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The 30th Legislature
Second Session

Alberta Hansard

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Day 48

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta

The 30th Legislature

Second Session

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Legislative Assembly of Alberta

7:30 p.m.

Tuesday, July 21, 2020

Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

The Deputy Chair: Please be seated.

Thank you, hon. members. I'd like to call the committee to order.

Bill 33 Alberta Investment Attraction Act

The Deputy Chair: Are there any comments, questions, or amendments to be offered at this time? I see the hon. Minister of Transportation and Deputy Government House Leader has risen.

Mr. McIver: Thank you, Chair. At this time in the proceedings I would like to move that we adjourn debate.

The Deputy Chair: Thank you, hon. minister.

[Motion to adjourn debate carried]

Bill 31 Environmental Protection Statutes Amendment Act, 2020

The Deputy Chair: Are there any questions, comments, or amendments to be offered with respect to this bill at this time? I see the hon. Member for Edmonton-Gold Bar has risen.

Mr. Schmidt: Thank you, Mr. Chair. I am pleased to rise and offer a few comments on Bill 31. This is the first opportunity that I've had to address some of the changes that Bill 31 makes to environmental statutes here in Alberta. It's my understanding that this bill is a response to a recent court ruling that would have required all sand and gravel pit proposals to undergo a complete environmental impact assessment here in the province of Alberta, which has not been the status quo for pit assessments and approvals in Alberta, and in order to revert to the status quo when it comes to regulating these kinds of pits, the legislative changes presented in Bill 31 are required. I want to say, first of all, that I will be voting in favour of this piece of legislation, but I do have some concerns that I would like to state on the record.

First of all, I want to congratulate the government for responding to the need that was created by the court ruling. I think it's fair to say that the court ruling requiring every sand and gravel pit to be developed in the province of Alberta to undergo a full environmental impact assessment was an onerous regulatory burden that would have been put on the sand and gravel industry, and I think the Executive Council has been wise to change the language of the legislation to make sure that that wasn't the case.

It's interesting, Mr. Chair, that the government has been so quick to respond to the demands of the sand and gravel industry. I think this court ruling came down earlier this year . . .

An Hon. Member: May.

Mr. Schmidt: . . . in May.

This court ruling came down in May, and here we are in July. We expect this piece of legislation to be passed in the very near future, an incredibly rapid turnaround on this issue that was created by the

courts. And it just goes to show that when the government wants to, it will respond to the concerns that are being raised to it.

I think it's instructive, Mr. Chair, to compare and contrast the rapid response that the environment minister and Executive Council have had to the needs of the sand and gravel industry to the other responses that it's given to other environmental issues that have been raised because of this government's actions. Certainly, we've seen the government put up for sale 164 parks and commit to closing down another 20 parks. That's a quarter of all of the parks and provincial recreation areas in the province of Alberta and a very significant portion of the campsites.

We've had thousands and thousands of people reach out to all of our offices, certainly – and I'm sure that all members of the government caucus have been receiving those kinds of e-mails and telephone calls as well – to halt the sale or closure of these parks that people value quite highly. But the government's response has been to say that, "We're not in fact selling the parks. We're not in fact doing anything to remove protections on our natural environment or reduce recreational opportunities for Albertans," when that is patently false. So I would suggest to the government that they respond to the demands of everyday Albertans who are saying to save our parks with the same close listening ear that they've provided the sand and gravel industry.

We've heard the same issue with respect to the coal policy. When the government announced that it was rescinding the decades-old coal policy, opening up vast swaths of Alberta's foothills and eastern slopes to coal mining, we had a steady stream of people contacting my office. I know that my colleagues here, my friends here in the NDP opposition have also had a number of concerned constituents reach out to them about this concern. And we hear nothing from the government. If anything, we've heard ridiculous claims that somehow developing coal mines in our premier tourist attractions will enhance the tourist experience. They seem to think that tourists just love touring open pits, having a look at the massive holes in the ground that people are going to be digging. You know, I don't know what they suggest tourists – just imagining the mountain that used to be there, I suppose, and thinking about how grand it used to be and getting a tourist experience that way. We don't see the government responding to what Albertans are saying with respect to the coal policy either.

I will just close this and say that, you know, I support the government's response to the sand and gravel industry, and I would encourage the government to give the same weight and credence to the opinions of everyday Albertans when it comes to other environmental policies that this government is making and respond to them in kind.

The second point that I wanted to make with respect to sand and gravel development in particular is that even though this bill essentially reverts to the status quo when it comes to regulating the development of sand and gravel pits, that doesn't mean that the status quo is necessarily as good as it can be, and I would suggest that there is a lot of work that the government needs to do to make sure that the development of sand and gravel pits is done as well as it can be. The issue with respect to these kinds of developments is not whether an individual project – well, I mean, it is. It's both whether an individual project will have an undue negative impact on the environment, but it's also whether or not sand and gravel pits, developed together, will have a cumulative impact on the environment.

7:40

Now, this is particularly important when it comes to sand and gravel pit developments because sand and gravel is not randomly distributed around the province of Alberta. It's not evenly

distributed around the province of Alberta. Sand and gravel deposits are functions of Alberta's glacial past, so we have large parts of the province where there are incredible reserves of sand and gravel and then large parts of the province where there is no sand and gravel whatsoever to be found.

It wasn't too long ago that I took a trip to Dry Island Buffalo Jump provincial park, a provincial park whose campground will soon be closed by members opposite. The highway from Edmonton to Dry Island Buffalo Jump provincial park has a lot of gravel pits on either side, and that's just because the glaciers deposited the sand and gravel in that area.

An Hon. Member: Science.

Mr. Schmidt: Yeah. That's right. It is science, and I certainly wish that the members opposite would treat science with respect, because we know that when it comes to the science of climate change, well, maybe science isn't that much respected. Certainly, when it comes to managing the COVID pandemic, science is a secondary concern.

But my original point is that in areas like that highway between Edmonton and Dry Island Buffalo Jump provincial park, where there is a potential for a lot of gravel pits to be developed, sound environmental management practices say that you need to consider how many sand and gravel pits are going to be developed in total in that area and determine what the appropriate level of cumulative effects in that area are going to be. A previous government under Ed Stelmach actually recognized that cumulative effects management was a glaring omission in Alberta's environmental regulatory system. In fact, he and his government took significant steps to move Alberta towards cumulative effects management, and that's why we see the land-use framework and the associated regional plans.

But, Mr. Chair, it's concerning to me that that work has stalled out. We've only completed the lower Athabasca regional plan and the South Saskatchewan regional plan. That leaves vast areas of the province without any regional environmental management plan in place. No plan whatsoever. So if I could, you know, give the government a suggestion on how they can improve managing sand and gravel extraction from an environmental standpoint, it would be to improve our regulatory system so that we take into account cumulative effects management.

I think there's an interesting opportunity for the government to lead by example, because I know that probably one of the largest developers of sand and gravel if not the largest is the Ministry of Transportation. So there's an excellent opportunity for the Minister of Transportation to – if the minister of environment won't impose this kind of regulatory regime, he could at least lead by example and decree that the Ministry of Transportation will at least take into account the cumulative effects of the sand and gravel pits that it's willing to manage. If the Minister of Transportation is listening or he has the opportunity to review this debate, I know first-hand that Transportation has a significant number of environmental issues that it could do a lot better on managing. It's not just sand and gravel pits, Mr. Chair; it's also transportation yards. Those are a significant issue, and I certainly urge the Minister of Transportation to spend some of the time that he has in overseeing his department in coming up with ways that the Ministry of Transportation can do a better job of managing its environmental impacts.

The final point that I want to make with respect to sand and gravel development and how we can improve the system that currently is in place has to do with the resources that Alberta Environment has at its disposal. Earlier this year I had the opportunity to table a report that was recently issued by the Alberta Sand and Gravel Association that identified a whole host of issues that currently exist

with the sand and gravel permitting process here in Alberta. One of the key failings that that report identified is the lack of staff who are available to process these applications. There is a significant backlog when it comes to the number of sand and gravel pit applications that are waiting for approval or any kind of decision whatsoever, and in order for those developments to be approved, you need people to look at the proposals and decide whether or not they're worthy of approval or if they need to be tweaked in any way.

It's concerning to me, Mr. Chair, that instead of adding resources to the department of the environment, the minister is keen to reduce the number of people. Forgive me; I don't have the numbers at my fingertips, but I seem to recall that in the 2019 budget year the minister reduced the staff in that department by a hundred people, more or less, which is a significant reduction in the number of staff that are available to do the very important work that the people of Alberta expect the department of the environment to do. One of the things that Albertans expect the environment department to do is to process these kinds of applications in a timely fashion. Certainly, that's what the Sand and Gravel Association wants.

The knock-on effects in our economy are significant because we know that sand and gravel is a material that is critical to any number of construction projects. If the government is keen to get Alberta's economy back on track, which they say they are, then it would only make sense, Mr. Chair, that the government put in place the people that it needs to process these applications in a timely fashion and end the backlog for sand and gravel pit applications. I expect that there are probably a significant number of other types of applications that are similarly backlogged. I don't know. I have no special insight into the environment department's work, but I can't imagine that sand and gravel applications are special in any way and that they would be subject to a backlog when other kinds of industrial development applications are not.

Mr. Chair, I'm happy to sum up my comments here with respect to Bill 31. Again, I want to compliment the government for its responsiveness to an issue that was created, and I urge the government to respond with similar haste to the other issues that have been created on the environment file and bring forward legislation or other kinds of government action to respond to those needs. I strongly urge the government to complete the work with respect to cumulative effects management that was started under Premier Stelmach and that has since stalled.

