are trying to send a message to all Albertans that you acknowledge that there are systemic barriers, particularly in education, that you acknowledge that even if you feel that it's already in place in your current bill, you are taking another step to say: this is so important that we're going to go over and above that. Approve this amendment and say: absolutely; we commit to doing everything we can to remove barriers for people with disabilities.

That's about it. That's all I have. I would really like to encourage everyone to maybe put down your partisan hats for a second and think about what's at stake. It might just be a few children that are affected by this if at some point they decide that want to go to a school that is created for whatever reason, let's say a charter school, and they're not able to do that because for whatever reason they're not accepted because there are no current protections.

I would encourage every member to do the right thing and vote for this amendment. Thank you.

The Chair: Just for the benefit of all members, this is a two-page amendment. There should be a staple in it, but if not, you're looking for two pages.

Any other members wishing to speak to amendment A8?
Seeing none, I will ask the question.

[The voice vote indicated that the motion on amendment A8 lost]

[Several members rose calling for a division. The division bell was rung at 7:42 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

Bilous	Dang	Feehan
Carson	Eggen	Renaud

Against the motion:

Allard	Horner	Sawhney
Armstrong-Homeniuk	LaGrange	Sigurdson, R.J.
Copping	Loewen	Singh
Ellis	Nicolaides	Smith
Getson	Nixon, Jeremy	Toor
Glubish	Panda	van Dijken
Goodridge	Pon	Williams

Totals:	For – 6	Against – 21
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[Motion on amendment A8 lost]

The Chair: We are back on the main bill, Bill 15. Any other members wishing to speak? The hon. Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Madam Chair. I appreciate the opportunity to address this Bill 15, Choice in Education Act, 2020. A little disappointed that we're not going to be supporting the United Nations declaration regarding rights of disabled persons. But perhaps we'll have a bit more luck with the Alberta Human Rights Act, given that it was actually introduced in this House by a Conservative government. So I can't imagine why they would be opposed to it at this particular time. But I do have an amendment.

The Chair: Hon. members, this will be known as amendment A9.
Hon. member, please proceed.

Mr. Feehan: Thank you. You'd like me to read the full amendment?

The Chair: Yes, please.

Mr. Feehan: Okay. The amendment to Bill 15, Choice in Education Act, 2020, reads: Member Hoffman to move that Bill 15, Choice in Education Act, 2020, be amended in section 5 in the proposed section 20(a) by striking out subsection (1) and substituting the following:

Home education programs

20(1) A parent of a student may provide, at home or elsewhere, a type of home education program for the student if the program meets

- (a) supervision requirements, including a requirement to comply with measures to ensure non-discrimination in the provision of the program in accordance with the Alberta Human Rights Act, and

(b) any other requirements set out in the regulations.

(b) in subsection (2), (i) by striking out “The Minister may make regulations” and substituting “Subject to the requirement in subsection (1)(a), the Minister may make regulations,” and (ii) in clause (b) by striking out “if any.”

8:00

This amendment is fairly straightforward. We know that there has been a long practice of having home-schooling in the province of Alberta. I know many people who have taken advantage of that opportunity, as is their right, and have provided excellent schooling opportunities for students and, in fact, have had their children go on to do extremely well in postsecondary and participating in the province of Alberta. We know that home-schooling is a very, you know, legitimate, effective way of schooling your children if you choose to do that.

As an MLA I’ve had an opportunity on more than one occasion to have parents bring in their children whom they’re home-schooling for a sit-down with their MLA, just to have a conversation about what it is that MLAs do. So I know that they’re really reaching out and doing some excellent work.

The thing that I’m concerned about is that Bill 15 seems to make a change under section 5 regarding the supervision of what happens in home-schooling. It’s normal when a parent decides to home-school rather than to send their child to a local school, that they would be expected to provide an education that would be equal and comparable to the education that would be received in a school that’s supervised by a school board. Just as all the teachers and the school board are responsible to provide an appropriate curriculum as authorized by the province of Alberta in the school system, so parents schooling at home would be provided supervision by either a public school board or a separate school board or a francophone school board or an accredited, funded private school who had the ability to conduct at least two evaluations of that student throughout the year. That has been removed from the act, so we would like to put that back in. While home-schooling is a viable option, it should still be responsible and transparent to the education system in the province of Alberta and have appropriate kinds of supervision as every other school does in the province of Alberta.

We want the government to make clear what the changes that they have instituted will mean to the access to quality, equal education across the province, and this will certainly allow us to spend a bit of time with the parents of home-schooled children to ensure that the education that they’re receiving is appropriate. It falls in line with the recommendations of the school systems and the province of Alberta’s curriculum.

As well, we specifically identify the need to ensure that the curriculum as provided is one which reflects the values of the province of Alberta, particularly with regard to nondiscrimination. As such, we have indicated that we would like to see the government reflect that the education provided to students in the school should be consistent with the Alberta Human Rights Act. As I just mentioned briefly before, I would think that this would be perfectly acceptable to the Conservative government given that the Alberta Human Rights Act was in fact brought in by a Conservative government to reflect the greater values of the province of Alberta. At this time I think it’s very important that we take some time to ensure that home-schooling continues to be a good and effective option in the province of Alberta, that it is consistent with education that is received elsewhere in the province of Alberta, and that education reflects the greater values of the province of Alberta as exemplified by the Alberta Human Rights Act.

Thank you.

The Chair: Any members wishing to speak to amendment A9? Seeing none, I will call the question.

[Motion on amendment A9 lost]

The Chair: We are back on the main bill. Any speakers wishing to speak to Bill 15? The hon. Member for Lac Ste. Anne-Parkland.

Mr. Getson: Yes. Madam Chair, thank you very much and to the Minister of Education for bringing this forward. Thank you so much for the efforts on this.

One of the things that we heard at the doors in my area and in the cafés and everywhere else we were was the choice, the actual choice, that parents needed in education. It isn’t necessarily that the public system is bad, by any means, because there are lots of parents out there that love their public systems, that love their schools. But the fact that some of the nuances that were in place kind of stifled some of the selection, some of the choice in the schools, that was a bit problematic. When the last administration made some other subtle changes that seemed to be getting between the choice of parents, how they interfaced with the students and how they could then interface with the teachers, which we managed to also change last session or the session before, that really resonated with folks. It was almost like they were starting to get back their freedoms, their choices, and those things to do with that.

Some of the things – they were dispelling myths out there. When I first got into this and started going around, I didn’t think that if you had a public or a charter school or home-schooling, you could potentially go to university as some of the students. So that was dispelled. You know, I had this bias, again, because I went through the public system, as did my wife. We were educated in that manner. Hearing some of these things that were taking place – well, that’s off the table. If you have a home-school or a charter school or a public school, you have the same opportunity to access higher education, higher learning, et cetera.

The other thing that was interesting when looking at some of the alternative models, Madam Chair, was that the Alberta teachers’ union wasn’t involved. It was interesting to see some of those models out there that were outside of the traditional bubble and didn’t involve the same traditional unions or the way that the public schools were set up and managed. What I’d seen there, something that I was more accustomed to, was that the principal or the manager of an organization could actually critique, do performance evaluations, and manage their staff a lot better. What we’d also seen in some of these – and it was a bit of an eye-opener for me as well – was the performance and the test scores and also access to individuals that were teaching programs that were actually masters in their craft or in their trade. That was really interesting to see as well, the flexibility and diversity out there.

Some of the home-schoolers were concerned as well. It had to do with flexibility, the way that it worked for their family, their lifestyles. Those were some of the choices that they needed. Again, with potentially the lower numbers that we were seeing, it could be argued also that some of the rules and nuances in place were also kind of stifling that.

Now, when COVID took place, I think a bunch of us as parents that have kids at home got our eyes opened to what was taking place in some of the public school systems: the delivery method, what was being taught, and the performances. It was interesting to see that most of these performances across the board have actually gone up for the students that were participating in those programs. The ones that were in private or the charter systems didn’t really skip a beat. They were up and running within two or three days for the

most part in my area, and they carried on, you know, and their marks were reflective of that.

When we're talking about some of the issues, the members opposite are bringing up articles and items from, you know, the United Nations and other acts, this act and that act, almost putting in this fictitious barrier saying that it's only the private schools or it's potentially only home-schooling that would have these issues. I can only point out, because I have four children in that system, that some of the teaching methodologies that we became aware of – there was one grade 4 teacher that had my daughter Faith in tears coming home from school. She was setting the kids up for failure. Now, it wasn't until my daughter came back and said: that's it; I give up; I don't want to go to school anymore – and this really broke my heart because this little girl worked on this PowerPoint presentation and did this with her little friend, but her teacher didn't really give her good guidance on it. When this girl goes up the first time and her teacher rips on her in front of the class and sits her down, my wife then intervened to ask what was going on.

Well, lo and behold, this one teacher had her own teaching methodology, and this methodology that she looked at was this theory – because she claimed to be a psychologist as well – that kids need to fail to succeed. So what this person, this teacher was doing was literally harming the children's self esteem to make them stronger people. She brought forward this fictitious garbage document that even the principal of the school wasn't aware of. Once my wife got involved and looked at that, that teaching method was then gone, but this individual, this teacher, was still there. These things do happen. And when my daughter Cora went to that same teacher who was teaching her French class, it was the same type of tactics. These things happen in our public schools as well. So when we're talking about these bubbles and insular against the parents, the ones that actually love and care for these children, I would hardly imagine that the number of potential harms or issues like that is higher than what these kids are exposed to in the public system.

8:10

The members opposite mentioned about the kindergarten to grade 12, that they were concerned that there was vocation learning potentially that would be taking place in this potential new system. So it's almost as if there's this academic snobbery, that if you learn with your hands or you have a different methodology of learning, then that's a bad thing, that you shouldn't be exposed to anything that's a type of vocation until grade 7. Well, anybody who's grown up with parents that actually spent time with them, either working in the garage or in the shop or on the farm or anything else: you've actually been exposed to this all the way along. The fact that there's some harm or some potential of, you know, a parent actually having been an electrician and the child might become an electrician one day or being exposed to it, I think there is also some positioning there that needs to be corrected.

Again, I'm a member of the Skilled Trades Caucus and the vice-chair of that, and I'm also sitting on the skilled trades task force. One of the biggest things that we're working on is the parity of esteem, and that's to make sure that folks understand that a different, alternate method of delivery in teaching should be looked at along the same way, that it's not a bad thing to be able to get a trade or to go along those lines. One of the falsehoods out there is that if you're stuck in one particular form of learning, well, then you're stuck. So if you're going to become a tradesperson, that's all you're going to ever be when you grow up, and you'll never advance any further.

When you actually start looking at the holistic model and you look at different jurisdictions, if I looked over in Europe – and I'm

not sure if anyone has heard of this place called Germany. They tend to have some pretty good engineers over there and some pretty good craftspeople. They're kind of world renowned for that. The Swiss are as well when you look at some of the European models. The fundamental difference there is that everyone is exposed to a vocation in one way, shape, or form in this type of learning. So it doesn't have to be just skilled trades with your hands. If you're taking engineering, you actually have to be exposed to a craft or a trade for one year to actually get your degree and your certificate. It's a different way of doing it.

That's why we're focusing in on these items. When you have a well-rounded education, exposure to all these different things, we actually have better people. When you're building projects and you have project teams, you don't want the same type of people coming in all the time to have a major project. I can see one of my colleagues nodding across the aisle. He understands that you need that diversity. You need folks from different parts of the world. You need different vocations within those areas – the accountants, the lawyers, the tradespeople, et cetera – and that's what you need to build a project team.

Why would we limit ourselves in Alberta, when we want our competitive advantage to be so high, to having only one methodology of teaching or only one type of curriculum out there? Why wouldn't we want that diversity and that choice to fit in those areas, Madam Chair?

When we look at these different ladders of learning, you know, I can accredit that a lot of my learning was actually once I got out of school, once you actually start applying these. We have this thing, basically, as transferable skill sets. You might learn one craft or one method of learning, and then you apply it to a different model and expose yourself to it. That's the only way that we can really get there. If I was looking at these ladders of learning, there would be a trade, maybe an engineering faculty, and maybe something on the business side that would actually get you to running a company. That's the type of things that having these choices out there will actually afford people to allow.

I don't want to chew up much more time on this. You know, Minister of Education, thank you so much. Again, because of these choices and because of what's taking place, I'm going to have my son going back to high school next year. He's going to stay within that stream. My three daughters are going to sidestep what was taking place within that jurisdiction. My wife is then taking an Alberta Distance Learning curriculum to be able to apply it to them. She's supplemented and augmented that with all the other types of items that are out there now because of COVID and the availability of this access to information. This is a wonderful experience for our family.