Again, I would urge the Minister of Transportation to at least lead by example. This is a significant opportunity for him to demonstrate some leadership on a very important file. I know that the Minister of Transportation has been particularly keen to, you know, tell members of the Legislature how much better he could be than the previous NDP government. Here's an opportunity for him to actually show us, in fact, that he can be better than us. He says that it's not hard, Mr. Chair, so if it's not hard, then I would challenge the minister to tell us exactly when he's going to show us the results of his direction to the Ministry of Transportation to implement these cumulative effects management protocols on the development of the sand and gravel pits that he's responsible for.

7:50

Finally, I just want to again emphasize the need for resources in the environment department. There are a number of applications – I'm sure it's not just sand and gravel. I'm sure there are all kinds of industrial applications that are sitting on people's desks that are not being processed because they're at the bottom of some incredibly large stacks. There are only so many hours in a day. We can't expect the good people in the department of the environment to meet the demands that are placed upon them by the people of Alberta if they don't have help.

I look forward to the environment minister's next budget, whenever that may be, to show us that he's actually taking these concerns into consideration when he's providing direction to his department and actually reversing his previous decision to fire hundreds of people and, in fact, hire them back so that we can get rid of these backlogs of industrial applications and restore Alberta to a jurisdiction where these kinds of permits with respect to the environment are determined to be in the public interest and can be processed in a timely manner.

With that, Mr. Chair, I thank you for the opportunity to offer some of my comments on sand and gravel.

The Deputy Chair: Thank you, hon. member.

I see the hon. Minister of Transportation has risen.

Mr. McIver: Thank you, Mr. Chair. It's my pleasure to rise and speak on Bill 31, Environmental Protection Statutes Amendment Act, 2020, moved by the hon. Minister of Environment and Parks. It's a bill worthy of support, and I will say, having heard some of the recent debate, that it sounds like at least one hon. member from the other side is prepared to support this piece of legislation, so congratulations. I think the hon. member got that part right, and then went on for quite a period of time waiting to get the next part right. I'm not sure whether the hon. member got there or not, but I'm going to give him full credit for getting the one part right: he supports the bill. I will thank the hon. member for that very, very much.

Then the hon. member went on to talk about how many parks are for sale. Gosh, in this place a person shouldn't make it that easy to be embarrassed, because one doesn't have to stroll down memory lane very far to the time and the place where the hon. member that just spoke actually admitted in this House that there were no parks for sale, and that was after standing up in this House for several days in a row in question period and at other times claiming that there were parks for sale. Then he finally had to admit that what he'd said all those days before that day turned out to not in any way be true. The hon. member ought to be turning red right now, but I don't know whether he is or not. Also, I think he took some time after saying he was supporting the bill to talk about all the campgrounds that we're closing, and of course the hon. member knows that that's not true either.

Mr. Chair, it's kind of an interesting way to support a bill, to go off on tangents on things that not only can't be supported by facts but are betrayed by the words of the hon. member that actually complained about those things. Just to put the icing on the cake, the Leader of the Official Opposition actually admitted in this place not that long ago that there are no parks for sale. That's kind of an interesting combination of circumstances.

Let me say this. I was also pleased to see the great credit given to Conservative Premier Ed Stelmach – thank you to the hon. member for that – in talking about cumulative effects management. I know that it meant a great deal to the hon. member and the folks on that side, because in the four years that they were in government they didn't do anything about it. I think that must mean that they cared a great deal about cumulative effects management, because they ignored that issue for four years while they were in government.

Let me say this. Gravel and gravel pits are important to Albertans, Mr. Chair. And here's what's interesting. There's no such thing as a Liberal gravel pit or a Conservative gravel pit or an NDP gravel pit, as far as I know, but I wait to be educated on that. As far as I know, there is no such thing as an NDP or a Liberal or a Conservative gravel pit; what they are are gravel pits. It makes almost everything that we build, that Albertans rely upon, less expensive if the gravel pit is closer to the construction site as

opposed to if the gravel pit is farther from the construction site. It makes all the concrete in the foundation of most of our homes less expensive if it's close by. It makes the sidewalks less expensive if it's close by. It makes the roads less expensive if it's close by. It makes the driveways less expensive if it's close by. It makes the actual roads that belong to the taxpayers less expensive if the gravel is close by. So gravel is – listen, I understand.

I'm going to give the hon. member credit for two things. One other thing he's right about is that Alberta Transportation actually is in control of as many gravel pits as anybody else is in this province, I believe. It is important because it's actually an important asset for the taxpayers of Alberta, again, not for the Conservative taxpayers of Alberta and not for the NDP taxpayers of Alberta and not for the Liberal taxpayers of Alberta. It's for the taxpayers of Alberta because, of course, every time their government, no matter who is in charge, builds something, or at least many of the times the government builds something, gravel is part of the requirements for what they build.

I think that we actually need to encourage responsible operation and ownership of gravel pits. We need to encourage having gravel pits closer rather than farther away from what we build because what we build is more expensive for all of us without gravel pits. So that is very important.

And let me say this. I found it encouraging that the hon. member wants to have the environment minister hire more people. I may not have this exactly right because he's worried about applications for gravel pits. Where I was a little bit tangled up in the argument is that at several points in the argument it seemed like the hon. member was against gravel pits and at other parts in the argument he wanted more people hired so the gravel pits could be approved more rapidly. Those two things, at least to me, seem to be a little bit inconsistent, but the hon. member may be able to, at a later point in the debate, clarify that because we are, after all, in Committee of the Whole, and we can all talk as many times as we want to, not for as long as we want to at each time but cumulatively effectively for as long as we want to. So I may get updated on that later on in the evening.

But let me say this. This is a responsible act put in place by the Minister of Environment and Parks. It is one – again, that's three things. It's almost killing me here, but I'm going to agree with the hon. member on three things. The bill is to some degree as a result of a court decision that has gravel pits in the approval process treated effectively like an open-pit mine for something else. Of course, that would be counterproductive for Albertans. It would make the gravel more important, it would make the gravel pits harder to approve, and it would make very many of the things that we build, that Albertans depend on, more expensive, making their lives more expensive and, of course, lowering their quality of life if the things that they have to have cost more than they need to.

I'm happy to support and applaud the Minister of Environment and Parks for bringing this forward in a timely way. It's something that matters to Albertans. You know what? Some Albertans may not see it that way, and that's okay. People not in the construction business don't necessarily spend a lot of time thinking about concrete. They just depend upon it when they're walking on it, and they depend upon it when it's holding their house up. It's not their job, necessarily, to think about where the gravel came from that's in that concrete. But I think that for Albertans, all 12 of them that are listening tonight or 112, whatever the number happens to be, I would imagine that most of them would agree that concrete is something that we all depend upon.

8:00

This bill is dealing with a court ruling that I believe probably had unintended consequences – but consequences nonetheless – of

making concrete more important, perhaps forever, should this bill not have been put in place. This is a responsible and timely remedy to that negative consequence. As such, I hope that members from all sides of the House will choose at the end of this debate to support Bill 31, because I genuinely believe it is to the benefit of all Albertans, to make their lives more affordable and to help with the quality of their lives as a result.

Mr. Chair, I may rise again, but those are my thoughts up till 8:02 this evening. Thank you.

The Deputy Chair: Thank you, hon. minister.

I see the hon. Member for Edmonton-Whitemud has risen.

Ms Pancholi: Thank you, Mr. Chair. I'm pleased to rise to speak again to Bill 31, Environmental Protection Statutes Amendment Act, 2020. I had the opportunity to speak to this bill earlier, and one of the things that I appreciated about that opportunity – they're few and far between in this House these days. During that debate earlier on Bill 31 I asked a number of questions, and I actually found that we got some very helpful, straightforward responses from both the Minister of Environment and Parks and other members on the government side to provide some clarity for Albertans, who are probably interested in what's happening here because it is important.

Even if we are in agreement – and I would like to add my agreement as well in support of this bill to this discussion – I think it's still important to have a fulsome discussion because, you know, what happens next, of course, if these bills get passed, is that they become law. Actually, the record of discussion in the House is necessary because it actually helps people to understand why the law is the way it is and how it came to be that way.

I asked a number of questions specifically around, I guess, the decision itself in the Alexis case, which led to the bill that's before us today. I took some time and went back and actually looked at that decision, and it confirmed, actually, what the Minister of Environment and Parks said, which was that the decision in the Alexis case was not really about determining per se that the particular development project in question here, the Wayfinder project, was requiring an environmental impact assessment because of predicted effects on the local environment and the waterways. That was actually not the reason why in that decision the court found that an environmental impact assessment was required. Rather, it was because it was a judicial review of the director's determination in this case that there was no environmental impact assessment required.

Really, what the court found was that in that case the director had not issued reasons as to the conclusion that the director reached. That's problematic because in the absence of clear written reasons as to why the conclusion was made, the court then does have jurisdiction, to some extent, to go back and say: well, if there are no written reasons, we have to re-evaluate what was done. Because of that, the court made a decision that silica sand in this case was a mineral. Not because of the scope or the impact of the specific project in question but simply by the mere fact of deciding that silica sand was a mineral, that made the project a quarry, and quarries are subject to automatic environmental impact assessments.

I thought that was very important because I had questions in my mind about: okay; if we're saying that silica sand is not a mineral and clarifying in this bill that it's not and there's no environmental impact assessment, has, for example, proper consultation been done about that decision? By reading into the case a little bit more and hearing some very helpful comments from the Minister of Environment and Parks, which, again, I say, is not usually the case,

I find, in this House but was very helpful at that time, it clarified that, yes, this was an administrative decision. This was not actually based on concerns about that project in particular and whether or not the excavation in question would have an impact on the environment. We weren't making a decision. The bill before us is not designed to make blanket decisions that environmental impacts or environmental concerns are not an issue when projects are being made; it simply was to say that that administrative decision was not appropriate because of the realities of these kinds of projects and the realities of what silica sand excavation looks like.

It actually is, I believe, a great example of that interaction between the courts and the legislators – right? – which is exactly what our system is compromised of. It's that back and forth between those who are supposed to have the expertise in the area, which is why legislation comes forward. It's supposed to come forward with that review of the research, speaking to the stakeholders. That is ideally what should be the case in all bills. We don't find that to be the case with many government bills. We don't agree that that's the case for many government bills, but in this case it actually seems like it was.

I understand a number of the members across provided some feedback about conversations they had with the sand and gravel industry. I had questioned about whether or not there was a need for indigenous consultation, with First Nations, but again those issues were addressed by the Minister of Environment and Parks. Therefore, I feel confident, based on what I've heard and based on what I've read, that this is really going to provide the clarity that's required for the industry to proceed, that there is not intended to be any sort of circumvention of our environmental standards.

I think it is important that we continue to convey in this province that protection of and adherence to environmental standards and responsibility should be a priority. In this case it seems like that's not the primary issue, but certainly I encourage the government to continue, as it moves forward, to actually take environmental standards, environmental monitoring seriously. I think that a lot of damage has been done, Mr. Chair, in the last year and a bit with respect to our reputation internationally and globally about environmental protection and standards, and I hope that this government can turn that around, because I think that all Albertans and our economy depend on it.

I am pleased, given my understanding now of the content of this bill, the background, and the engagement that was done with the industry and stakeholders, that it appears that this is a bill that I am prepared to support. I appreciate, again, the timeliness of the government in responding to this issue and to the industry, and I encourage them to consider the same with respect to responding to the many, many pressing issues that are being brought forward by Albertans right now.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any others? I see the hon. Minister of Infrastructure has risen to debate.

Mr. Panda: Thank you, Mr. Chair. I appreciate the opportunity to speak to Bill 31, which is the Environmental Protection Statutes Amendment Act, 2020. I appreciate the previous member's comments and her concern about environmental protection and all, but to put it in context, actually, for me, it's day and night, because I grew up in a different country. I saw how environmental stewardship happens there. When I moved here and started working on upstream projects in Fort Mac, for almost 11 years, the way we operate ourselves – probably there is more to do. There is always scope for improvement. But I can tell her that the difference is day

and night. Unless they go and see in other jurisdictions – of course, we have to aim for the best, but still we are the best, in my opinion.

Anyway, today I just want to talk to those Albertans who may be still following us on television about some of the differences between a gravel pit and a mine, and then there's quarry and mineral. Growing up, I had my own confusions until I went to work on the Fort Hills mine, which my two Fort Mac colleagues are quite familiar with. I had my own confusion about how they do open-pit mining, and that was a big eye-opener for me.

8:10

Just last week I went to Spyhill gravel pit operations together with the Minister of Transportation to visit the Lafarge operations there – quite impressive – to talk about environmental protection and safety standards. You don't have to go that far. If you live in Calgary, you should go to Spyhill, which I used to represent in the last House. Now it's in Calgary-Foothills. You can learn a lot, in visiting them, about their gravel pit operations.

Anyway, Mr. Chair, if this House passes Bill 31, you will never have to debate again about what constitutes a mineral because we are going to be clearly defining the term "mineral" in this legislation. Before I explain what exactly our government is proposing and why we are proposing it, I wanted to provide a little background information on the subject of gravel and sandpits for the House and the people who are following us this evening.

For more than 15 years Alberta has been using a very successful and environmentally sound regulatory system to approve and review projects. Businesses in Alberta have come to learn how to operate within these guidelines, and as such, it is important that we maintain consistency to maintain respect in these important partnerships. For more than 15 years sand has not been defined as a mineral under the Environmental Protection and Enhancement Act, which has protected job creators from job-hindering restrictions while simultaneously maintaining respect for Alberta's environment.

Mr. Chair, on May 6, 2020, the Alberta Court of Appeal ruled that sand is, in fact, a mineral under the EPEA, and as such, sand operations much be regulated as a pit, not as a quarry. Given that most members of this House have not worked in gravel pits or quarries, I wanted to take time to explain the difference between a pit and a quarry. A pit is a surface excavation focused on removing surface material such as sand and gravel. Pit operations may also include processing activities such as crushing, screening, and washing of materials. There are currently hundreds of pits operating across Alberta that have been respectfully operating under the same rules for more than 15 years. A quarry, on the other hand, is a mining process to access and remove minerals such as gold, precious stones, sandstone, et cetera. Quarries range in complexity and scale and have potential for significant adverse environmental effects.

Clearly, Mr. Chair, mining resources such as gold and extracting sand are very different processes. Given that sand is extracted and used for initial purposes like construction whereas other minerals are typically mined for monetary value, it is not fair to regulate those resources using the same scale.

Again, Mr. Chair, before I explain why our government is aspiring to change this legislation, I want to take the time to remind the House how pits are regulated and how quarries are regulated. More than 15 years ago the regulatory process to approve pits was simplified and streamlined because our society already fully understands the environmental impacts of pits. Quarries, on the other hand, are not as streamlined and convenient given that the environmental impacts are more prominent than with pits. Unlike pits, quarries must receive metallic and industrial mineral permits

to authorize mineral exploitation and MIM leases to connect operations. Furthermore, Alberta Environment and Parks must issue approvals, permits, and licences under its legislation.

Lastly, quarries producing more than 15,000 tonnes annually must complete an environmental impact assessment, which on average takes 77 weeks, Mr. Chair, to complete; 77 weeks is about a year and a half. Imagine having your sandpit operations delayed by more than a year, even though society fully understands the dangers of this process, simply because you extract more than 45,000 tonnes a year. Frankly, this is unacceptable.

The construction sector relies on sand and gravel for mixing with cement to form concrete, and I refuse to shut down the construction sector. That's why I'm speaking, Mr. Chair, in this House tonight to support the Minister of Environment and Parks for introducing this common-sense legislation. Our government is committed to ensuring that minerals continue to be properly regulated and that pits are still held to all environmental standards. However, our government is equally as committed to ensuring that job creators can continue to complete the same work that they have been conducting for the past 15 years without undue regulatory burdens.

Mr. Chair, now is not the time to be hindering economic development in Alberta. Our province has experienced rock-bottom oil prices, a global pandemic, a series of unfortunate natural disasters, and the last four years of risky ideological NDP policies, which have pushed out all the investment to outside of Alberta. This was all in a span of less than six months that we experienced some natural disasters and this pandemic. Albertans are looking for a break. As such, our government is looking to pass this common-sense legislation to protect jobs and remind Albertans that our government has their backs.

That being said, our government appreciates the Alberta Court of Appeal for bringing to our attention that we need to develop clearer definitions for certain legislation. That's why our government is proposing Bill 31. If passed, Bill 31 will prevent confusion for sand and gravel operators and clarify the appropriate environmental review as part of an effective regulatory process that's already in place, to prevent similar legal debacles from occurring in the future.

To make this happen, Mr. Chair, Bill 31 is proposing amending two acts: the Environmental Protection and Enhancement Act and the Public Lands Act. If Bill 31 is passed, the EPEA will be amended so that sand is no longer classified as a mineral but will still be regulated under our current process. By making this amendment, our government is reaffirming our commitment to consistency with our stakeholders. By making this amendment, pit operators will be able to continue operating under the same circumstances that have existed for the past 15 years.

Under the Public Lands Act we are removing references to silica sand. Given that sand is broadly defined under the EPEA, the term "silica sand" is repetitive and, frankly, confusing. Amending this act will prevent confusion between the government, judiciary, and stakeholders in the future.

Before some of the members opposite raise that there are stakeholders that do not support this legislation, our government acknowledged that. However, I would like to remind all the members of this House that those in opposition of this bill are typically large aggregate companies who can afford a costlier regulatory approval process. The truth is, Mr. Chair, that the majority of the gravel operators, including the Sand and Gravel Association, and the Rural Municipalities of Alberta are in favour of making these amendments. In fact, these organizations have already written to the government asking for clarity.

Again, Mr. Chair, our government is simply listening to the loud voices of the majority of stakeholders looking to avoid unnecessary costs, avoid excessive regulatory hurdles, provide clarity to

operators, and instill confidence in those looking to invest in Alberta. However, our government understands that it is our responsibility to listen to all stakeholders, not just the majority. Understanding that friction sometimes occurs, given that the municipality must provide a permit and Environment and Parks must provide other additions, our government is committed to looking into this situation separately and developing a solution that will positively benefit all stakeholders. In fact, I'm happy to have been informed that the Member from Lac Ste. Anne-Parkland is already looking into this. He has a lot of sand and gravel operations in his riding. That being said, this is not part of Bill 31, so I encourage members interested to pursue this topic outside of this discussion.

8:20

As mentioned, our government is committed to ensuring consistency, not just within Alberta but across Canada. For example, Saskatchewan treats sand similar to the amendments that Bill 31 is suggesting. To clarify, Saskatchewan does not treat sand and gravel as a mineral. To the west British Columbia is slightly different. Unlike Alberta, B.C. treats all aggregate materials as quarriable material. Similar to Alberta, B.C. supports fewer environmental impact assessments on sand and gravel pits given that environmental impacts from pits are already well understood. Understandably, jurisdictions across Canada approach sand and gravel regulations differently, but I thought it was valuable that the House recognize that western Canada is fairly consistent, and as such, Alberta should follow suit.