We anticipate that our girls will pop back into the high school curriculum at that point once they're at the high school level. Honestly, with everything that's taking place and the moving parts, my daughters are the ones that asked my wife to be able to be taught at home after seeing the difference between what they were doing within the public system and theirs. We were talking about children having choices. My little girls are strong, independent young ladies, and you can't really peg them in a corner and tell them what to do. We've treated them with that kind, loving thing. We've grown up wanting kids to become young adults that have that form of critical thinking. That's the only way that we can do this. So thank you so much for those choices.

With that, I'll turn it over to the next person that wants to talk. Thank you.

The Chair: Any other members wishing to speak to Bill 15? The hon. Member for St. Albert.

Ms Renaud: Thank you, Madam Chair. It's my pleasure to rise to speak to Bill 15, just following the member. I didn't catch all of what he said. He talked a lot about his family's experience, and that's great. I am thrilled that there are families all over the province that have had different positive experiences with different ways of learning, different choices in education. He did mention something about Alberta Distance Learning that somebody would be participating in, but I think that they got their funding cut. I think it's going to be cut over the next two years by the UCP, so you might want to look into that.

Anyway, I just wanted to sum up some of the things. Just for clarity, I think that we hear a lot of things in this place. But I think for clarity, in no way do we think that learning a vocation in education is a bad thing. Not at all. Different kinds of schooling for different people: that's what choice is about. I think that's why Alberta has done such a phenomenal job with choice.

Let's just be clear about some of the amendments that were summarily dismissed in this place. One of the first ones that happened was tethering charter schools to school boards. Now, I know that some of the members have had some negative things to say about school boards. Like any sort of elected body, they're certainly not perfect. Not every school board is perfect. Not every decision is perfect. But for the most part they are a democratically elected body, and I think that we need to respect that. Certainly, hold them to account, but we need to respect that. That in itself I don't think is necessarily a bad move. The UCP members chose to get rid of this or not to vote for this.

Another one was the title change that I thought was particularly important, and I think I started to speak to that yesterday. The title is Choice in Education Act, but I think that there is a great deal of choice in education already in Alberta. I think to suggest that there isn't and to suggest that this particular piece of legislation is going to introduce choice is really – I don't think it's very straightforward and very transparent for a lot of reasons. I'm going to reiterate something that I said yesterday. The government of Alberta has a long history of supporting school choice. Let's look back at some of the different bills. Bill 19, School Amendment Act, first introduced charter schools as well as several additional policy changes that we've seen to alter Alberta's education system on an unprecedented scale. However, the government's positive stance on school choice began even earlier than that, even earlier than the 1990s.

Alberta has been argued to have an extremely accommodating stance towards school choice as evidenced by the development of alternative school funding in the '70s, acceptance of private schools in the revised School Act of 1988. Alberta has been described as offering the greatest degree of school choice in Canada. School choice is embedded in the fabric of the education system of Alberta, and there is simply no existential threat to school choice in Alberta. So to see a piece of legislation talk about school choice is really misleading in my opinion, Madam Chair. I think that to fail to recognize the incredible diversity and choice – I think we heard one member just recently stand up and talk about the different opportunities that family members have been fortunate to have, which is great and I think underlines the point that there is a great deal of choice.

One of the things I can tell you about St. Albert: St. Albert in particular has a great deal of choice, and after speaking with school boards, what I do know is that when they are approached with ideas – let's say it's from a group of people that are seeing a particular need for a group of students – they do everything in their power, within their ability, to address that need within that system, and I think that is true for a lot of school boards.

That was unfortunate to see the members summarily dismiss the amendment to change the title to better reflect reality. Let's not forget that approximately 94 per cent of students rely on and appreciate the high quality of public education in this province. I know I've heard a number of members say, "We understand 94 per cent of Alberta students do this, but . . ." and you know the whole problem with "but." The point is 94 per cent of students in this province choose public education. That is why the investment is so important, and that is why I believe they have been so responsive to requests to address different choice. It was very sad to see that amendment just tossed.

I think the next two amendments – and this isn't really in order. This isn't the order that they went. The first one of the amendments was made, I think, by the member from – I can't remember.

An Hon. Member: Rakhi Pancholi.

8:20

Ms Renaud: Oh. Whitemud. The Member for Edmonton-Whitemud. That's right. Her amendment, I believe, looked at introducing articles 28 and 29 of the convention on the rights of the child to the preamble. We've certainly chatted a lot about the importance of preamble. It isn't certainly the technicalities of a piece of legislation, but it really sets the tone. It sets the tone or, I guess, is a bit of a value statement if you will about what the legislation is about. So we're not saying that you must do these things, but we're saying the tone of this is really to adhere to this declaration, in particular these articles as they relate to the child.

I don't know if members have had a stroll through the various articles to have a look at what they stand for, what they mean. They're incredible. I have no idea why the UCP government has an issue with including those articles in the preamble. It doesn't make sense. If this is about choice, if this is truly about making education better in Alberta, why not include something that focuses on the child? Yes, that was another amendment that was summarily dismissed.

Another one that we just saw sort of go through very quickly tonight was about adding some protection for students with disabilities. Again, really looking at a position that is the United Nations position on relating to people with disabilities, and it really is about recognizing the systemic barriers. We've heard a lot in the last few weeks talking about systemic racism, and I think for those of us that have sort of grown up with a lot of privilege, it's been, really, an eye-opening time to hear stories or to, you know, hear people talk about what that looks like for them, because I think these are things that I personally have not experienced in my life. I certainly have a lot of privilege. For people with disabilities: we can't even begin to understand the barriers that are presented to them because that's not our reality. I hope that one day there will be more people with disabilities represented in this place, and then we won't have to rely on people that actually talk to other people with disabilities that have ideas but that they will present them themselves.

I think that what we are trying to do here is to say: walk the walk. If you say that you believe that people with disabilities have the same rights as everybody else, prove it. Prove it. So what we're telling you is that not every person, not every child with a disability has had success being admitted or being accepted into a charter school in this province. That's something that a piece of legislation can correct. That was missed in the original piece of legislation, Bill 15. This amendment would have closed that hole. The UCP chose to say no.

Some of the other issues: obviously, we can talk a little bit about the consultation process. We can spend a lot of time talking about

the issues that the UCP has had with consultation. You know, let's be honest. Consultation after the fact, after you change something, isn't really consultation. That's really just checking a box or looking for affirmation. Real consultation means talking to everybody, even people that don't agree with you. Actually, that's the tough part, but that's important. This was another failure.

You know, in terms of process, the ministry chose to exclude 2,357 surveys said to be associated with a group called Support Our Students, a public advocacy group. It doesn't matter where they come from. These were individual responses to a survey. You, as in government, asked Albertans to respond to questions to provide insight and feedback. It doesn't mean you have to like it, but you don't get to summarily dismiss it because you've decided it's with a group that you don't particularly side with or like. That leads me to believe that whatever consultation results you have, you're not getting the full picture.

You know, I would also argue that there are some consequences to this particular piece of legislation, the consequences of the Choice in Education Act, and a concern that policy and the regulatory implementation may in fact lead to the splintering of strong public education. I think that that is not an opinion that I have. That's not something that I'm making up here today. These are genuine concerns of people that are really invested in public education.

I think we all know, particularly those of us that sit in this House understand, that there's not an unlimited amount of money to invest in things, right? We have important things to get done. We have health care. We have infrastructure. We have so many things to invest in. There is not an unlimited supply. I think for us to recognize how important public education is is really important. And the fact that this piece of legislation talks about choice, creating new choice, when we already have so much choice that exists – so instead of lifting these up or making them better, if it's possible to further stretch the dollars, the limited dollars that we have for our children for education, we're going to create other ways to divert funding. That is a very real concern of some Albertans.

Listen, I have kids that went through school. It's been a while now, but I have kids that have gone through school, and certainly not every place, not every grade, not every teacher, not every subject was perfect. But what I do know is that at the end of the day the public education and the people, the educators that were there really helped my children form a foundation for their adult lives, and I'm forever grateful. It wasn't always perfect. It could've been better sometimes. But on the whole they learned things that will serve them well the rest of their lives, and I think the vast majority of Albertans that have gone through the public system feel that way. Clearly, when 94 per cent of Alberta students are in public education, that says a lot. So are we really creating choice in education for all Albertans, or are we creating choice for some Albertans and not looking at the large picture? I think those are important things to think about.

I also think that it's very telling that I note one of the members earlier this afternoon – I would have to read *Hansard* to see the exact comments, but it was along the lines that we had proposed a lot of amendments and it seemed to be sort of political and, you know: I don't really understand why you're doing that. I'm paraphrasing. Those were not the words that were used. I think if you believe that we actually are doing these amendments or figuring out what we think could make a piece of legislation that we already believe is flawed – if you believe that we do this for politics or for fun or to make life more uncomfortable, you are sadly mistaken.

I think that there were so many concerns, in particular, for this piece of legislation that it took a lot of time for us to figure out, you

know, what the most important ones were to bring forward. There were so many. We had talked to so many people, and there were so many concerns. So I think that for members of this Chamber to understand – certainly, I get that we're opposition. I get that it's our role to perhaps point out flaws or oppose some things. Sometimes it supports some things. But it's our job to look at legislation as it's presented and to try to make it better.

You know, I believe that having a preamble, at the very least, that talks about the importance and the rights of the child is vital. The UCP said no to that. Protecting the rights and access of people with disabilities is vital. It shouldn't be an extra. It's vital, and you missed it. But again when given the opportunity to vote on an amendment to fix that, the UCP said no. That's unfortunate because you didn't get it all right the first time. You absolutely did not, and it's incredibly disappointing.

On that, I'm going to take my seat. Thank you.

Member LaGrange: I just need to respond to the misinformation I've been hearing over the last little while here. I guess there is one thing we can agree on, that preambles are important. And when you talk about the rights of the child, there is nothing but the rights of the child listed in our preamble. Let me read here.

Whereas the Government of Alberta recognizes the importance of an inclusive education system that provides each student . . .

Each student.

. . . with the relevant learning opportunities and supports necessary to achieve success;

Whereas parents have the right and the responsibility to make informed decisions . . .

Whereas the educational best interest of the child is the paramount consideration in making decisions about a child's education;

Whereas education is a shared responsibility . . .

Whereas students are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self;

Whereas the role of education is to develop engaged thinkers who think critically and creatively and ethical citizens who demonstrate respect, teamwork and democratic ideals and who work with an entrepreneurial spirit to face challenges with resiliency, adaptability, risk-taking and bold decision-making.

I can go on and on and on. The Education Act is all about the child.

8:30

I have to also correct that – no one on this side has ever said that we don't have an excellent public education system. We absolutely do have an excellent public education system, but it's also excellent because beyond the public, francophone, and separate school systems we also have the availability of charter schools and independent schools and home-schooling and ECS. It was never in dispute.

We have excellent school boards. I was a trustee for 11 and a half years. I didn't spend 11 and a half years as a public school trustee because I didn't value public education. All my children went through public education, so that has never been in dispute, ever.

We believe that this bill is an excellent bill because of the fact that it, first and foremost, recognizes that it's the right of the parent to choose the type of education they want and to value the education that we have here in Alberta, which is excellent but has many pathways to address the various needs of the students.

I'm just going to leave it at that. There was so much misinformation. I could go on for hours and hours and hours, and I don't want to take up your time. But we just need to clarify that what you heard is totally false. I could speak to every single

amendment that was put forward. There is so much misinformation there, and we need to dispute that.

I want you all to support Bill 15. Thank you.

Ms Armstrong-Homeniuk: Madam Chair, I apologize if I get passionate about this speech, but the topic of educational choice hits close to home. We need educational choice in this province to keep school boards accountable. Competition makes them provide the best possible product to our children. Choice is an Alberta advantage. Many school jurisdictions across the country don't have choice, and I'm proud to live in a province that has many educational opportunities to choose from as it better educates our children.

Several years ago a friend of mine sent their children to school. However, the school was the wrong choice. For starters, in grade 5 my friend's children were asked to be tested for a learning disability by the school. It was funny because the children's parents thought the school was crazy. Well, what they did do any logical parent would do: they got their own test, a second opinion. One Saturday morning they hop in their car. They go and take the child to the Sylvan Learning centre. Sylvan came back to tell my friend that her child was reading at an extremely high level for their age. I laugh because we go from a learning disability to an extremely high level, and I'm just wondering how the school can get something like that wrong.

On top of all of this, both of my friend's children started to get bullied. Madam Chair, let me say that bullying is wrong. This is one of the reasons I fight so hard against children being bullied. This behaviour is not right. To make matters worse, the school system did nothing. This behaviour continued for a long time till my friends had had enough. They approached the principal about doing something about this behaviour but to no avail. Again, the principal turned a blind eye and told them that they were not able to transfer schools. The principal also said that he had bigger fish to fry.