That said, Mr. Chair, since I clarified what is the intent behind this bill, I urge all members of this House to support this bill to help stakeholders. Like I said before, just last week myself and the Minister of Transportation toured those gravel operations in Spyhill in Calgary, and all those stakeholders told us that this is the right thing to do, to have consistency on the policy and also to help them not to spend too much time and money on regulatory burden. They would rather, you know, invest more in extracting gravel and help all the construction accelerate in Alberta. So I ask everyone to support this bill.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any other hon. members looking to join debate on Bill 31? I see the hon. Member for Edmonton-Decore has risen.

Mr. Nielsen: Thank you, Mr. Chair. I appreciate the opportunity this evening here to just add some brief comments on Bill 31, Environmental Protection Statutes Amendment Act, 2020. I'm happy to add my support this evening to this bill, a bill that's the result of a court ruling, the Alexis decision that came out in May 2020 and essentially created, I guess, a bit of a language conflict in the current legislation, which would've potentially created a regulatory burden, as my friend from Edmonton-Gold Bar had pointed out, based on past practice. When we had facilities that were extracting more than 45,000 tonnes annually, it would've triggered a full environmental review, which, you know, for some operations just would not have been a prudent move to do.

I did, of course, listen, quite interested, around cumulative effects and whatnot, and I couldn't help but think back to my younger days, Mr. Chair, when I used to on the side do landscaping. I would certainly help friends and whatnot do their backyards and their front yards. Thinking back now to the cumulative effects of the amount of sand and gravel that I moved in wheelbarrows to the back, perhaps I should have maybe invested in one of those facilities. I probably could've made a little bit of extra money at the time

instead of just, you know, trying to do it by moving all those wheelbarrows. That was certainly a decision that I wish I had known those cumulative effects of back then today.

Yeah. With this, I guess the one question I do have – because of the changes that this decision kind of made, in essence it created some potential red tape. From that angle I guess I'm wondering if perhaps maybe the Associate Minister of Red Tape Reduction could have taken this on, maybe perhaps even put it within the recent Bill 22 that we just saw because we've certainly seen the minister very happy to take on, you know, language changes and things like that, hopefully trying to make sense to Albertans of why that ministry would be spending \$13 million of taxpayers' money.

I do of course – credit where credit is due – give the government kudos around the timeliness of reacting to this decision because at the end of the day we never want to be in conflict with those things. My hope is, as I think some of my other colleagues have mentioned, that the government maybe would respect some other court decisions that have been made in the past around, you know, workers being able to, say for instance, strike and set up picket lines, things like that. Those are decisions that are being made in the courts, and some of the changes that we might be seeing coming up will put us in conflict with that. So my hope is that there'll be some moments here of clarity, like this Bill 31 here, that will hopefully maybe straighten those things out in the coming days.

Again, I'm happy to throw my support behind Bill 31. Hopefully, we will continue to use, as they say, local products here within the province and procure those with all the hard-working Albertans that work in those facilities, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other hon. members looking to join debate on Bill 31 in committee?

Seeing none, are you ready for the question on Bill 31, Environmental Protection Statutes Amendment Act, 2020?

[The clauses of Bill 31 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: That is carried.

I see the hon. Deputy Government House Leader has risen.

Mr. McIver: Thank you, Mr. Chair. At this point I move to rise and report Bill 31 and to report progress on Bill 33.

The Deputy Chair: Yes.

[Motion carried]

[Mr. Milliken in the chair]

The Acting Speaker: I see the hon. Member for Athabasca-Barrhead-Westlock has risen.

Mr. van Dijken: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 31. The committee reports progress on the following bill: Bill 33. 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 Acting Speaker: Thank you, hon. member.

Does the Assembly concur in the report? All those in favour, please say aye.

Hon. Members: Aye.

The Acting Speaker: Any opposed, please say no. That is carried.

Government Bills and Orders Third Reading

Bill 29

Local Authorities Election Amendment Act, 2020

The Acting Speaker: I see the hon. Minister of Municipal Affairs has risen.

8:30

Mr. Madu: Thank you, Mr. Speaker. I am pleased to rise and move third reading of Bill 29, the Local Authorities Election Amendment Act, 2020.

Mr. Speaker, after extensive consultation with voters, community advocacy groups, school boards, municipalities, and municipal associations I believe that this bill strikes the right balance for the conduct of local elections in Alberta. The proposed changes will ensure that Alberta's local elections are fair, democratic, meaningful, and competitive. In addition to cutting red tape, this bill will encourage a level playing field for new candidates in a world where the incumbent advantage is immense. In communities across our province incumbent success rates approach one hundred per cent. This has led to a lack of fresh ideas in local elections. Worse still, it has led to an increase in voter apathy. We see far lower rates of voter participation in our local elections than we do at the provincial and federal levels. The power of incumbency has become a detriment to the health of our local elections and democracy.

In order for democracy to flourish, Mr. Speaker, we need new ideas, but currently there are many barriers to entry. In the past three municipal elections, going back a decade, there has only been one candidate who successfully defeated an incumbent in Edmonton. That means there is a 2.5 per cent success rate. Calgary is only slightly better. In the past decade just three candidates have won against an incumbent. That is a 6.6 per cent success rate.

Gender is another barrier to entry that currently exists. None of the four successful elected officials just mentioned above were female. Entering municipal politics is hard for new candidates and is hard for females, but it is nearly impossible for new candidates who are female. This bill promotes equality in local elections by adding systemic support for new candidates.

The changes being proposed, Mr. Speaker, include: expanding campaign donations to up to \$5,000 per candidate across the province, increasing the candidate's spending limit outside of the campaign period to \$5,000 and to \$10,000 a year for a self-funded candidate, updating advertising rules, allowing candidates to focus on their campaigns by moving the financial disclosure due date to after the election, cutting red tape for municipalities and school boards, increasing an even playing field for candidates by requiring surplus funds to be donated to charity and not be carried over to the next election cycle in a trust fund, and making it possible for recall legislation to be brought forward in the future.

Mr. Speaker, I strongly believe in these important legislative changes. This bill, if passed, will ensure fairness and transparency for candidates and voters, clarify third-party involvement, and improve local, school board, and municipal elections across Alberta.

With that, Mr. Speaker, I move third reading.

The Acting Speaker: Thank you, hon. minister.

Are there any hon. members looking to join debate on this matter? I see the hon. Member for Calgary-Buffalo has risen.

Member Ceci: Thank you very much. It's my pleasure to stand for the third time and speak to Bill 29. I have a reasoned amendment that I'd like to submit with regard to this. I'll wait until you can see it, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

This will be referred to as amendment RA1. If the hon. member could please read it in for the record and for the benefit of all those here. Of course, all members can receive a copy should they put up their hand, and there will also be copies at the tables to both sides of the entrances.

Please continue.

Member Ceci: Yes. My pleasure, Mr. Speaker. Thank you for the opportunity to read this into the record. The Member for Calgary-Buffalo to move that the motion for third reading for Bill 29, Local Authorities Election Amendment Act, 2020, be amended by deleting all of the words after "that" and substituting the following:

Bill 29, Local Authorities Election Amendment Act, 2020, be not now read a third time because the Assembly is of the view that the bill would significantly limit local government decision-making powers and weaken the democratic processes of local governments.

Just to begin my debate on this, Mr. Speaker, as I said, this is my third time speaking to this bill, the fourth amendment that has been submitted to make this bad bill just a lot better. At second reading the Member for Edmonton-Ellerslie moved a referral to the Resource Stewardship Committee so that we could have greater involvement by members of the public and stakeholders with regard to the significant changes that are contemplated by this amendment, Bill 29.

In Committee of the Whole I moved two amendments, Mr. Speaker, to set some context. The first change was regarding the outrageous donation rules, where the \$4,000 aggregate amount per donor for all elections in the province, for local elections and \$4,000 for school board elections, has been changed and raised by Bill 29 up to a \$5,000 donation to as many donations as an individual would like to give to candidates throughout the province for local school boards and local elections.

Mr. Speaker, that is a significant change that I don't believe Albertans have really understood the negative implications of particularly. Let that sink in. It has not sunk in for Albertans generally. I think the debate from the other side in defence of this part of the bill centred on it being – and we heard it again tonight – good for democracy that numerous candidates can be donated up to \$5,000 during the election period by one individual. One individual may sound preposterous, but one individual could spend tens and tens and tens of thousands, hundreds of thousands of dollars for the purpose of trying to get people elected on issues that are not local in nature. They would be issues that the person may have in particular that they want to see candidates address. They can do that before the election, and they can do that \$5,000 again after the election to assist in clearing up deficits or debts that the candidate may have, so \$10,000 to as many candidates as you want to give \$10,000 to. This bill allows that to happen.

Let's call that UCP change what it really is and lift the veil off this discussion and not call it democracy but call it what it is. It will mean that big money can flow into elections throughout this province and fundamentally change the way local elections take place, local elections happen in this province. So in advance of

October 18, 2021, I believe the date of the next municipal election, we're going to see changes, Mr. Speaker. That's undeniable.

The second amendment that I moved that was defeated would have left the enabling bylaw in place that municipalities . . .

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

The Acting Speaker: Thank you, hon. members.

A point of order has been called. The hon. Minister of Transportation.

Point of Order Items Previously Decided

Mr. McIver: Sure. Under 23(f): "A Member will be called to order by the Speaker if, in the Speaker's opinion, that Member debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded." It's clear. I let it go by the first couple of times, but this is the second or third time in this one debate where the member is redebating a previous vote of the Assembly, and consequently it is a point of order. I would respectfully ask you, Mr. Speaker, to ask the member to cease and desist down this path.

The Acting Speaker: I see the hon. Member for Edmonton-Mill Woods has risen.

Ms Gray: Thank you very much, Mr. Speaker. I would argue that this is not a point of order. The member in question has just introduced an amendment that the bill not be read a third time for several reasons outlined in the amendment, and he's presenting the facts of his argument, the concerns he has with this piece of legislation: how it limits local government decision-making power, how it will weaken the democratic process of local governments. In fact, I found the arguments he just made around donation limits compelling. I believe he is speaking to his amendment, which is what all the reasons are to not have this read at third reading.

8:40

The Acting Speaker: Thank you.

Hon. members, I'm prepared to rule. At this point I do not find that there is a point of order. The individual member was simply, if anything, just going back down the path of what has previously been put forward with amendments, not necessarily actually debating the decisions of those amendments in the House. However, if the hon. member does start to go down that path, then I would, obviously, find that there would be a point of order. At this stage I do not.

If the hon. Member for Calgary-*Buffalo* could please continue.

Debate Continued

Member Ceci: Thank you. I was really trying to set the context for why a reasoned amendment was necessary.

As I said, the second amendment that I moved was with regard to enabling legislation that was seen as not important at this time because it hasn't been used by municipalities, but I would argue and did, to set the context, that it will be necessary for that enabling legislation once we see how money is changing local elections in this province. I believe that municipalities around the province will use the enabling legislation to have candidates disclose their donations prior to elections in the future. It may not happen – well, it won't happen for any time in the future as a result of the changes that the government has made and rescinded that enabling legislation with this bill should it pass.

The reason that I find it incredible is that the minister said that, you know, red tape was the reason. He didn't want to see candidates have to focus on sharing who is financing their campaigns before the election. I would submit that that's not the reason at all. The reason is to cover up until after the election who has given money to candidates. We know that big money will be coming into this province through the candidates running for local councils in the future.

Just to continue on with the debate, this bill makes a number of concerning changes, particularly to those things: contribution rates and third-party advertising. As I said, a single individual can contribute \$5,000 to as many candidates as they want province-wide twice, once during the campaign period and again after. We know that that amount in B.C. and Ontario is much different, Mr. Speaker. In B.C. it's \$1,200 in aggregate amount, and in Ontario it's \$5,000 in aggregate, and we're not seeing aggregates at all anymore here in Alberta. We're back to what it used to be called, the Wild West, in terms of donations.

That's a \$10,000-per-candidate limit that an individual can give to as many candidates, and candidates, as we heard the minister just say, can self-finance up to \$10,000 per year. What that means is that in local elections a person running for a local election, a seat, either mayor or council, can give themselves essentially a \$40,000 head start and have that in the kitty to get ready for an election. We know that for Grande Prairie, for instance, it's a \$5,000 to \$10,000 typical amount that individuals spend in Grande Prairie on city council positions. Now, think about that, Mr. Speaker. One candidate can outspend an incumbent or a newcomer four times if they wish, and that's going to be legal with this bill.

Prior to this bill an individual could, as we know, only contribute \$4,000 in aggregate. With the new limit, you know, it's limitless in terms of how much money an individual can donate around the province. Self-financing was also limited to \$4,000 or \$1,000 a year, and we're seeing that increase 150 per cent for self-financing. Additionally, as I said, the enabling legislation has been taken away with this bill, so we won't know who's muddling – meddling, sorry; muddling and meddling – in elections until after those elections. As I argued, I think this enabling legislation will be more necessary after October 18, 2021, than we have seen it needed before.

Let's talk about third-party advertisers. That again will be running wild in this province, Mr. Speaker. There were rules with regard to the Local Authorities Election Act before. What this bill does and why I believe it's necessary to go to a committee for further discussion is that we will see third-party advertisers run provincial issues at the local level, in local jurisdictions, making it ultimately confusing for voters at the local level when they've got provincial issues essentially being pushed on their ballot by third-party advertisers. I think that's an intentional action. Again, we need to lift the veil to see who's going to benefit from that. It is not local councils. It is not local electors. It is people who have intentions to push their own agenda in a third-party way.

Third-party advertising limits are in the regulations. Unfortunately, we won't know what those regulations are or if they're even made until they come out and are advertised. That's a significant problem with Bill 29 and one that I think, if the veil were lifted through a committee process, through this amendment, we then would find people starting to cotton on to the fact that significant changes have been made. The minister is in the driver's seat with regard to what that third-party advertising will be.

Further, this bill provides no clarity on the role, mandate, responsibility, budget, et cetera, of the provincial registrar. This new appointment is not something that we're clear at all through the bill that's before us. There's not a great deal of clarity. I think a committee referral would have the opportunity to take time to talk

to not only Municipal Affairs officials but Legislative Assembly officials to find out more about how they're going set that new provincial registrar role up, Mr. Speaker.

I have provided a number of reasons, and I think my colleagues will additionally speak to all of those reasons. But I do want to say, you know, that part of the argument that was put from the other side last night and previous times when we've discussed this bill is that they've said that they had the broad support of stakeholders. They said that they believe that voters will be better served by the ideas they brought forward in this amendment, that they're going to level the playing field, that they're going to increase democracy. It'll flourish – I'm just kind of commenting on some of the words that were used by the Minister of Municipal Affairs just a few minutes ago – and red tape will be cut as a result of his bill. As I said, he said that there was extensive consultation that struck the right balance.

Well, I've done some research as well, Mr. Speaker, and talked to people as well. They differ with the views of the minister. Particularly, he mentioned Mayor Nenshi saying that this was all hunky-dory – I'm paraphrasing – but in the discussions that we've had, I've had, the main problem, paraphrasing the main problem, with the new law is that it would remove the requirement to disclose donors before the election. Albertans deserve to know. You need to know who's funding candidates, asking for your vote. That won't happen at all now, Mr. Speaker.

Grande Prairie councillor Dylan Bressey similarly pointed to the \$5,000, the new individual spending limit proposed in this bill, and he said that it equals two years of gas or 10 months of food for his family. He says:

A winning campaign typically costs between \$5000 and \$10,000.

To let a donor majority fund multiple campaigns . . . [or] to let a wealthier candidate outspend a candidate of lesser means by completely self-funding a large campaign [isn't fair].

Democracy suffers, Mr. Speaker, when people with deeper pockets get into local elections to self-fund their own campaigns and to receive major donations of \$10,000 from individuals.

8:50

He said that he was talking to a bunch of people considering a first-time run in Grande Prairie, and “a \$5000 donation limit per candidate and \$10,000 self funding limit will hurt, not help, many of the challengers in Grande Prairie.” That's not encouraging challengers to participate in local democracy, Mr. Speaker; that's doing the opposite.

My colleagues last night talked a great deal – and they may do it again tonight – about Parity YEG and Ask Her YYC, about the views of those women-headed organizations, those advocacy organizations that want to see more women in politics and who absolutely believe that women candidates will suffer as a result of the bill that's being brought forward.

We know that transparency will suffer. Mayor Nenshi pointed to that earlier, and there are many other people who also point to it. I said, Mr. Speaker, that, you know, one of the main arguments for this bill is – and the minister has said it, and other government MLAs have said it, too. They said that it levels the field between challengers and incumbents, including by allowing candidates to focus on less administration and more on running the best campaign they can. If a candidate can't get their act together and have their CFO provide information, before a vote is taken, about who has contributed money to their campaigns, I really wonder about the skills of that candidate and, I guess, the values of that candidate. I think many candidates will still declare, before elections, who they're getting money from, but this bill makes it legal and gives them a cover, a blind to say: we don't have to; we don't have to.

Another argument from the government side is that this bill does nothing to address the gaps in representation on city council. Sorry; this is my view. It'll only allow dark money, big money into politics, the kind that absolutely changes the way things go forward in communities if you don't know where the money is coming from, how much money is being donated. That's only revealed after, Mr. Speaker.

With those kinds of words said, Mr. Speaker, I just want to not argue again the amendments that I brought forward but to say that those amendments were reasoned. They had – maybe I can just ask for a time check.

The Acting Speaker: Two and a half.

Member Ceci: Two and a half? Thank you.

The amendments that we brought forward and argued in second reading and Committee of the Whole, we believe, are absolutely necessary to ensure that democracy remains focused at the local level. The changes to third-party advertising, as I talked about, the changes to donation amounts . . .

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

Point of Order Items Previously Decided

Mr. McIver: Once again the debate of the hon. member is about previous votes of the Assembly. He made reference to it two or three times in the last 30 seconds of his debate. Under 23(f) – and I'll read it, Mr. Speaker – if a member “debates any previous vote of the Assembly,” which he was doing, “unless it is that Member's intention to move that it be rescinded,” it's a point of order. I would ask you to respectfully ask the hon. member to stop repeatedly doing what he knows is against the rules of this Chamber.

The Acting Speaker: I see the hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much, Mr. Speaker. This is not a point of order. As previously argued, the member is moving an amendment and is providing his reasoning, is providing the background, and is providing the arguments to support his position that this bill not be read a third because it would significantly limit local government decision-making powers and weaken the democratic processes of local governments. As I understand it, he had just under two minutes left. I believe that he should be allowed to continue his comments.

The Acting Speaker: Two fifteen.

Similar to the previous decision, I am of the opinion that this is not a point of order as long as the hon. member ties this trip down memory lane not to why decisions were made but what decisions were made. It's not an actual debate of the decisions; it's simply just listing them off. As long as it ties to the reasoned amendment that he is currently proposing, then – further, if we were to apply the rule too strictly, then that in its own way could also inhibit debate in certain circumstances, which I have not found to be the case at this time.