Thank goodness my friend spoke to a supportive teacher from another school, which started the often uncharted process for my friend's child to get transferred to another school. The supportive teacher was flabbergasted that an education system would tell parents that they were locked into a school system. Upon transferring, my friend's children found the bullying magically stopped, and even their marks went up. Actually, in grade 12 one of them got honours in English, which is surprising because it was the same child who was sent to the Sylvan Learning centre. The reason I'm telling the House this story is that if it weren't for choice, I don't know how those children would have continued under the constant stress of bullying.

Madam Chair, children aren't the only ones bullying. They learn it from the educational leadership. We cannot allow school boards to bully others into not allowing choice in this province. This happened back in 2015, when public school boards tried to build a \$1.2 million war chest to fight separate schools. It was shameful. The Public School Boards' Association of Alberta tried to create a 90-cent-a-student levy on its member to fight choice. Not only was this a gross misuse of taxpayers' money – separate education is a constitutional right that many enjoy, including me. Actually, it's a human right, period. Section 26(3) of the universal declaration of human rights states, "Parents have a prior right to choose the kind of education that shall be given to their children."

Alberta's choice-based school system is recognized as a world leader in providing high-quality education. Choice in our province creates competition. It forces boards across Alberta to provide the best possible educational opportunities, that give our children the best outcomes of being successful in the future.

Continuing on the topic of bullying, you know what's shameful, Madam Chair? We have adults bullying educational choice. Several weeks ago NDP best buddy and AFL board president Gil McGowan bullied other factions of educational choice, specifically charter school and home-schooling, because contrary to what they may believe, Albertans do have religious rights, and, no, Madam Chair, the fact that some schools add religious education to their students' experience does not, as Gil McGowan suggested, make these schools "nutbar religious charter schools." These are hurtful and shameful comments and still need to be walked back as over 80,000 parents choose to send their kids to these schools.

Do you know that Muslim, Christian, and other religious individuals have asked for school choice? You know our government respects all individuals, no matter what they believe. The AFL is supposed to represent many unions across Alberta. It is, after all, called the Alberta Federation of Labour. These hard-working parents Mr. McGowan is using hurtful language towards are teachers at many of these institutions, so does the AFL really best represent unions across our province? Many of the parents who send their children to the schools other than the public ones work in union organizations and had to hear these comments in the public sphere. Again it shows that Mr. McGowan and the NDP and the AFL are out of touch with Albertans.

You want to know why the world is so polarized? It's because people are intolerant of those who have religious beliefs. Those who believe in honesty, integrity, and kindness, those who believe in family, community, and helping their neighbours out in tough challenges are the ones the NDP believes are religious nutbars. They are the same people they should learn from, not speak down to. This is why Bill 15 will protect Alberta's long history of educational choice, including public and separate schools, francophone schools, charter schools, independent schools, early childhood education, and home education.

Madam Chair, thank you for allowing me to stand up in support of school choice, Bill 15.

The Chair: The hon. Minister of Service Alberta.

Mr. Glubish: Well, thank you, Madam Chair. I'm pleased to rise today in support of Bill 15, Choice in Education Act, 2020. If we walk back to March and April of last year, during the election campaign I heard time and time again from families who said: "Nate, you need to stand up for choice in education. We feel that our rights and our ability to choose the education that's best for our children are under attack by the current government, and we want you to go and be our voice at the Legislature to stand up for our rights."

Well, Madam Chair, I am so fortunate to be here and to be in this chair, now able to speak in favour of the bill put forward by my friend and colleague the Minister of Education to do just that, to make it very clear to everyone across this province that our government is committed to protecting choice in education. We are committed to the belief that parents and not politicians have the right to choose the kind of education that they feel is best for their children, that we respect parents' rights, and that we were not okay with the fact that those rights were being overtaken by the previous government's political agendas.

The bill that we are discussing today, Bill 15, creates more options for parents to deliver home education for their children, to allow for the creation of charter schools to specifically focus on trades and skills development. This protects, ultimately, Alberta's long history of education choice, including public and separate schools, including francophone schools and charter schools and

independent schools as well as early childhood education and home education.

8:40

This is something I believe very firmly in, Madam Chair. This is something very important to me personally, and it is a big reason why I left my career as a venture capital investor to run for office, because I wanted to be a voice for those families in Strathcona-Sherwood Park that share that value of choice in education.

With that said, Madam Chair, I want to just take a couple of minutes – I know we don't have a lot of time tonight, but I just want to talk a little bit about some of the amazing options in Strathcona county and Sherwood Park that families from those communities have to choose from. On the public side we've got some amazing schools like Ardrossan junior and senior high. They offer an amazing French immersion program. I relate with that, Madam Chair, because I graduated from a public school with a French immersion program. I did K to 12 in French immersion. I really believe that that shaped who I am. It built my character, it built my work ethic, and I really value having a second language.

There's also Strathcona Christian Academy, which may have started out as a private school over 30 years ago, but then in 1998 they became a part of Elk Island public schools and then offered their Christian programming as an alternative program under the public school framework. This is a school that has an excellent academic track record, an excellent sports track record, an excellent arts track record. All around, it's an outstanding school. I know a thing or two about that school because my wife actually teaches there although she's on maternity leave this year. But she's looking forward to going back, Madam Chair, this fall.

On the Catholic side we've got some outstanding schools in Strathcona county. On the elementary side we have St. Luke Catholic school in Cooking Lake. I had a chance to visit them recently, Madam Chair, and I learned all about their participation in the apple schools program, which is an amazing program to help integrate more healthy lifestyle decision-making for their kids. That is going to have lasting effects on those children's lives and the lives of their families.

Then at the high school level there's Archbishop Jordan Catholic high school. This is an outstanding school as well. They have a world-class robotics program, where they're sending not just one team, Madam Chair, but several teams to many international competitions and placing very well, among many other outstanding programs at that school. In fact, one of their outstanding graduates is now my constituency office assistant in Strathcona-Sherwood Park, and I can attest that her education was outstanding.

We also have the very first Canadian charter school in Sherwood Park, a New Horizons charter school, which is a school that helps to focus on gifted students who maybe don't succeed very well in traditional learning environments. They have a catered program to help those students reach their fullest potential. That is a school with an outstanding track record, and Sherwood Park and Strathcona county residents are lucky to have that as an option.

Furthermore, we have a great francophone school, École Claudette-et-Denis-Tardif, that offers K to 6 currently. They would love to go to K to 9 or K to 12. They certainly have a lot of demand, so I've been working closely with them to understand their needs and their challenges. They have great teachers, great administrators, and they're doing a lot to advance francophone education and the rights of francophone first-language families across the capital region.

In addition to that, we have many, many families using home-schooling options.

The point I'm trying to make, Madam Chair, in the short time I have left, is that choice is important. There are so many great choices in Strathcona-Sherwood Park, and I am pleased to stand up

here today in support of that choice to say: parents in Strathcona-Sherwood Park, I will stand up for your right to pick the best school for your kids so your kids can reach their fullest potential. You can count on this government to have your back in enforcing that choice, day in and day out. That's what we were sent here to do by Albertans in the election last year, and that is my commitment to you in the years to come.

I'm pleased to speak in favour of Bill 15. Thank you.

The Chair: Any other members wishing to speak to Bill 15 in Committee of the Whole? The hon. Member for Calgary-Falconridge.

Mr. Toor: Thank you, Madam Chair. Today I'm very proud that our government has introduced this piece of legislation, and I want to say thank you to the Education minister for bringing this. One of the big issues in education is the freedom of choice, and this bill will give the fundamental freedom to parents to choose the type of education they want for their children. This will protect and strengthen their voice within a vibrant and diversified educational system. This proposed legislation will affirm that the parents, not the politicians like the politicians on the other side, feel what will be the best for their children.

Well, this was our platform commitment right from the beginning, and we're going to honour this. I have experience going to the charter schools, private schools, public schools throughout my life. I can speak about this, and whatever the stories we heard from the other side: they're not true.

When we go and talk to the constituents, we talk to people who want to send their kids to the faith schools, where their children can get education consistent with their religion. We have a Khalsa School in Calgary. We've got Islamic schools. I have talked to the people. What are we going to tell them? That they don't have the right to send their kids to those Islamic or Khalsa schools or Jewish schools? They have an absolute right. We've got about 15 charter schools – there was a cap on this – and 13 schools are performing very well.

This previous government didn't allow a single charter school. They were using their own political agenda. Those same school trust boards: they were denying those applications. Nobody knew about this. Parents are asking you: 7,700 students go to the charter schools in Calgary; 19,000 students are on the waiting list. What should we tell those 19,000 kids? That they don't have a choice? Their parents don't have a choice? These politicians want to decide. I am not willing to let these politicians decide where their children are going to school. This is not the only one choice, a charter school, a religious school. Some parents want to have home-schooling. Who are we to decide, and who are they to decide? They have done that the last four years.

I'm very proud. When I look at my Education minister, I feel so proud. This is the choice of education. This is the freedom that parents deserve. You can talk about any amendments. The simple reason is that we are not going to let their ideology take that right away from the parents. I want those members to hear me very clearly and loudly. They have rights, and we are so proud to give this right to those parents. I don't know who they talked to. I have talked to my constituents, and people are very happy once they know that there'll be charter schools, and they will have a choice. If they talked to some other people, I'm willing to go and debate or talk to their constituents, too. I'm willing to door-knock in their ridings, too. We'll go.

I know I'm running out of time, so I won't take too much time, but I just want to put this on the record. I am very proud, and I will never let these members on the opposite side to block this bill.

Thank you very much, Madam Chair.

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

I will call the question on Bill 15, the Choice in Education Act, 2020.

[The remaining clauses of Bill 15 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Any opposed? Carried.

[Mr. van Dijken in the chair]

Bill 16
Victims of Crime (Strengthening Public Safety)
Amendment Act, 2020

The Acting Chair: Any members wanting to speak at this time to Bill 16? Amendment A2 is being considered at this time. The Member for Edmonton-West Henday.

8:50

Mr. Carson: Perfect. Thank you, Mr. Chair and for clarifying that we are indeed on amendment A2 brought forward by the Member for Calgary-Mountain View. It's a very reasonable amendment. I think that I've had the opportunity a few times to share my concerns with Bill 16, of which there are many, but in this particular case I just want to focus on the amendment before us.

Now, I think it's important to recognize that this amendment will restore the financial benefits for victims that this government is trying to take away from those victims. It is needed because the current Bill 16, that is before us, takes away the ability for financial benefits to those victims. Now, this amendment will ensure that if a victim of crime is paralyzed or has massive psychological trauma, there are other supports in place for these people. If a victim has experienced a crime that has traumatic physical or psychological impacts, it is the duty of the government to protect them, which is not being done in the current bill as put forward by the Minister of Justice.

Now, what we're seeing here is an attempt to underfund these programs and undercut the funding that is earmarked for these survivors and for these victims, and that is very concerning to all of my colleagues here in the NDP caucus. It is incredibly important because the bill as it currently is drafted will only allow for benefits for a severe neurological injury, and this is not the only way that a victim can be impacted for the rest of their life. There are current consultations under the existing legislation, and the proposed government changes definitely constrain the current recommendations from that committee and would require the redoing of the legislation all over again. I question why we wouldn't do it right in the first place when we have the opportunity. Instead, this government is going to end up coming back to this House with more amendments to this legislation because they didn't get it right.

It is crucial for the government to continue to protect victims of crime, and this amendment will make sure that happens. I would also point out that this amendment will ensure that if a minor is a victim but doesn't become aware that a crime was committed until later in life, they will still have the opportunity to apply for benefits, or if as a minor they were unable to report the crime, they will have opportunities to do so later. This is a vital amendment to ensure that all victims of crime will have the support that they may need.

Once again, I would thank the Member for Calgary-Mountain View for bringing forward this important amendment, and I hope all members will support it to try and at least make Bill 16 and the massive holes that we're seeing in it a little better.

Thank you, Mr. Chair.

The Acting Chair: Thank you.

On amendment A2 are there any further speakers? I recognize the Member for Calgary-East.

Mr. Singh: Thank you, Mr. Chair. I stand to provide my opposition to the proposed amendment to Bill 16 and to provide my support and voice my thoughts about this bill, the Victims of Crime (Strengthening Public Safety) Amendment Act, 2020. First of all, I would like to express my appreciation to the minister for introducing Bill 16 and for taking the lead to make sure victims affected by crime are supported and protected while public safety is maintained. Also, I commend the minister for taking time to hear the concerns of rural Albertans on this matter.

As mentioned by the minister, this bill would expand the victims of crime fund to include public safety initiatives as part of deterring crime and preventing victimization. It will as well increase the victim surcharge applied to provincial fines from 15 per cent to 20 per cent, making the fund from \$40 million to about \$60 million and providing more funding in delivering services which would increase policing capacity, additional Crown prosecutors, and drug treatment courts.

Mr. Chair, the victims of crime and public safety fund will be used to make necessary grants related to programs that benefit and promote public safety in the surrounding communities, and it will ensure criminals are off the street. In this regard it would support Alberta law enforcement response teams, or ALERT, the rural Alberta provincial integrated defence force, or RAPID, and other organizations established to combat crime in Alberta.

As we understand, the current legislation does not address public safety. These amendments will allow us to not only better understand the cycles of victimization but to implement initiatives that deter crime and promote public protection. According to the city of Calgary's community crime data there has been a huge increase in the number of crimes that were reported. In the year 2017 the number of crimes was about 34,200 cases, and just last year, 2019, 38,000 cases were reported.

Mr. Chair, in the Calgary-East constituency many families, friends, and communities have been affected by an increasing amount of crime, and based on the 2019 Calgary community and disorder stats the communities in my riding had reported about 8,900 cases. It is disheartening to see thousands of families and individuals struggle, frustrated to seek assistance and support from the government. This is very concerning for the communities, and I would love to see the support of all members for protecting and supporting the families and the communities that are faced with victimization.

The leaders of the community association have voiced their concerns to me in regard to the increased criminal activities such as break-ins, theft, and robberies. Mr. Chair, also, they have observed that many of these criminal activities are organized and have been executed by groups of individuals participating in these untoward incidents. As such, it is important that communities and the appropriate authorities collaborate together to maintain safety and support all communities. This will allow the members of the community to work closely together to ensure that crimes are brought to justice. With the additional support from the appropriate authorities it will strengthen the safety of the communities to further prevent victimization.

Having said that, Mr. Chair, let me just speak about the initiatives that have been taken by one community association in my riding. The Erin Woods Community Association hosted a town hall in September last year to bring together the Calgary police, 12CSI residents, and businesses to find ways to collaborate to deal with the crimes and social disorders in the community and neighbouring areas. Initiatives have been taken by the community association to support victims affected by crimes and to strengthen the public safety and security within the community. One of which they call the catwalk. The catwalk aims to provide protection and information to residents in the community. Members of the association walk around and spread awareness to the community about criminal prevention and deterrence. Also, if unusual activities are observed, the appropriate authorities are contacted to ensure the safety of everyone.

Mr. Chair, our government has said many times, over and over again, that we will do everything we can to protect Albertans, keep their communities safe, and prevent Albertans from being victimized. This legislation will allow us to further expand and develop strategies with communities, stakeholders, and authorities to promote public safety and strengthen community relations.

Mr. Chair, as you can see, the increased amount of criminal activity is a concerning issue not only in Calgary's constituencies but to all Albertans. In such a great province, especially in times like today, no Albertan should feel that their safety is compromised. If this bill is passed, there will be opportunities to see a decrease in the number of crimes in communities while continuing to ensure that victims are supported by their government.

As we know, over the years Albertans have been greatly frustrated with the justice system as many concerns were voiced about the increasing amount of the crime rate and the difficulty to access the programs and services that support the victims. Mr. Chair, this bill will ensure that the appropriate tools and resources are provided by establishing an interim victim assistance and compensation program in a manner that the existing program does not provide. It is important to provide victims with the timely support they need and ensure that the criminals will be brought to justice.

Mr. Chair, this legislation will ensure that victims of crime have the help they need when they need it, and it will give victims of crime access to more support and services that they currently do not have. More support includes more resources that will combat the serious crimes in neighbouring communities. It will not only help fill the gaps but also build a trusting relationship with authorities that are here to protect the safety of communities.

While a new program is developed, focusing on supporting and protecting the victims is important and beneficial for the communities who are most affected. The interim victim assistance and compensation program will also support and allow victims to seek assistance for court, counselling services, and out-of-pocket expenses resulting from violent crimes. This investment will better support victims and families that are long overdue and in need of immediate assistance.

Mr. Chair, our communities and Albertans have waited far too long for the previous government to take action. It is finally time to amend and legislate laws that will help Albertans get the full care and assistance they deserve. These additions will have communities and families cope with the trauma and further strengthen the promotion of public safety.

9:00

Let me just conclude by saying that public safety is our priority. We want Albertans in all communities to feel safe, and I hope this amendment to the Victims of Crime Act is seriously taken into

consideration. It's all about providing better and more services and ensuring public safety and protection. We have the duty and obligation to maintain law and order, which the previous government did not act on.

Thank you, Mr. Chair, and thank you, Minister, for listening to the community concerns on crime rates and for helping communities to ensure that the safety of Albertans is our priority.

Thank you.

The Acting Chair: Hon. members, on amendment A2 are there any further members that wish to speak?

[Motion on amendment A2 lost]

The Acting Chair: Hon. members, we now move back to the main bill, Bill 16, Victims of Crime (Strengthening Public Safety) Amendment Act, 2020. Is anyone wishing to speak? The Member for Edmonton-West.

Mr. Dang: No.

The Acting Chair: Edmonton-South West.

Mr. Dang: Just South.

The Acting Chair: Edmonton-South.

Mr. Dang: Thank you, Mr. Chair. We'll find it eventually.

It's my pleasure to rise tonight to speak to Bill 16, the Victims of Crime (Strengthening Public Safety) Amendment Act, 2020. I'll try to be brief here tonight, but I do indeed have an amendment I'd like to move. I will hand that over to our LASS here and wait until the original gets to the table.

The Acting Chair: Hon. members, this will be referred to as amendment A3.

Member for Edmonton-South, you may proceed.

Mr. Dang: Thank you, Mr. Chair. I'm moving on behalf of my colleague for Calgary-Mountain View that Bill 16, Victims of Crime (Strengthening Public Safety) Amendment Act, 2020, be amended as follows: (a) in section 10 in the proposed section 12(i) by striking out subsection (1)(a) and substituting the following:

- (a) eligible for financial benefits in accordance with the regulations if
 - (i) the injury to the victim was the direct result of an act or omission that occurred in Alberta and that is one of the offences under the Criminal Code . . . specified in the regulations, or
 - (ii) the injury to the victim, if the victim is a minor, consists of witnessing the death of another victim or domestic violence committed against another victim as a result of the commission of one of the offences under the Criminal Code . . . specified in the regulations,
- and . . .

The Acting Chair: Hon. member, I didn't catch it, but the amendment is . . .

Mr. Dang: Two pages. Yes.

The Acting Chair: . . . written in a way that it's being proposed by the Member for Calgary-Mountain View?

Mr. Dang: Yes. On behalf of. Yes.

The Acting Chair: On behalf. Okay.

Mr. Dang: Thank you. In subsection (2) by adding the following immediately after clause (a):

(a.i) in the case of a victim described in (1)(a)(ii), financial benefits for the purpose of receiving counselling services;

And (b) in section 11 by striking out the proposed section 12.2(1) and substituting the following:

Application for benefit

12.2(1) An application may be made under section 12

- (a) only in respect of financial benefits referred to in section 12(2)(a.1) or a supplemental benefit referred to in section 12(2)(b), and
- (b) only if the offence was reported to a police service within a reasonable period of time after the offence occurred.

And (c) by striking out section 13(a) and substituting the following:

- (a) in subsection (1) by striking out “On receipt of an application for financial benefits” and substituting “On receipt of an application under section 12.2 in respect of financial benefits or a supplemental benefit”;

And (d) by in section 14 in the proposed section 13.1, (i) in subsection (2)(c) by adding “or to determine the amount of that benefit” immediately after “whether a person is eligible for a benefit under this Act,” (ii) in subsection (3) by adding “or to determine the amount of that benefit” immediately after “whether a person is eligible for a benefit under this Act”;

And (e) in section 21(b) in the proposed section 17(i) by striking out “supplemental” wherever it occurs.

Mr. Chair, it is a fairly technical amendment, but I think it is a very important one. As we can see, it’s not a short amendment. It has a bit of length to it. I think it’s important because this proposed amendment will create specific avenues for minors to access financial assistance and benefits. Particularly, it expands the definition of who is a victim under the act. It includes minors that have witnessed particular acts of violence. I think it’s important because when we look at the amendment to the act that’s originally written, before this amendment, it’s concerning because we can see that, for example, somebody who has witnessed a crime, perhaps a child of a victim, would not currently receive assistance and would not be eligible to receive things like special counselling or financial benefits. I think that we can all agree here in this place that if you have had something like that happen to your family, have had something that happened like that in your household, or have experienced the impact of a major crime, you should be eligible for some of this assistance, whether it’s counselling assistance or whether they’re actually financial benefits.

By including a section on victims that have suffered an injury, we are reinstating the current eligibility requirements for financial aid for victims of crime. The proposed amendment will reset the bill’s original purpose of assisting victims of crime that have suffered an injury that is through the Criminal Code of Canada. When we’re talking about the criminal acts, these substantial crimes that are in the Criminal Code, we want to basically bring back the eligibility or expand the eligibility, as it were, for financial benefits to minors – right? – because if a minor observes, let’s say, heaven forbid, the murder of a family member or somebody else, we think that those minors should be eligible for benefits. We think that those minors will likely have long-term effects to things like their mental health, will likely have long-term effects to things like their ability to continue in their day-to-day lives. We think that they deserve to have assistance through the victims of crime fund.

It’s my understanding that the victims of crime fund is intended to provide those services, right? It funds organizations to provide things like counselling services. It directly funds some counselling services for victims. We want to make it very clear that we include

in this act – include – the definition of victim to be somebody who, in this case a minor, has witnessed these crimes. I think that’s a very reasonable perspective. I think it’s common sense that we would accept this. It’s common sense that we would think that people who are going to be on the receiving end of these detrimental effects for extended periods of time should be eligible for financial benefits and counselling benefits and other types of benefits.

We want to ensure that the justice system and financial aid are not limited to victims of crime due to reporting time frames, right? So I’m also proposing and my colleague is also proposing that this amendment will strike out the proposed period of time in reporting to law enforcement after an incident and reinstate the flexible and reasonable period of time that was previously in the act, before the government introduced this bill. I think that’s important because when we look at wording like a “reasonable period of time” to allow victims of crime, we can see that every single person will react differently to crimes that are committed, right? Every single person, if they experience a crime or witness a crime, will react differently, and they will respond differently to the scenarios, right?

I think it’s important that we recognize that this is crucial, and particularly, for example, in sexual violence survivors and minors who have experienced or witnessed sexual violence or other crimes, that they are able to access the assistance and that they are able to report these incidents to police at their own time, when they are ready, and that we are not forcing these victims to come forward before they’re ready, that we’re not limiting the ability of these victims to access the services of the victims of crime fund without unduly harming their mental health if they simply wait too long, right? If it simply takes them longer, if it takes an individual longer to understand the impacts and to come to terms with the impacts and to go seek something like police assistance or other assistance, then we shouldn’t be unduly punishing these people. We shouldn’t be restricting their access to the victims of crime fund.

I think it’s very reasonable. I think it’s something that’s common sense, and I think it’s something that would ensure that the rights of every single victim are protected. I think we need to acknowledge that when people, particularly minors, are faced with significant crimes, there are going to be many barriers, right?

I think it’s unreasonable. I think that it is unreasonable that without this amendment, as the bill is currently written, the government is actually, basically, expecting minors to potentially take on the cost of a legal battle to recover some of these costs – right? – to go to court and try to recover some of the costs that they may have associated with things like counselling and other disbursements. I think that is an unreasonable burden to try and place on these victims, and it’s an unreasonable burden that will hamper the ability of some of these victims to recover on their own time. I think that restoring the previous language around a “reasonable period of time” allows us to balance that and allows us to understand that.

9:10

Basically, this amendment is focused on making sure that the benefits for minors who witness a death or some other domestic violence occurring – it will allow them to both report this incident in their own time, at their own speed and allow for them to have a safe healing environment while also allowing them to access this fund.

So I really encourage all of my colleagues here to accept this amendment. I think it is an important amendment, and I think it will help many people. Thank you.

The Acting Chair: Thank you, hon. member.

Hon. members, on amendment A3 are there any other speakers wishing to speak at this time?

[Motion on amendment A3 lost]

The Acting Chair: We are now back on the main bill, Bill 16. Are you ready for the question on Bill 16, Victims of Crime (Strengthening Public Safety) Amendment Act, 2020?

[The remaining clauses of Bill 16 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? Carried.

[Mrs. Pitt in the chair]

Bill 17 Mental Health Amendment Act, 2020

The Chair: Hon. members, we are on Bill 17, amendment A5. Are there any members wishing to speak to amendment A5 to Bill 17?