With two minutes and 15 left, if the hon. member could please continue.

Debate Continued

Member Ceci: Maybe I'll take a trip down memory lane, Mr. Speaker. I was elected in 1995, initially at city council, six years

before the Minister of Transportation. I served – now I’m in my 21st year of elected office. I think the only other person with longer elected office here is the Premier himself, maybe, at 22 years; 1997, if I recall. He has had a few years off after he stepped down or was unelected, whatever.

In my trip down memory lane I have never seen the changes to the Local Authorities Election Act being proposed by this side. I have never seen the kind of flagrant allowing, allowance of money back into politics. That is on the UCP’s hand. That is on their watch. I think they’re out of step totally with what is going on in this country with regard to election financing laws, and we will see people absolutely change local elections as a result of what’s happening here today, Mr. Speaker. This is not about red tape. This is not about democracy. This is about big, big money coming into local councils and school boards throughout this province. It’s a shame, and it shouldn’t happen. Other places are doing better.

Just to finish with what a local governance and campaign expert in Canada said: usually people go forward and improve their election financing laws; they don’t weaken them. We’re weakening them as a result of what the UCP is bringing forward today, and I think it’s a shame. Albertans will find out about how bad this bill is soon, Mr. Speaker, because we won’t stop talking about it in advance of the 2021 elections. I’ve never seen – I think the amount of money that’ll come into elections will be hundreds of thousands of dollars, and it’s a shame.

The Acting Speaker: Thank you, hon. member.

Are there any other hon. members looking to join debate? I see the hon. Member for Edmonton-Meadows has risen.

Mr. Deol: Thank you, Mr. Speaker. It’s my pleasure to rise in the House to speak to the amendment on Bill 29, Local Authorities Election Amendment Act, 2020. I rise to speak in favour of this amendment proposed by my colleague the Member for Calgary-Buffalo. The amendment reads: third reading of Bill 29, Local Authorities Election Amendment Act, 2020, be amended by deleting all of the words after “that” and substituting the following:

Bill 29, Local Authorities Election Amendment Act, 2020, be not now read a third time because the Assembly is of the view that the bill would significantly limit local government decision-making powers and weaken the democratic processes of local governments.

Before giving my own arguments or comments to this bill, Mr. Speaker, I would just like to refer to some of the professionals in this area, what they are saying about Bill 29, that we are discussing in the House. The published article, posted on CBC, reflected the views, actually, of Zack Taylor. Zack Taylor is the director of the Centre for Urban Policy and Local Governance at the university of western Ontario in London.

9:00

He says that the changes break a trend among provinces.

“This is the first example I’ve come across of a government basically weakening provisions, rather than strengthening them,” he said. Taylor recently submitted an article about election finance rules looking at all 10 provinces . . .

Government talking points frame the legislation as levelling the playing field for newcomers to take on incumbents.

“I don’t understand that argument at all,” said Taylor, who defines fairness as giving incumbents and challengers access to similar levels of funding.

“Taking the lid off of expenditure and contribution really does nothing to ensure fairness,” he said. “What it ultimately ends up doing is that those who can raise the most money from people who can donate whatever they want will have an advantage.”

Taylor said the \$5,000 cap would “not be particularly onerous to wealthy individuals.”

The new legislation does keep a ban on donations from unions and corporations. It also makes it so candidates do not have to file any disclosures before election day.

Lisa Young, a professor at the University of Calgary’s School of Public Policy, said that disclosure information is important for voters to understand who a candidate might be beholden to or what they might do in office . . .

“What we typically see in city elections is that the group who most want to make contributions to candidates would be the development industry,” she said, adding that even though corporate donations are not permitted, corporate owners or associates can still press their influence.

A lot of these arguments – first of all, what is being proposed in this bill is that the cap on individual donations is being raised in local municipal elections. I just wanted to actually mention about my colleague, his experience of 21 years as an elected representative, you know, in Alberta, since 1995. This is a kind of example, the very first time, he said, in two decades that he’s seen something being imposed that shouldn’t even be part of the discussion in this House unless that is a part of the argument and purview of local and municipal politicians or electors.

In such cases, we see the mayor of Calgary and the mayor of Grande Prairie, what they are saying. Municipal Election Funding Legislation Contains “One Enormous Mistake”: this is Mayor Nenshi, the mayor of Calgary. And: Grande Prairie Mayor Unhappy with Proposed Changes to Local Elections Introduced in Bill 29. I’m a little surprised. The changes being proposed in this bill are one thing, and the opinion on those changes of members and my own opinion are another thing, but changes being imposed on the jurisdictions and the response and feedback and the views of those people are certainly being ignored in this case. That is actually the greatest concern to me while I’m just adding my comments to this bill.

So that is one of the biggest reasons that really impresses upon me to stand and support this amendment on Bill 29 – this is very important – so that the stakeholders, policy-makers, professionals, intellectuals, or electors, you know, have the greatest chance to give their input and feedback on the changes that we are discussing in this House with regard to the local governments.

I am under the impression that the government of Alberta has conducted a survey with regard to this bill, the changes they were going to propose in this Bill 29 and maybe the overall view of Albertans on the democratic process in Alberta. What we have seen is that it is not showing anywhere in this argument or discussion what those results from those surveys were, what were, actually, first of all, the questions put in the surveys, and what the result of those surveys were, the feedback from Albertans on this.

Also, I will be interested to know what kind of consultations the government did actually conduct before drafting this bill and, after drafting, before bringing this bill into the Legislature for the debate. Who was consulted, if the people were consulted? Who were those people, and what was the criteria to select those people for consultation? What were the outcomes of those consultations? That is still the question. I don’t really find the information going back and forth, going through the public portals online. I don’t see that, where these recommendations are coming from.

Making changes to the bill in a way and under the name of strengthening the democracy – for me, as a person coming from one of the third-world countries, where something related to what is being discussed and proposed is very obvious and being practised in those jurisdictions, the first-hand experience, I could not understand how the government came to the view that flooding the money into politics would strengthen the democracy. This is very

strange, and I'm trying to go through the public portals, online papers. I couldn't really find any supporting evidence. In practice I have tons of examples about individuals, intellectuals, activists, the experts on issues being not able to join politics and contribute their capacity to democracy because of the barriers. What happens is that they're not able to compete, you know, fairly, but their competition and, basically, the people from the ruling classes, the established classes come with the strength and the impact of the money actually being spent on politics.

9:10

The changes in this bill are, as it says, that the individual can donate \$5,000 within the election period and \$5,000 outside of the election period. This says, like, that an individual can donate \$10,000 per candidate and donate to unlimited candidates. If I have, you know, interpreted this argument, really, I would say that in Edmonton, if we want to look at that, the 12 wards, one person can probably donate \$120,000, and you would probably just need 10 people to raid democracy and the rights of every person. Those people can flood the money in and walk away with the loopholes of not – how would I say? – being obliged to provide the transparency and accountability for that money coming into politics.

It is a little bit troubling for me, how we are saying that increasing the limit to donate to the candidates would really help everyday Albertans to actually be able to participate effectively in the democratic process. I can give my own example of the 2019 election, and I can go back to even an election I ran for in 2015. I was one of the candidates, I want to say, that comparatively did not have the issue of raising the funds in a given short period of time. I can just recall that, you know, in 2015 and 2019 I did not have a single person who could maximize the limit of . . .

Thank you, Mr. Speaker.

The Acting Speaker: Thank you.

Hon. members, 29(2)(a) is available, and the hon. member who caught my eye was the hon. Member for Calgary-Glenmore.

Ms Issik: I was going to speak, Mr. Speaker, but . . .

The Acting Speaker: I would then look to the hon. Member for Spruce Grove-Stony Plain.

Mr. Turton: Thank you, Mr. Speaker. It's a pleasure to speak under 29(2)(a) to the amendment that's before us to the Local Authorities Election Amendment Act, 2020. Municipal elections and local government is definitely something that I feel quite passionate about. You know, having been elected three times to city council in Spruce Grove under various different rules, I'd just like to speak to a couple of the points, specifically to the points that the Member for Calgary-Buffalo spoke about.

The one point I'd like to talk about is about the wording that we are eroding democracy by, first of all, increasing the limit from \$4,000 to \$5,000. You know, over the three times that I ran for council, I kind of did the whole gamut. The first time in 2010 when I ran, I came in as a new voice, didn't have a lot of money, but I made up for that with hard work and door-knocked every house in Spruce Grove, as many candidates have to. I was very successful my first time around. I was very privileged to serve in the community for eight and a half years. But something I realized is that as an incumbent you have an advantage. After a while you get to know, you know, who the movers and shakers are in the community. You get to know people who have influence and who can support you in those local campaigns.

One of the issues I heard from the members opposite is that the rules that have been proposed by the Minister of Municipal Affairs

will erode democracy, will give the advantage to incumbents, and will keep out new people. Well, the problem under the current legislation with the \$4,000 limit is that after being in office for a couple of years, you get first kick at the can for talking to those people to help donate to your upcoming campaign. Many municipal candidates – and maybe the members opposite might only be interested or familiar with municipal politics in Edmonton and Calgary, but for many suburban communities, for smaller communities many candidates only realize that they're actually going to run for municipal office about a year and a half or a year in advance, some only a couple of months. It's a much different ball game than the big cities, where they have a ward system, or even the rural areas, where there's a county.

For many newer candidates that are trying to get in – and I've heard many times members opposite talking about trying to get more women, trying to get visible minorities involved, trying to get a greater diversity involved in local government. Well, by the time they actually decide that they want to run for local government, many of the donors have already maxed out with their \$4,000 limit. The rules proposed in this legislation – and this is why I will be voting against this amendment – will actually give an added advantage to new people coming in. Those candidates that come in just a couple of months before the municipal election can go to those donors and they don't have to worry about saying, "Oh, you already maxed out to your candidate of choice," and those donors will have the added ability to fund new candidates, to fund women that want to enter public service or new people that want to break in and have a say in their community, like I was in 2010.

I think that's important because the amendment and the reasons proposed by members opposite about why we should be voting down this legislation in general and why they put forth this amendment in essence are creating an incentive for incumbents to keep running again, and it will be actually locking out new people that want to break into public service and have a say in their community. That's why I will be voting against this amendment, and I would appreciate it if all the members in the House would as well.

Thank you.

The Acting Speaker: Thank you, hon. member.

With a minute and 20 left under 29(2)(a), I see the hon. Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Mr. Speaker. For clarification – I won't debate it – the previous member said that it changes from \$4,000 to \$5,000. That's not accurate. It's \$5,000, as many \$5,000s as you want. It's \$4,000 in aggregate. That means one \$4,000 a year. This is changing it to \$5,000, to as many times as you want to donate to candidates.

But I was interested in what the Member for Edmonton-Meadows was talking about, about subordinating democracy and his experience in other places, where he knew that democracy was subordinated by the actions to bring a lot of money into those places. I wonder if the Member for Edmonton-Meadows can just sort of finish on that point, because I think it's a really valid one with regard to why this needs to go to committee, Mr. Speaker.

Mr. Deol: How much time do I have?

The Acting Speaker: Fifteen.

Mr. Deol: Fifteen seconds?

The Acting Speaker: Ten.

Mr. Deol: I just wanted to thank you, Member for Calgary-Buffalo, for giving me the opportunity to . . .

The Acting Speaker: Thank you, hon. member.

I see the hon. Member for Calgary-Glenmore has risen to debate.

Ms Issik: Thank you, Mr. Speaker. The Member for Calgary-Buffalo mentioned, as he was speaking on his amendment, that he thought that municipal politics, because of this legislation, would be changed forever, and to that I say, “Good” and I say, “I sure hope so.” You know, yesterday the Member for Edmonton-Highlands-Norwood was speaking about how there were few women on council in Edmonton; the same is true in Calgary. I was using, well, what should have been my inside voice but was a little bit of my outside voice, and I said: because the incumbents keep winning. We need to remember that not so long ago most municipal councils were entirely male. So as incumbents keep winning, if it’s easy for incumbents to keep winning, you’re not going to end up having that many women on council. It’s going to take a long time before you get enough women on council, until enough men aren’t incumbents.

9:20

You know, I don’t want to sound like somebody who’s not very gutsy or somebody who doesn’t believe in the power of women – I do, and I’m pretty gutsy – but I’ve got to tell you that incumbency does have an advantage for some. It’s a disadvantage for others, and it’s been a disadvantage for women running for office, particularly municipally. It’s name recognition. It’s about having that money in a treasure chest that you build up term after term after term.

I’m curious as to why we would want to send this legislation away, where it will never see the light of day again, when part of what it does is eliminate the treasure chest. With part of this bill, you can only have a campaign surplus of \$1,000, and the rest of it has to go to charity. That eliminates that treasure chest that gave so many incumbents so much advantage for so long, to the point where people didn’t even bother to run lots of times because they knew that the other guy had, like, 300 grand sitting in an account somewhere. That makes it pretty tough for a female who’s breaking in, who might be in her 20s or early 30s just trying to break in and who doesn’t have, you know, 300 grand sitting in a bank account somewhere to get their name recognition built up. What does a woman or a newcomer to politics or someone from a cultural community that wants to break into politics have to do? Well, they’ve got to get out and they’ve got to start working, and they’ve got to start working early.

What we’ve got to keep in mind with municipal politics: large territory. It doesn’t matter if it’s urban or if it’s rural; you’re covering a lot of territory in a municipal ward, okay? That means you’re not door-knocking for a couple of months and covering all those doors; you’re door-knocking for a couple of years to cover all those doors. If you want to get name recognition, that’s what you have to do. And you know what? You’re going to need some money to do that. You’re going to need money to even throw little coffee parties. You’re going to need money for just the tiny, little cut-outs. Somebody yesterday was talking about how they were cutting brochures with their kids on the kitchen table. Those still cost money. Where’s that money going to come from? Well – you know what? – when you’re starting out in politics, sometimes it comes out of your own pocket. What does this legislation do? Oh, that’s right; it allows candidates to self-finance up to \$10,000.

Now, some will tell you: “Oh, my; \$10,000. That’s only for wealthy people.” No, that’s for somebody who’s running for office for two years straight, who’s going to raise some money but is probably going to self-finance for a while. And you know what?

They’re going to need that \$10,000, and it shouldn’t be cut off. You should be allowed to use some of your own money to campaign. And \$10,000, even if it’s annual – guess what? – doesn’t go very far in this day and age anymore.

Then we’re going to talk about the donors. We’ve heard for weeks now about dark money, doo-doo-doo. Dark money. Somehow we go from \$4,000 to \$5,000 and it’s dark money.

Member Ceci: Aggregate. Aggregate.

Ms Issik: I’m getting there.

Member Ceci: Oh, good.

Ms Issik: I’m getting there, Mr. Speaker. I’m getting there. We can let the Member for Calgary-Buffalo know that.

Five thousand dollars, dark money, doo-doo-doo. Well, I’ll tell you what. At \$5,001, is that dark money? If you’re going to donate to more than one candidate so that it’s \$10,000, is that darker money? It’s not dark money. You know what it is? Five thousand dollars donated to several candidates is somebody from a cultural community who cares about people that share that person’s values, that share their community values, that want to support somebody that looks like them to get onto council for once. That means that they’re going to want to share that money with not just one candidate but multiple candidates. And it’s the same thing with women. There are a lot of successful women out there, and they’re not wearing pinstripe suits and smoking cigars and sitting drinking martinis at the club doing dark money. No. They’re supporting women to get into office.

I’ve got to tell you that I’m a little tired after watching this go on for years, where people placed their bets: “Which is the woman, and which seat is she in that can win? We’re going to throw all our finances in there.” All the rest of the women could be equally good candidates, but they’re not going to get the money because they’re going to place all their money on one seat.

So you know what? This being able to donate to more than one candidate is important. It’s important for people in cultural communities. It’s important for women. It’s important for people that are young and trying to break into politics. It’s important for people to be able to share the money that they worked hard for so that they can have – yes, that’s right – some influence in politics, so they can see candidates and members elected that actually share their values of hard work and other values that they have. It’s right that they should be able to share that money with more than one candidate.

And you know what? Two grand or one grand doesn’t go very far these days. I mean, for Pete’s sake, you go to hold a town hall meeting, and it’s \$150 to put up one little bolt sign on one street corner for your town hall meeting. It takes, like, 1,500 bucks just to have one town hall meeting, and that’s before you rent the hall.

[The Speaker in the chair]

This dark money – and somehow we’re going to have people that are going to donate \$5,000 to 374 candidates? Okay. Well, I’d like to meet that person. I don’t know where they live. I haven’t met them yet. You know, it’s really easy to come up with these crazy scenarios when, in fact, what we should be talking about are the most likely scenarios, where people want to run, where people care about their communities, where people want to represent the people whose values they share. Okay? It’s not about dark money. Honest to Pete.

The money that you can raise in what we call the prewrit period – that’s before the election is called. Again, name recognition is

important. How do you get that? Well, you get out and you knock on a pile of doors. But you're probably going to have to have some town halls, and you're probably going to have to, you know, have a few volunteer parties and that sort of thing. That costs money. You know what? People need to donate that money.

And I'll tell you what else. Women can actually raise that money. Okay? I'm here to tell you. This whole idea that women don't know how to raise money: are you crazy? Who raises the money for all of the football teams, all of the soccer teams, all of the ski teams, the school councils? We don't have a problem with knowing how to raise money. You know what? It's time women stopped using that as an excuse. We know how to raise money, and it's about darn time we just say so. We can raise it in the pre-writ period, and I'd sure as heck like to see that limit raised to \$5,000, thank you very much.

And then we talk about transparency. The member across says: well, if you can't have a CFO that knows how to do all your weekly filings while you're running for office, knocking on doors, and raising money and having coffee parties and going to town halls, if you can't find a CFO that can do that – I don't know. Does anybody know of a tree that grows volunteers? I sure don't. When people start off in politics, what are the couple of things that they need? They need a good pair of running shoes, and they need some volunteers.

You know what? Building a campaign team for a newcomer is not easy. Half the time you don't even know what skill sets you need. So to sit there and expect that during your campaign, while you're trucking down the street in your running shoes, you've got somebody sitting in the office with a calculator, filling out papers, more red tape, so that you can be transparent just in case somebody wants to talk about your dark money – no. That's just crazy in this day and age. People are short on time as it is. You can't expect volunteers to come into a campaign just so that they can fill out reports so that, oh, by the way, their donor that gave \$195 can be put on a website somewhere.

That's another thing I've got to tell you. There should be some way for people to donate money without risking having Twitter come after them, okay? Let's get that straight, too.

An Hon. Member: The socialist horde.

Ms Issik: Yeah, the horde coming after you with their pitchforks and torches: oh, you donated money.