I will call the question.

[Motion on amendment A5 lost]

The Chair: We're back on the main bill, Bill 17. The hon. Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Madam Chair. I appreciate the opportunity to speak to Bill 17. I have had an opportunity to speak to it a couple of times and have presented my concerns around the very limited response to the judicial order that Bill 17 represents. I've also had an opportunity to speak to the fact that there is a great deal of work to be done to try to decriminalize mental health and to work on measures that are restorative and supportive of families in mental health and my disappointment that this bill doesn't approach either of those.

So I again come with an amendment to suggest to improve this bill as best we can. Two pages.

The Chair: Hon. members, the amendment is two pages. This will be known as amendment A6.

Hon. member, please proceed.

Mr. Feehan: Thank you. This amendment to Bill 17, the Mental Health Amendment Act, 2020, reads: Ms Sweet to move that Bill 17, Mental Health Amendment Act, 2020, be amended as follows: (a) in section 12 by striking out clause (b) and substituting the following:

- (b) in subsection (2)
 - (i) in clauses (b) and (d) by striking out "physicians" and substituting "qualified health professionals",
 - (ii) by striking out "and" at the end clause (g),
 - (iii) by striking out clause (h) and substituting the following:
 - (h) be signed by the issuing qualified health professionals, and
 - (iv) by adding the following immediately after clause (h):
 - (i) be provided to the person that is subject to the order and, unless the person has reasonable grounds to object, to the person's nearest relative or person referred to in section 28(1).

And (b) in section 22 by striking out clause (b) and substituting the following:

- (b) in subsection (1.1)
 - (i) by striking out "person designated in accordance with the regulations" and substituting "qualified health professional", and
 - (ii) in clause (b) by adding "subject to section 9.1(2)(i)," immediately before "shall give the written statement."

We'd just like to take a moment to talk a little bit about the importance of making some modifications in this bill so that it is better suited to support and enhance the mental well-being of citizens in the province of Alberta. The particular focus of this particular amendment, amongst the many that we have submitted and will continue to be submitting on Bill 17, begins with a desire to broaden the appropriate people who are involved in the process from physicians to qualified health professionals. I think this is very important because while physicians are certainly important and integral to the work that's being done in mental health, they are not the only profession that has intimate knowledge of and appropriate training in dealing with mental health.

I know that in my own profession in social work there are a significant number of people who are involved in the profession who have dedicated their lives to working in the area of mental health and are often the people who are actually on the front line, who are called in to circumstances to deal with the crisis level that occurs occasionally in terms of people's mental well-being. Therefore, it would be appropriate to expand the number of people who are involved in the issuing of certificates from physicians to qualified health professionals.

I know that right now there is a significant push to have the police service, for example, work more closely with social workers when they're going out on cases of mental health review, and they've been very successful in other areas. I know that in my practice the CARRT team, the child abuse response team, is social workers and police officers, and I know that the elder abuse response team or the elderly adults resource service, EARS, run through Catholic social services, is also police officers and social workers. So if we're putting social workers on the front line and putting them out into the community, then I think we should be appropriately including them into the bill. Of course, this wouldn't just be limited to physicians and social workers. We're asking for all qualified health professionals to be included.

I think I'll leave it at that. I think the rest of it is fairly clear in terms of what is being asked, and I think that in many ways these are just small ways to improve the bill and to help to move us in a good direction.

Thank you.

The Chair: Any members wishing to speak to amendment A6? Seeing none, I will call the question.

[Motion on amendment A6 lost]

The Chair: We're back on the main bill. The hon. Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Madam Chair. I appreciate the chance to once again attempt to try to improve this bill before it goes through. It's a shame that so little time and energy has been taken by the government to actually craft a good, detailed – yes?

The Chair: I hesitate to interrupt you. Before you introduce another amendment, I will just caution you on the use of names in the Chamber.

Mr. Feehan: I don't know what I said, but I apologize and withdraw. Thank you. I certainly will watch what I say.

The next amendment that I have – well, I'll just introduce it to the chair first.

9:20

The Chair: Hon. members, this is another two-pager. This will be known as amendment A7.

Hon. member, please proceed.

Mr. Feehan: Thank you very much. This notice of amendment for Bill 17, the Mental Health Amendment Act, 2020, reads as such: Ms Sweet to move that bill – is that what I said?

Mr. Eggen: That's the name part.

Mr. Feehan: I'm just reading the amendment. I'm sorry. Should it say the Member for Edmonton-Manning?

The Chair: Yes.

Mr. Feehan: Ah. Okay. Thank you. The Member for Edmonton-Manning to move that Bill 17, Mental Health Amendment Act, 2020, be amended (a) in section 3 in the proposed section 2, one, by striking out "and" at the end of the clause (c), two, by adding "and" at the end of the clause (d), and, three, by adding the following immediately after clause (d): "(e) would not voluntarily consent to be admitted to a facility"; (b) in section 6(b) in the proposed section 6(d), one, by striking out "and" at the end of subclause (iii), two, by adding "and" at the end of subclause (iv), and, three, by adding the following immediately after subclause (iv): "(v) would not voluntarily consent to be admitted to a facility"; (c) in section 8 in the proposed section 8(1), one, by striking out "and" at the end of clause (c), two, by adding "and" at the end of clause (d), and, three, by adding the following immediately after clause (d): "(e) would not voluntarily consent to be admitted to a facility"; (d) in section 10(b) in the proposed section 9(d), one, by striking out "and" at the end of subclause (iii), two, by adding "and" at the end of subclause (iv), and, three, by adding the following immediately after subclause (iv): "(v) would not voluntarily consent to be admitted to a facility."

I think that while this is a lengthy addition, you can see that it's all doing exactly the same thing, just adding in each appropriate section of the bill the appropriate concern that we are addressing that the certificate should be issued under certain circumstances. In this case, we were adding the phrase "would not voluntarily consent to be admitted to a facility" as a way of defining specifically the issue at hand and to ensure that the rights of the individual involved are appropriately addressed, as was requested by the justice in the J.H. versus AHS decision.

Thank you.

The Chair: Any members wishing to speak to amendment A7?

Seeing none. I will call the question.

[Motion on amendment A7 lost]

The Chair: We are back on the main bill, Bill 17. Any members wishing to speak to the bill? The hon. Member for Edmonton-North West.

Mr. Eggen: Well, thanks, Madam Chair. I appreciate the opportunity to speak to Bill 17, the Mental Health Amendment Act, 2020. I don't feel like I have had the opportunity thus far, and so better late than never, I guess. We do certainly – you can see a pattern of some concerns that we do have around this legislation, how inclusive and how all-encompassing it should be but missing

some, I think, important pieces. I, in fact, have an amendment that I would like to humbly suggest we consider here tonight.

The Chair: This will be known as amendment A8.

Please proceed.

Mr. Eggen: Okay. The hon. Member for Edmonton-Manning would move that Bill 17, the Mental Health Amendment Act, 2020, be amended in section 22 by adding the following immediately after clause (b). So that's by adding the following after subsection (1.1):

In addition to the duties described in subsections (1) and (1.1), a patient must be informed

- (a) by the board if an admission certificate or renewal certificate has been issued with respect to that patient and the consequences if another admission certificate or renewal certificate, as the case may be, is issued with respect to that patient, and
- (b) by a person designated in accordance with the regulations if a qualified health professional is of the opinion that a patient meets the criteria under section 9.1 for the issuance of a community treatment order or under section 9.3 for the renewal of a community treatment order, and the consequences if another qualified health professional finds that the relevant criteria have been met with respect to that patient.

Again, you know, I know that this legislation is a response to an issue that had emerged a number of years ago, and there were clear, I think, suggestions from the court decision that needed to take place in legislation and in regulation to make sure that something like that doesn't happen again, right? I think there are, like, four or five different recommendations from the court, six, actually. Those were not all being met by this legislation, so we're trying to help out here, quite frankly, because otherwise it'll just end up going back to another case, and we will be behind what we're meant to be doing in terms of responsibility.

This whole idea of having an admission certificate or a double check on how those admission certificates are brought forward and verified and double-checked by another health professional and so forth: these are all just fail-safe methods by which we can make sure that we're meeting the requirement of the judgment that was brought down with this case and meeting the requirements for future needs as well.

You know, an ounce of prevention is worth a pound of cure, as they say, Madam Chair, and I believe that this amendment helps to make sure that we are doing this properly. Thank you.

The Chair: Just to clarify, you're moving the amendment on behalf of the Member for Edmonton-Manning.

Are there any other members wishing to speak to amendment A8?

[Motion on amendment A8 lost]

The Chair: We are back on the main bill, Bill 17, in Committee of the Whole. Any other members wishing to speak?

Mr. Eggen: Well, if you don't succeed, try, try again, right, Madam Chair? That's unfortunate, but certainly we know that we have to make sure that this legislation is correct, and there are lots of different specific – like I said before, the court was ordering six different areas to be changed. We have to make sure we do it right because otherwise you end up having to do it again.

The next amendment I would like to pass forward to the table for consideration. Once it hits the table, we will start.

Thank you.

The Chair: Hon. members, this will be known as amendment A9.

Hon. member, just to clarify, you're moving this on behalf of another member? Please proceed.

Mr. Eggen: Yeah, on behalf of the hon. Member for Edmonton-Manning, who is moving that Bill 17, Mental Health Amendment Act, 2020, be amended in section 39 in the proposed section 45(1.1), in this case striking out "as soon as practicable after" and substituting "within 7 days of", and in the section of clause (b), striking out "may provide" and otherwise saying "shall provide." This amendment is a very practical one to provide stronger language and to compel the governing institution to move with speed and within a certain time frame, within seven days, laying it out pretty clearly rather than just, you know, saying, "When it's practically possible to do so," giving a more definite time frame.

Again, moving from "may" to "shall": that compels the governing body to act.

I think that, again, this is a good, practical amendment that I believe improves the bill considerably. I hope that it might be considered here this evening.

Thank you.

9:30

The Chair: Any members wishing to speak to amendment A9?

Seeing none, I will call the question.

[Motion on amendment A9 lost]

The Chair: Any other members wishing to speak to Bill 17 in Committee of the Whole? The hon. Member for Edmonton-West Henday.

Mr. Carson: Well, thank you, Madam Chair. It's an honour to rise this evening to speak to Bill 17 and also move an amendment on behalf of the Member for Edmonton-Manning.

The Chair: This will be known as amendment A10.

Hon. member, please proceed.

Mr. Carson: Thank you very much, Madam Chair. Once again, the Member for Edmonton-Manning moves that Bill 17, Mental Health Amendment Act, 2020, be amended as follows: (a) in section 17 by adding the following immediately after clause (c):

(d) by adding the following immediately after subsection (6):
(6.1) For greater certainty the authority of a warrant under subsection (6) includes the authority of a peace officer to convey a person from a secure location to a facility.

(b) in section 18 by adding the following immediately after clause (b):

(c) by adding the following immediately after subsection (3):
(4) After a person has been assessed and examined at a secure location, a peace officer shall convey that person to a facility for a further assessment and examination if an admission certificate has been issued.

And, finally, (c) by striking out section 19.

These changes, I believe, once again, proposed by the Member for Edmonton-Manning, are some housekeeping. I think they strengthen the wording of the legislation in terms of the ability and the responsibility of a peace officer to convey a person from a secure location to a facility as well as further assessments and examinations under that. While it is maybe considered a minor amendment, I think that it only goes to strengthen the wording of this legislation. I think that it goes along with several other amendments that the Member for Edmonton-Manning has brought forward to try and strengthen this piece of legislation that definitely needs work.

I do hope that the government caucus will accept this amendment as proposed. Thank you.

The Chair: Any other members wishing to speak to amendment A10?

Seeing none, I will call the question.

[Motion on amendment A10 lost]

The Chair: We are back on the main bill, Bill 17, in Committee of the Whole. Any members wishing to speak? The hon. Member for Edmonton-West Henday.

Mr. Carson: I'm not quite done, Madam Chair. I am rising again to propose another amendment brought forward by my colleague the MLA for Edmonton-Manning.

The Chair: Hon. members, this will be known as amendment A11. Please proceed.

Mr. Carson: Wonderful. Well, thank you, Madam Chair. It's an honour, once again, to move this amendment on behalf of the MLA for Edmonton-Manning. I have listened to the debate that has happened on this legislation so far, and I'm very concerned that the many important proposals that we've brought forward on Bill 17, the Mental Health Amendment Act, 2020, have not been accepted by this government. I think that the opposition caucus here, the NDP, have raised many concerns that have, for one, not been addressed by the minister. But, more importantly, I think that some of the changes that we've proposed would strengthen the bill to a point where it would potentially be upheld in court. At this point, not that I would necessarily like to speculate, I have concerns that we will be back here in the Legislature debating ways to strengthen this legislation in the not-so-distant future, depending on the outcome of that proceeding.

Once again, just to get back to the amendment on behalf of the MLA for Edmonton-Manning, that member moves that Bill 17, the Mental Health Amendment Act, 2020, be amended by striking out section 34 and substituting the following:

34 Section 40 is amended

- (a) in subsection (1)(c) by striking out "psychiatrist or designated physician or" and substituting "qualified" and
- (b) in subsection (2) by striking out "reasonable notice" and substituting "at least four days' notice."

We see once again some changes here that will only strengthen the legislation, recognizing that the way the legislation is written right now, specifically in respect of reasonable notice of an appeal hearing, I don't personally believe and I don't think that the member believed that it was strong enough. As we see here, it's listed that at least four days' notice will be given to the person that's involved in the appeal process. Once again, I have concerns that "reasonable notice" is not strong enough language in the legislation, Bill 17, that is being proposed by this government. I think that we should have a timeline, in this case at least four days' notice. If this government decides that more notice should be included, whether that comes through regulations, then that's a conversation that we should have, but at this point I do not believe that "reasonable notice" is strong enough wording in the proposed legislation.

Once again, we've seen many amendments defeated not only this evening but throughout the week, and I have many concerns about what this government is asking us to vote on without accepting any of our amendments. The fact is that the case that caused the need for the Mental Health Act to be amended is a heartbreaking one. We need to do everything in our power to make sure that people's civil rights and civil liberties are upheld to the best of our ability, and I don't personally believe that in Bill 17, as proposed by this government, that is the case.

Once again, this amendment would move to strengthen the wording of this legislation, and I hope that all members will support it. Thank you.

The Chair: Any other members wishing to speak on amendment A11? The hon. Member for Edmonton-South.

Mr. Dang: Thank you, Madam Chair. It's my pleasure to rise and speak on amendment A7, that was moved by my hon. colleague from Edmonton-West Henday on behalf of . . .

The Chair: A11.

Mr. Dang: A11. Sorry, Madam Chair. I misheard you, and we have been through a number of amendments tonight.

It's been moved on behalf of my hon. colleague here for Edmonton-Manning to amend section 40 by striking out "psychiatrist or designated physician or" and substituting "qualified." I think that's something that is a very reasonable amendment.

I think that when we come and bring – of course, as members have seen tonight, we have brought a number of amendments forward, and I moved a couple on behalf of some of my colleagues. I think most of our members here have moved some on behalf of their colleagues as well tonight. I think that when we move these amendments, particularly the ones that are not very technical or not very lengthy – indeed, this one is only a few lines here, Madam Chair – we think that they're simply common-sense amendments, right? They're amendments that, when you look at them and see what the changes are – we say: well, we want to change "reasonable notice" to "at least four days' notice," right? We want to do things like improve plain language. We want to do things like ensure that members and the public would be able to understand what a baseline standard for reasonableness would be.

9:40

When you say "reasonable notice," it leaves a lot of ambiguity, it leaves a lot of discretion, and it leaves a lot of difficulty for people to make those types of decisions as to what may be considered reasonable. With reasonable notice, I think, being at least four days' notice, it allows us to actually understand and say that people deserve to have some amount of time, right? And for that amount of time, if the government doesn't think four days is reasonable, I'm sure they have something in mind for what reasonable would be as they have included that language in the bill here already. Perhaps they would be interested in speaking to what they consider to be reasonable and what they maybe consider reasonable if four days is not reasonable. I would look forward to hearing from some of my colleagues on the government side around that as well.

In the other section we're amending here, by changing "psychiatrist or designated physician or" and substituting "qualified," I think we're also, then, allowing it to have this sort of expanded breadth as to who is able to make some of these decisions. I think that's very valuable because it allows us to ensure the Mental Health Act is as robust as it needs to be, right? It allows us to ensure that the Mental Health Act has the latitude while also being stringent enough to provide the measures to protect our public and to ensure that the public has the tools they need.

I'm looking forward to perhaps hearing from some of my government colleagues on why they would be voting this down or on what they may be considering reasonable. I'm looking forward to perhaps hearing some of the ministers here rise and defend their bill and speak to why they would oppose this amendment. I'll leave

it to some of the other members in this place to speak and hear what their thoughts will be as well.

Thank you.

The Chair: Any other members wishing to speak to amendment A11? The hon. Member for Edmonton-North West.

Mr. Eggen: Thanks, Madam Chair. I appreciate the opportunity to speak to the amendment that was brought forward on the Mental Health Amendment Act, 2020. Again, just to remind everyone, this, you know, had a clear set of parameters outlined in July 2019. It was ruled by a judge that, in fact, six sections of this act are unconstitutional – right? – and she gave the government a year, 12 months, to fix the act.

The government, this UCP government, appealed that ruling, and of course the outcome of that appeal is not coming probably until the fall. The Minister of Health states that this legislation is the right thing to do, but, you know, again, just to reiterate, it doesn't actually amend the sections that the judge specifically outlined in the ruling, right? The sections that this bill does amend are in section 2 and section 8, but it completely misses section 4, section 7, and some other elements of section 8 as well. There was engagement that I can see, but still I've no report on the outcomes of that engagement and then, ultimately, the lack of follow-up to ensure that those six sections are honoured.

With all of those things together, Madam Chair, we went back and sharpened our pencils and, you know, came up with a series of amendments that tried to fill in those gaps that did exist. I know that with the COVID situation, we're not passing out amendments to everyone, and I just got mine here now, opening up the orange folder, as the Justice minister likes to dramatically sort of use as a tool. We have orange folders, too, and inside there are just happy things: happy, helping amendments that will help everyone.

This amendment indeed deals with section 40 and talks about "psychiatrist or designated physician or" and is substituting "qualified" and is striking out "reasonable notice" and then, again, putting in "four days' notice."

Again, time is of the essence when someone is being held in a forced confinement situation. We can't dilly-dally, right? We saw, of course, this individual from the case being held for months in a very difficult situation. You know, we can't have that happening again. Clearly, it's unconstitutional. It's against the law, and it's against the basic human dignity and best practice of both mental and physical health as well. I think that we need to make sure that we don't just fulfill our legal obligations. We, in fact, are here to fulfill our moral obligation to move with speed and to move within defined time periods for physicians to act when someone is in an emergency situation such as this.

We know that this bill, as it stands now, revises the admission criteria, so only people whose disorder could be improved by treatment can be detained. We know as well that, you know, patients suffering from permanent brain damage like FASD or a stroke could no longer be detained unless they also had a mental disorder that could be reasonably treated as a result. Of course, what we saw with this particular case, the court case that precipitated all of this, was that someone ended up being forcibly confined with treatments that weren't necessarily in keeping with what that patient needed. I can't imagine how difficult that would be. We need to make sure that that kind of thing doesn't happen again.

We know that to provide better access to care, Bill 17 would allow nurse practitioners to assess, examine, and supervise patients receiving community treatment while maintaining physician oversight where necessary. You know, I think that's a good thing, right? We know that nurse practitioners – we need to always look

for ways to expand their scope of practice and to make sure that they are compensated for that fairly and reasonably as well. We know that we have a level of expertise that we could more thoroughly utilize in our health system. Nurse practitioners: it's an evolving area of practice. These individuals are very highly trained and competent in the broadest possible way. It's good to see that we would utilize them in this particular circumstance.

This Bill 17 also is allowing people who are held under the act to be assessed and examined by video conferencing where appropriate. Again, you know, I think we have to make sure that we're really careful around the use and the scope of video conferencing. I know that we are a very large geographic area here in the province of Alberta, so the potential for expanded use of video conferencing is fair. But it certainly should not preclude the in-person visit that many people need and require and would receive a better quality of assessment with, that personal touch of an in-person assessment.

We know that the idea of allowing initial assessments and exams at more locations to reduce travel and wait times and so forth, I think, is a fair, practical change. But again, of course, going back to the amendment, we want to make sure that time is of the essence so that a person is getting an assessment and getting an evaluation and getting the care that they need within a very reasonable time – right? – setting out parameters of how many days this must take place. As I said before, time is of the essence.

9:50

You know, I think that the global idea around Bill 17 is to try to strengthen patient rights. The results of that court case, again, were to strengthen patient rights. We know that, of course, the very first principle that you can apply to strengthen the rights of a patient is to make sure that they know, they have full cognizance of what they are being treated for and under what circumstances and that there's free and full access to information in the broadest possible way as well; for example, to have timely access to medical records and information about legal counsel.

The inclusion of, you know, affordable or free legal counsel, if that is applicable to the individual's circumstance, again, is absolutely paramount – right? – because we are talking about having someone be confined and the rights of an individual being confined for medical purposes or what have you. We still have to make sure that we're following the procedures, the legal procedures, that otherwise we saw were breached in this case that precipitated this whole thing in the first place.

Talking about access to the Mental Health Patient Advocate: again, absolutely necessary. I think this is a very important way by which we can help an individual and make sure that people at every step of the way, to the degree it's possible, let patients know why they're being detained and what the legal implications of that are.

Madam Chair, I think that, again, we have inundated the House this evening with quite a lot of individual amendments to Bill 17, and this last one, talking about the timely treatment and movement of, you know, procedures and making sure that we have qualified psychiatrists and physicians attending these sorts of cases, I believe is a reasonable step forward.

With that, I urge everyone to consider the amendment to Bill 17. I think that it's the right thing to do, and I'm happy to try to move some minds here this evening in that regard.

Thank you.

The Chair: I see the hon. Member for Edmonton-Rutherford.

Mr. Feehan: Thank you very much, Madam Chair. I appreciate the opportunity to speak to this amendment and speak to the underlying

concerns that brought forward this amendment, and that is that there was a particular court case, J.H. versus Alberta Health Services, that particularly addressed the concerns from a rights perspective, a constitutional rights perspective, of people who are involuntarily held as a result of the Mental Health Act and are receiving a mental health certificate. While they may be requiring treatment, and treatment would be, in fact, the very best thing, they also need to have their rights recognized.

Now, we absolutely on this side of the House recognize that this is a complex issue because, you know, people with certain types of mental illness actually have aspects of their mental illness which make it very difficult for them to make decisions for themselves. The mental illness itself actually undermines that capability, and therefore it is on occasion important that decisions be made on their behalf.

As a result, we wish to ensure that some balance is struck here, that not only the individual but the families involved in these situations have as much notice as possible about actions that will be taken on behalf of the individual who is the object of a certificate. We believe that reasonable notice should be well defined so that people understand what it is that is being requested. In this case we are simply asking that it be defined as at least four days' notice so that all the people involved have an opportunity to gather together their resources, the support people that they perhaps need, the legal arguments that are required, and then be prepared to address the concerns in the issuance of a certificate.

With that, I would ask the House to pass this amendment. Thank you.

The Chair: Any other members wishing to speak to amendment A11?

[Motion on amendment A11 lost]

The Chair: We are back on the main bill, Bill 17. Any other members wishing to speak to Bill 17 in Committee of the Whole?

Are you ready for the question on Bill 17, the Mental Health Amendment Act, 2020?

[The remaining clauses of Bill 17 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Any opposed? Carried.

The hon. Government House Leader.

Mr. Jason Nixon: Thank you, Madam Chair. I'd move that we rise and report Bill 15, Bill 16, and Bill 17.

[Motion carried]

[The Deputy Speaker in the chair]

The Deputy Speaker: The hon. Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 15, Bill 16, and Bill 17. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

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

Hon. Members: Aye.

The Deputy Speaker: Any opposed, please say no. So carried.
The hon. Government House Leader.

Mr. Jason Nixon: Well, thank you, Madam Speaker. I believe that if you seek it, you will find consent from the Chamber to go to one-minute bells for the remainder of the evening.

[Unanimous consent granted]

Government Bills and Orders
Third Reading
Bill 18
Corrections (Alberta Parole Board)
Amendment Act, 2020

The Deputy Speaker: The hon. Government House Leader.

Mr. Jason Nixon: Thank you, Madam Speaker. It's my honour to rise on behalf of the hon. the Minister of Justice and request leave to move third reading of Bill 18, Corrections (Alberta Parole Board) Amendment Act, 2020.

[The Speaker in the chair]

Madam Speaker – Mr. Speaker, as I see the change is taking place. This is another step forward for a platform commitment kept. Again the United Conservative Party government is taking steps to be able to protect Albertans from crime and to be able to stand up and assert Alberta's independence to be able to protect our own province from criminals. I do encourage all members to support this important piece of legislation.

The Speaker: The hon. Government House Leader has moved third reading for Bill 18, Corrections (Alberta Parole Board) Amendment Act, 2020, on behalf of the hon. Minister of Justice. Is there anyone else wishing to join in the debate? The hon. the Member for Edmonton-McClung.

Mr. Dach: Thank you, Mr. Speaker. I'm typically a big fan of yours and appreciate your comments in inviting me to speak here tonight. I'm glad to have an opportunity again to speak in third reading to the Alberta parole board act. Of course, many questions are still outstanding with respect to how this will actually operate and whether the, apparently, \$600,000 that it's going to take to put this parole board in place will actually become worthy of the expenditure. According to some reports we're looking at, about 50 potential parolees who are now annually being paroled under contract through the Parole Board of Canada will be paroled under the new Alberta parole board.

10:00

Inasmuch as many members of the opposition caucus have brought forward concerns about the appointment to the new Alberta parole board and the functioning of that parole board itself, there are some other outstanding questions that I want to bring to light from my observations, and that has to revolve around, Mr. Speaker, the actual operation of the parole versus probation system. Earlier, of course, in debate I've spoken about having been a volunteer probation officer in the court intake unit under the Solicitor General's office. Of course, those people on probation were granted probation as a result of a provincial sentence or being given a term of probation after a prison sentence in the provincial jail system of two years less a day. In my research I found that in fact probation and parole can actually be part of the sentencing regime for the

same prisoner and the same crime, and they may actually run potentially concurrently or consecutively. That is something that I've heard nothing about from the government as to how that might actually work, and I'm concerned that no attention has been paid there.

I know that the government, I believe, intends to have probation officers who are currently operating provincially perhaps administer the Alberta parole system, but how, in fact, that transition is going to take, what training opportunities there are going to be, how that is going to be funded is not something that I've heard anything about. I don't know if it's been well thought through.

I'm concerned about the source of these new parole officers. Where will they come from? Will we be competing against those individuals who we're training in our educational institutions, who might make a choice between the parole system federally and operating provincially? If indeed we are not willing to pay those individuals an amount that's similar and competitive with the federal parole system, are we attracting the best qualified people? I've got concerns about that.

I'd like to make it be known that we'll be watching very carefully as to how this operates and how the synchronization of the new system actually works because the information that I've seen so far doesn't touch upon these subjects, and operationally they're pretty important because not only, you know, are we actually making appointments to a parole board, which has to function – and I've got concerns about that in and of itself, where we have a quorum of two out of five members; that's an unusual situation in and of itself – but also the nuts and bolts of the operation of the system of parole as it will dovetail with the concurrent federal system of parole and the probation system also in operation right now.

There are some serious questions that remain as to how, in fact, the implementation of the new parole system will work in the province notwithstanding on top of that the difficulties that we have seeing an earmark with the potential operation of the parole board in and of itself. So we'll be watching with great interest and very much waiting to point out any inefficiencies or deficiencies that we see. Hopefully, this expenditure doesn't end up being simply a grandstanding effort on the part of the province.

Thank you.

The Speaker: Hon. members, are there others wishing to join in the debate this evening for third reading?

Seeing none, I am prepared to allow the Government House Leader to close debate on behalf of the Minister of Justice.

Mr. Jason Nixon: Waive.

[Motion carried; Bill 18 read a third time]

Government Bills and Orders
Second Reading
Bill 22
Red Tape Reduction Implementation Act, 2020

[Adjourned debate June 23: Mr. McIver]

The Speaker: Hon. members, is there anyone wishing to join in debate of third reading of Bill 22, the Red Tape Reduction Implementation Act, 2020?

Mr. Jason Nixon: Mr. Speaker, I move that we adjourn debate on Bill 22.

[Motion to adjourn debate lost]

The Speaker: We are on third reading of Bill 22, the red tape reduction act. Are there any members that would like to join in the debate this evening? The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you very much, Mr. Speaker. Great to be back in the Chamber debating important pieces of legislation, the pros, the cons, amendments as my colleagues have presented a myriad of amendments on a number of bills this evening. It's my honour to speak to Bill 22. Now, Bill 22 is a significant bill. It's definitely an omnibus bill that makes a significant number of changes. I'll try to keep my comments fairly brief this evening, but I want to highlight some of the concerns that I do have with this bill. You know, first and foremost, there are changes being proposed in this bill that would remove cabinet approval for various actions.

Now, before I get into the specifics on why I feel that's problematic, Mr. Speaker, just for the benefit of members in the Chamber who maybe have not held a cabinet position in the past, you know, part of the reason why many decisions are not just left to the individual minister and why they do come before cabinet is to ensure that there is adequate oversight on decisions. Now, we all hope that every minister is going to use their best judgment in every situation and every decision that they make, but of course we know that there are times when, unfortunately, there are lapses in judgment or people may make decisions in haste. I can tell you that for many decisions that do come before cabinet, there is a very good reason for it. It's not just a tradition that to this day nobody can point back to the reason of why we started it.

I can tell you that, you know, when we look at some of the agreements that especially the Minister of Energy can enter into, when we talk about royalty agreements, when we talk about approval of massive projects that have significant implications, it's critical that various cabinet ministers weigh in on their different points of view. The reason, really, Mr. Speaker, is that all of the different cabinet ministers, we hope, are looking at different bills or regulations or decisions through the lens of their own departments.

I can speak from experience. The Member for Edmonton-Rutherford would often in cabinet conversations ensure that we were considering indigenous perspectives because he was the Minister of Indigenous Relations and would ask questions about: how much have we consulted with different indigenous groups on various bills? The minister of environment would pose questions regarding: have we spoken to various groups? Are we considering all of the different perspectives? That, I can tell you, really points to the purpose of why the Premier has a cabinet. If we didn't want to have these different lenses and different perspectives on decisions, then there's no point in having a cabinet. The Premier could just run the province as an autocracy and not have to consult with anyone. But we do have members of cabinet that are – you know, it is their duty, a sworn oath, to represent their stakeholders, consult with them, and bring those perspectives forward.

I mean, I think that members now understand the point of my first issue with this bill, which is the fact that this bill proposes to remove decisions that used to come to cabinet, to just give the minister the ability to make those decisions. I think that's an oversight. I mean, I'm sure the minister of red tape would say: well, we're reducing red tape. Well – you know what? – checks and balances aren't necessarily red tape. That's just good governance, Mr. Speaker. So my first concern is with that.

10:10

The next one is repealing the Energy Efficiency board, which, you know, I'm sure the government will say: well, there was redundancy in the work that they were doing. I would disagree with

that. I think that there was and is a role for Energy Efficiency Alberta. I think we often look to other jurisdictions across the country to see what they're doing for best practices. Alberta will now be the only jurisdiction without an energy efficiency entity, which I think is a shame, Mr. Speaker. I wish that that wasn't going to be the case. I'm hoping, because we are still in second reading, that this is something the government may consider repealing. Maybe they'll accept an amendment from the opposition, or maybe the government will bring forward an amendment and reconsider this decision.

There are a significant number of other changes. You'll have to bear with me, Mr. Speaker. This was a very large piece of legislation. In fact, I think it was several hundred pages – or is. Pardon me; I shouldn't speak in the past. It does make changes to a significant number of bills. Now, I do believe that in the Service Alberta section that as far as Business Corporations Act, it's going to expedite the process for business. I'm actually looking to the Minister of Service Alberta to either nod or shake his head. That is something that I believe we're still looking through, but on the surface, anyway, it looks like it's a positive step for businesses. More details will come as we dive deeper into this bill.

As far as the . . .

Mr. Glubish: It's a lot to read.

Mr. Bilous: Well, it's a good thing, you know, that I'm up many hours throughout the night, so I've got lots of time. I'll just keep a copy of this bill right beside the baby's crib, and I will get lots of good quality reading in at different times of the day.

Now, I'm looking at the fact that Energy Efficiency Alberta – that's what I had spoken to already that's getting cut. Now, Energy Efficiency Alberta did a number of incredible things over the past few years. In fact, between 2017 and 2019 – to the Minister of Environment and Parks: I mean, we all love to see economic growth – Energy Efficiency Alberta delivered \$850 million to various companies and programs that delivered economic growth. To the minister: Every dollar that was invested, there was a return of \$3.20. So we have over a 3 to 1 ROI, which anyone in this Chamber will recognize is a very good thing. The fact is that at the same time as boosting economic growth, they were able to cut 5.7 million tonnes of emissions between '17 and '19.

The fact that we're about to lose this entity is of concern because it did something that is a mandate of both sides of this House, which is, of course, to encourage job creation, to support our local businesses, and then something which – I have yet to see the other side take meaningful action when it comes to addressing climate change. It's unfortunate. Here is an entity that did very, very good work. Now, if this bill should pass through all three readings, that will no longer be the case.

Let's see here. I'm trying to move through my notes as quickly as possible. Once again, I will have more to say on this bill in committee, and I believe my colleague the very astute Member for Edmonton-Decore has much to say on this bill and will be bringing forward amendments as we move through Committee of the Whole.

One thing I do find interesting is that when this bill was introduced, I found it fascinating that there are amendments to a variety of different bills, ministers in charge of them. I don't know if it was a matter of maybe poor briefing on the part of staff for the minister, but it seems, if I recall correctly, that every single question that the media asked, the minister of red tape directed his response to the appropriate minister. Now, I guess in some circles maybe that seems okay, but you would think that a minister that is sponsoring a bill would have a few more details about the bill that they are sponsoring. So I'm hoping, you know, to appeal to the good nature

of members across the way, that during Committee of the Whole when we do propose a number of questions specifically to different ministers, from Energy to agriculture to Environment and Parks to others, that they will be able to respond.

I mean, at the end of the day, Mr. Speaker, we all have a job to do in this Chamber. It's our job as the opposition to ask questions, to critique but also to propose, and we are prepared to do all of the above. With that, I will say that I'm still working my way through this bill, and that we will highlight the aspects that we agree with and make it known the ones that we have an issue with, but also to come with proposals and amendments to try to improve this significant piece of legislation.

With that, I will take my seat.

The Speaker: Standing Order 29(2)(a) is available, and I see the hon. Government House Leader has risen.

Mr. Jason Nixon: Well, thank you, Mr. Speaker, for the opportunity to respond to the hon. member's comments. Just let me take a moment on behalf of all the Chamber – I don't know if it's happened here before – to congratulate him on the recent addition to his family. That's a big deal for sure, and I am happy that he's reading good, Conservative legislation to that baby at night. I'm sure that it will go a long way if they're to follow in the father's footsteps. It'll make sure that they have a good chance of sitting on the government side of the House when they take over his seat.

Anyhow, Mr. Speaker, I do want to quickly just make a couple of comments in regard to some of the things that the other member raised, and I do anticipate that many of my colleagues that have red tape reduction measures in Bill 22 will probably speak more inside Committee of the Whole as debate takes place on the amendments that the member says are forthcoming.

Specifically in regard to emissions, to the EEA, I do want to quickly actually celebrate in front of the House, Mr. Speaker, that that is in this bill, because what I want the world to know and this Chamber to know is that that is the final step to be able to destroy the NDP carbon tax in this province. The hon. member refers to the money that would go into the EEA, but what he glosses over when he refers to that is that money came in with a carbon tax.

What that means, and he didn't mention it at all, is that it was on the back of Alberta businesses, on the back of Alberta municipalities, on the back of school boards, on the back of hard-working Alberta families who had to pay thousands of dollars into the NDP carbon tax that went into that organization and then, Mr. Speaker, was spent on contractors from Ontario to come to our province and install light bulbs, thermostats, and the worst . . . [interjections]

I do see them heckling. I know it's frustrating. I know they're angry as they watch their signature policy come to an end, Mr. Speaker, but I'm excited and my constituents are excited to finally see the end of the NDP carbon tax. They hired those contractors in Ontario to install light bulbs, and I don't know about you, Mr. Speaker, but I'm okay with installing my own light bulbs. I don't need taxpayers to come and buy them. They installed thermostats. You know what else they installed? They installed shower heads. You know what? Those shower heads didn't even work in the rural communities that I represent because they wouldn't work under well water pressure. That's what they did with the money.

At the time, Mr. Speaker, their then Premier, now Leader of the Official Opposition, could not even point to one reduction in emissions in a famous interview at the end of the year, around Christmastime, getting ready for the year-end interviews. When they asked her, "Can you show what happened with this carbon tax and the work that the EEA did in regard to emission reductions?"

she couldn't refer to one number that showed those reductions. So all that happened was that they took taxpayer dollars, bought ineffective equipment from Ontario and put Ontario people to work instead of this province.

10:20

What's interesting, Mr. Speaker, is that we have something in this province called Emissions Reduction Alberta, that goes all the way back to environment minister Ralph Klein, that works with industry to not take money out of hard-working families' pockets but instead works with the industry to build the great technology and innovation that makes our industry the best in the world, and I'm proud to say that's still there. And you know what, Mr. Speaker? They're on track to reduce over 30 million tonnes of carbon monoxide, and they're doing it without taxing schools, without taxing municipalities, without taxing hard-working farmers, without taxing families, and they're certainly not taking that money and diverting it to Ontario to buy ineffective shower heads; instead, they're investing it in our great industry, our world-class industry here, to continue to make it world class and at the same time to create new technologies that not only benefit our energy industry but that we can sell to the world.

That's our philosophy, Mr. Speaker, so I encourage everybody in this Chamber to vote for this bill if for nothing else, because it's finally the end of the NDP carbon tax in the province of Alberta.

The Speaker: Hon. members, there's approximately a minute left in the Standing Order 29(2)(a) if anyone would like to add an additional brief question or comment.

Seeing none, is there anyone else wishing to speak to second reading of Bill 22, the Red Tape Reduction Implementation Act, 2020?

Seeing none, I am prepared to call the question.

[Motion carried; Bill 22 read a second time]

Government Bills and Orders Third Reading (continued)

Bill 15 Choice in Education Act, 2020

The Speaker: The hon. Minister of Education.

Member LaGrange: Thank you very much, Mr. Speaker. It is my honour to rise and move third reading of Bill 15, Choice in Education Act, 2020.

Mr. Speaker, Albertans are proud of our province's vibrant and robust education system. Bill 15, Choice in Education Act, 2020, protects the level of choice Albertans have come to expect in their education system. Our government is committed to offering these options so that parents can select the path they feel will best help their children reach their full potential at school.

The Choice in Education Act, 2020, will protect Alberta's successful history and tradition of educational choice. This includes public schools, separate Catholic schools, francophone schools, charter schools, independent schools, home education, and early childhood education.

Mr. Speaker, this legislation does a lot of good things, which I will get to in a moment. But there are a few things it does not do, and I think it's important to clarify these due to the rhetoric that members opposite have raised throughout debate on this important piece of legislation. Despite what the NDP would lead many to believe, this bill is not a money bill, and it does not affect funding for education. Alberta will continue to have a strong and well-

funded public education system, one of the best in Canada and in the world. This bill does not include a voucher system. It will not lead to the privatization or erosion of our province's public education system. It does not eliminate our current home education option, and it does not provide an option for home-schooling that isn't already currently available in other provinces like Ontario and British Columbia. Alberta parents will continue to have the ability to choose from a variety of educational types for their children.

Now, Mr. Speaker, let's get back to the many positive things that Bill 15 will do. First, I would like to talk about charter schools. The Choice in Education Act, 2020, will make it easier for those who wish to establish a charter school in our great province, where students can learn in programs not offered within our public or separate schools. Bill 15 will make the process for establishing charter schools simpler from an administrative standpoint. That being said, there are still requirements in place that a proposal has to meet to establish a charter school. Charter schools will still have to meet an unmet need in their communities, and there will still have to be a demonstrated demand for them to be established.

We are also following through on a commitment we made to Albertans during the election, which is to allow for more vocation-focused programming for charter schools. Now, I want to be clear on this, Mr. Speaker. Despite what the members opposite claim, vocation-based charter schools are not an avenue for streaming. I would like to repeat that point. To ensure clarity for all of my colleagues in the House, I want to repeat that vocation-based charter schools are not an avenue for streaming our students. In fact, allowing for the establishment of vocation-based charter schools honours one of our platform commitments, which was endorsed by the 1 million-plus voters who voted the members opposite out of government after only one term.

Mr. Speaker, the members opposite know very well that charter schools are required to follow the same program of studies as public, separate, and francophone schools. This means that, upon graduation, students attending a vocation-based charter school will complete the same core curriculum as their colleagues attending other schools.

Mr. Speaker, this bill also amends the Education Act to recognize that independent schools are an important part of the education system, something the previous government failed to do.

We also heard from the home education community that they wanted an option for their home education program that was unsupervised, notification only, and nonfunded. Groups such as the Alberta Home Education Association, or AHEA, were supportive during the consultation process. While this is a new option for parents that is very similar to other provinces, we anticipate that the majority will continue to home educate their children under the supervised option because having that oversight allows them to access provincial funding. This option also reduces the red tape involved in having to register with a school authority. More details of this option will be determined through the home education regulation.

Mr. Speaker, this legislation also reflects the results of the public survey conducted during the winter. We heard loud and clear from the majority of the 50,000-plus respondents that they value choice and are satisfied with the choice offered by the current system. That is why it is necessary that we protect it. We also heard that not all parents are happy with the level of choice and that many Albertans, including indigenous peoples, felt that there is room for further improvement. That is why it is necessary that we enhance choice as well.

It is clear that this legislation will protect the level of choice parents have come to expect and want for their child's education. It

acknowledges and respects in legislation that parents, not politicians and government – parents, not politicians and government – know what is best for their children's education, and it keeps another key promise that we made to Albertans during the election.

Mr. Speaker, I am asking all members of this House for their support of Bill 15, the Choice in Education Act, 2020. Thank you.

The Speaker: Hon. members, the hon. Minister of Education has moved third reading of Bill 15, the Choice in Education Act, 2020.

Is there anyone else wishing to join in the debate? The hon. Member for Edmonton-West Henday, followed by the hon. Member for Drayton Valley-Devon.

Mr. Carson: Well, thank you, Mr. Speaker. I appreciate the opportunity to rise on Bill 15, the Choice in Education Act, 2020. You know, I've listened to a majority of the speakers today – well, all the speakers today – and the majority of the conversation that has happened over the time that we've taken to debate this bill, and I appreciate where all members of the House are coming from when they have shared stories about successes in their own communities, whether it be private, charter, francophone, Catholic, or public, all important parts of our current system within the province of Alberta.

I would go on to argue that the stories that they've shared and the successes that they've shared go to show, as with many members on this side of the House, that the system at this point, overall, is working.

10:30

I am very concerned about, specifically, what we're seeing in other parts of the education system under this minister, so I suppose I will just take a moment – and like I said, I won't take too long – to speak about a school council meeting that I was at only a few short months ago. It was right before the COVID-19 pandemic struck, and I imagine that the strain that this pandemic is going to have on families and teachers and the school system across Alberta is going to affect the future of our province, and we need to ensure that the money is in place when it's safe for children and staff and students to return to school. But in that meeting, the school council meeting, I sat with these students, and the very first thing that came up was that many of the administrators and the parents that were there for that school council meeting were very concerned about the cuts to PUF funding.

We have children and students with disabilities who need supports more than anything right now, especially right now through the pandemic, when they're struggling to potentially access – I know that with the limited resources that they have, especially under this UCP government, from the cuts that we've seen, that these teachers and assistants are doing their best to support these students. But the fact is that it wasn't long ago that we saw this very minister cut 20,000 positions out of the education system. I've received countless numbers of e-mails from these assistants, talking about their concern for their children and the students that they taught.

Just going back to that school council meeting, you know, the Edmonton public school board was there, and they were told point-blank that they had no ability to make any changes other than the fact that this school had to make a 9 per cent cut to their funding. So sitting at this school council meeting and watching these parents and administrators having to decide what school choices they were going to make – this bill is titled, you know, the Choice in Education Act; well, I'll tell you about the choices that these teachers were being asked to make. They were being asked whether they should cancel the school dance or whether they should get rid

of their librarian or their gym teacher or their music program. Those are the choices in education that students and staff and families across the province and in my community are being forced to make.

While I appreciate that the government was elected on a mandate to expand or strengthen, you know, charter schools or whatever their reasoning is for bringing forward this legislation, I can appreciate that. We may have differing opinions on some pieces, but at the end of the day the thing that we should agree on is that we should not be forcing these schools to make the decision whether they're going to lay off their librarian or their music teacher or their gym teacher, because those are the decisions that are being forced upon schools across the province right now. It doesn't matter if you're in an urban centre or in a rural community. The supports are lacking and I would argue, potentially, even more so in rural communities. We've heard that from the members in this House.

They've spoken so passionately about their belief that this legislation will strengthen the system, but at the same time while the minister is decimating the positions across this province that support those students and those families across the province, the members of this Legislature in the UCP caucus have been virtually silent.

So when we talk about Bill 15 and the choices that are having to be made in education right now, once again, I appreciate that they have a mandate or they say they have a mandate to move this forward, but maybe they should consider the negative impacts that this Education minister is having right across the board. I hope that's a conversation that they're having at their caucus table.

Thank you.

The Speaker: Hon. members, is there anyone? Oh, I apologize to the hon. Member for Drayton Valley-Devon. I did mention prior to the remarks from the Member for Edmonton-West Henday that you would be next.

The hon. Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Mr. Speaker. I'm not going to take long, but I want to say that as I stand to speak to Bill 15 today, some of the pieces of legislation are more important than others. In my five years of being in this Legislature, I'm not sure that there's been a more important piece of legislation, and I want to thank personally the minister for all of the work and the effort that you've done in crafting this piece of legislation. I believe it's an excellent piece of legislation. I believe it's excellent for a number of reasons.

Let me start by naming one. I believe it's an excellent piece of legislation, and it will have my full support because it recognizes that education starts with the family. It starts with that strong foundation. It clearly states within the piece of legislation that it understands that the relationship between the parent, the child, and the state is important but that parents have the prior duty for educating their children, and that is always and should always be the foundation stone for starting to talk about education. Thank you for enshrining that in this piece of legislation, in Bill 15.

I want to say that I'm very supportive of this bill because it recognizes the 150-year history of educational choice in this country and in this province. If you're going to build a piece of legislation, it should recognize the good work that has gone on before it, and we could start with the BNA Act and its recognition of French Catholic education in this country and the recognition that this country was made up of both English and French, of Catholic and Protestant. We built this piece of legislation on that recognition.

It recognizes the Laurier-Greenway compromise of the 1890s, I believe it was, in Manitoba, where we began, after a long debate and a very raucous debate in Manitoba, that where numbers warrant and where parents desire to have a choice, there will be an

opportunity for parents to have French language and Catholic education in Manitoba as well as English and Protestant education in Manitoba in the 1890s under the Laurier-Greenway compromise.

It recognizes the foundation stones of this province at the beginning of our province in our provincial history, where we've had public and separate but, just as importantly, that we have a system that is funded equitably, not equally but equitably, that those choices for parents in their education are funded and deserve to be funded.

I want to thank you for this piece of legislation, which recognizes and articulates the commitment to educational choice. It doesn't rank educational choice. It doesn't say that one choice is more important than the other. It respects the educational choice of the parents. I want to thank the minister and this government and the people in the Legislature that will vote for this piece of legislation because you understand and you support, by supporting this bill, that educational choice is important. Whether it's public, Catholic, separate, francophone, home education, charter, whatever the choice is, it is worthy of being supported by law in this province.

Finally, my last comment would be that it keeps a campaign commitment. Often we as MLAs and as politicians are cast with the fact that we often make promises that we don't keep. Well, I'm very proud of the fact that we campaigned on this, on educational choice, and we have kept our promise. Promise made, promise kept.

I'm very proud of the fact that at the end of the day this piece of legislation supports the most unique, I believe, system of education anywhere in the world, one that has a true understanding of educational choice, that it can be implemented, that it can be driven by the desires of the parents and the needs of the students. This piece of legislation recognizes that, it supports that, it puts legs to it, and it funds it. We should be so pleased, and we should be very proud when we pass this bill. This is a good bill. This is a good piece of legislation. It respects parents, and it works for the best interests of the students.

Thank you very much, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available.

Seeing none, is there anyone else wishing to join in the debate this evening on third reading?

Hon. members, I'm prepared to call the question or allow the hon. Minister of Education to close debate should she wish.

10:40

Member LaGrange: I close debate on the bill.

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

[Several members rose calling for a division. The division bell was rung at 10:41 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Allard	Lovely	Sigurdson, R.J.
Armstrong-Homeniuk	Nicolaidis	Singh
Copping	Nixon, Jason	Smith
Ellis	Nixon, Jeremy	Toor
Getson	Panda	Turton
Glubish	Pon	van Dijken
Goodridge	Reid	Williams
Horner	Rowswell	Yao
LaGrange		

Against the motion:

Bilous	Dang	Renaud
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Carson	Eggen	Shepherd
Dach	Goehring	
Totals:	For – 25	Against – 8

[Motion carried; Bill 15 read a third time]

The Speaker: The hon. Government House Leader.

Mr. Jason Nixon: Well, thank you, Mr. Speaker, and thank you to all members of the Assembly for their hard work this evening. It's a tremendous amount of progress. Let's, with that, say that we will adjourn the Chamber till tomorrow at 1:30 p.m.

[Motion carried; the Assembly adjourned at 10:45 p.m.]

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