You know, volunteers don't grow on trees. There's enough transparency, as long as you tell the authorities afterwards who donated money, that they're within the specified limits. This is perfectly reasonable, this legislation. This actually enables people to run. This helps women to run. This helps people from cultural communities to run, and we deserve to have municipal councils where everybody can look on that council and say: "Somebody there looks like me. Somebody there recognizes my values." That's how politics should work.

9:30

Yes, there is influence in politics. It's called voters. It's called friends. It's called family and all of those other people that donate to you: your parents sometimes, sometimes your grandparents, sometimes your best friend's mom. That's the influence that most people see in politics, and that's what we shouldn't be trying to squash right now. That's why this legislation is important, and trying to send it somewhere where it'll never be seen again is wrong, so I'm not going to support this amendment. I don't think this amendment is the right thing to do. We should pass this legislation.

With that, I will take my seat.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see the Minister of Transportation has risen.

Mr. McIver: Thank you, Mr. Speaker. Well, that was inspiring. Wow. If anybody wasn't wide awake before that speech, they sure ought to be wide awake now. That was the best thing I've heard in some time.

Mr. Speaker, the debate is interesting here. I think people, you know, are giving their point of view, but let's look at what we're talking about here. Under the NDP's rules \$4,000 was okay, and they would say that \$5,000 makes you an elite. Now, some members on the other side would say, "two times \$5,000 makes you an elite at \$10,000," but, I think, listening to the previous member from our side speak, she made a point about members who are incumbents that were able to raise money and put it away election after election after election. I think the phrase the hon. member used was 300 grand. I would ask the hon. member: if she thinks 300 grand is a lot, what does she think about the \$1.8 million that Gil McGowan and the folks gave to the other side? [interjections] No, I'm sorry, but . . .

Some Hon. Members: It's orange money.

Mr. McIver: Yes. That's orange money. Orange money is, I guess, not dark. It's not dark. Orange money is good.

Apparently \$10,000 is too much, but \$1.8 million isn't near enough because it's going to the orange side. I guess that seems to be the opinion of the other side because they're not complaining about cutting off the loopholes for the \$1.8 million from the AFL to give in one election, which is somewhere in the order of what a whole political party can spend during an election writ period. But that's okay because it's going to them. They don't mind rules that actually put them in the driver's seat to win, but they sure don't like rules that would allow, as the previous member said, a woman, a minority, or a young person, just somebody trying to break into politics because they think they can do a better job than whoever is there now, to have a fighting chance and be on a level playing field with an incumbent.

I would say to the hon. member that we just heard speak that I would be interested in her opinion on how she feels about that \$1.8 million number, particularly in context with the, her words, 300 grand that she thought was a big number. It is fair because several of us here, including me, spent some time on municipal council and got elected more than once, and according to the rules – I'm not suggesting that anybody broke the rules – got elected, had some money left over, kept their round, got elected again, had some money left over, kept their round, and after a while you've got a pretty big pile of dough . . .

Mr. Kenney: That was you?

Mr. McIver: That was me. It wasn't against the rules, but let's face it. It makes it harder for someone trying to take out an incumbent to fight on an even playing field in the next election. It's a fact.

Member Ceci: You ran for mayor.

Mr. McIver: Thank you.

I would say to the hon. member: how does the hon. member feel about the \$1.8 million that the union gave to the NDP in the last election? How consistent does she think they are when they're complaining about someone able to give \$10,000, when they happily accepted \$1.8 million? And how does she feel about them complaining about people not declaring their donors before the election, which wasn't necessary under their rules? I wonder how

she feels about how many of them declared their donors before the last election. They weren't doing anything wrong because those were the rules, so I imagine the hon. member might have some opinions on this.

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

Ms Issik: I might have a few thoughts on that, actually. Well, I'll tell you that \$1.8 million is going to buy you a lot of bold signs on a lot of corners. It'll pay for a lot of town hall meetings, but you know what it really does pay for? It pays for a lot of TV ads and a lot of newspaper ads and a lot of paid social media and all that kind of good stuff that often happens, oh, that's right, in the prewrite period – don't forget that – and goes on throughout the campaign period and paints a beautiful narrative, a beautiful scene for the incumbent or incumbents or candidates with one particular set of values. I won't mention colour schemes, but . . .

The Speaker: Hon. members, is there anyone else wishing to join in the debate? The hon. Member for Calgary-McCall.

Mr. Sabir: Thank you, Mr. Speaker. I rise to speak in favour of this amendment that is basically asking that Bill 29 “be not now read a third time because the Assembly is of the view that the bill would significantly limit local government decision-making powers and weaken the democratic processes of local governments.” I'm speaking in favour of that. There are a number of reasons that I will outline why I think this is a good amendment, why this piece of legislation should not be read a third time.

I will start in terms of priorities. I do come from a background where I have seen martial laws. I have seen regimes that are less than democratic and where institutions are still in the process of, I guess, maturing. I've seen the proliferation of money in elections, how it influences outcomes, how it influences policies, and as a student I've also read about proliferation of money into politics, infesting democracies, in particular in the United States, what impact that proliferation had on institutions, on policies, and on, at the end of the day, the electorate.

All this time in the last one year or so, ever since this government was in charge, not once has somebody mentioned to me in my riding, in my communities, even a neighbouring riding – I did go to a lot of events prior to this pandemic – that they want their donation limit changed so they can participate in elections. I heard how this will facilitate somehow ethnic and minority communities to participate in elections. I do come from an ethnic community, a minority community, and the riding I represent, Calgary-McCall, consists of three neighbourhoods, predominantly people of racialized communities, newcomers, and so far, if we look at the income gap between the individuals living in these ridings and in Calgary in general, there's a huge income gap.

9:40

For instance, Calgary's average individual income, according to the last available statistics from the city of Calgary web page, is \$42,700, and the average income in Martindale, Saddle Ridge, Taradale is still \$30,000. It's a difference of 33 per cent. The average person living in my riding is making 33 per cent less than their peers in Calgary generally, and very, very few of them will ever be able to hit even that \$4,000 limit.

Their issues are not whether that donation limit is enough or not. There are many other issues with this government. I think there were high hopes that there would be jobs. What we have seen so far is 50,000 job losses pre-pandemic because of their policies. Their priorities are not reflected somehow in this piece of legislation. I don't think that increasing this limit from \$4,000 aggregate to

\$5,000 to any number of candidates – for instance, if a person with resources wants to support all 14 council seats and if they're supporting just one candidate in each council riding, they will be able to donate \$70,000 instead of \$4,000 that's currently the limit. Now if a person wants to support one candidate in each riding, they will be able to donate \$70,000. That's just if they choose to donate to one candidate per riding. I'm not sure how that is helping us level the playing field, how it's helping ethnic minority communities, who often don't have those kinds of resources and face obstacles in many different ways.

This bill doesn't encourage participation. Rather, it will be the opposite. If you know that people with money, people with deeper pockets from anywhere in the city will be let loose to campaign against you, use all kinds of money, use all kinds of third-party PACs to influence the outcome, that will discourage participation. It will not encourage participation. It will not strengthen democracy.

I think there is well-documented evidence, there's well-documented research out there that about the influence of money in western democracies. In the case of the U.S. there is a huge body of literature and evidence that whenever there are no limits, whenever those limits are really loose, and whenever they're allowed to spend money without any check and balance, that's usually an investment in election. Whether it's an individual with big money, whether it's a corporation or lobbyist with big money, they put money as an investment. We have documented evidence for the last four or five decades on where money started proliferating in U.S. politics, and with every election we will see more and more policies that favour the rich, that favour those with the deep pockets. Then governments, with the help of those wealthy individuals and corporations that are in power, will come up with policies or policies will be dictated to them that will result in benefiting a select few at the expense of many others.

In the case of the United States with government after government after government we have seen supply-side economic policies pushed as the agenda of the wealthy elite, lobbyists, and rich corporations, which resulted in policies of decreasing the tax rates for the richest, resulting in decreasing revenues, on the other hand, where we see inequality, we see poverty, we see injustices, and we see government not having enough money to invest in health care. Especially during this pandemic I think what's very clearly evident is government not making that a priority, government not raising, I guess, enough revenue to invest in strong public health care. We are seeing that the United States is off the charts when it comes to COVID-19 cases.

So money does influence policies, and this legislation will make the door wide open for big, dark money to come in and influence the outcome. From two previous elections, one for school board trustees and the other one for a mayoral election last time in Calgary, we saw open involvement from Conservative parties backing a candidate. We heard slogans like: take back our city. That was the slogan that was used in the 2017 election against Mayor Nenshi, to take back the city. There were reports out in the media that even Conservative parties used third parties less to back that candidate.

Now with this legislation at least they will have no limits or restrictions on how much money they want to pour into municipal campaigns, which historically have been focused around local issues, grassroots issues, and relatively nonpartisan. This bill is designed to influence those local governments' municipal elections.

9:50

The mayor of Calgary has clearly stated his position on this bill, that this bill will open doors for big, black money in this process. It

will take away their ability to make people disclose during elections. It's completely unnecessary. Nobody was asking for these changes. It's just that the government, that has the backing of corporations, big money, is taking steps to facilitate and repay those people. It will absolutely weaken our democracy. It will absolutely weaken the participation of those with less means, participation of racialized and minority communities. It's a bad piece of legislation, and we should not read it a third time.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see the hon. Member for Edmonton-North West has risen.

Mr. Eggen: Thank you, Mr. Speaker. I appreciated the hon. member's analysis of this Bill 29. I confess that I haven't had an opportunity to debate this one yet, but I certainly have observed local elections for a long time and have observed them in different regions within the province as well. You can see regional variations developing, let's say, between even Edmonton and Calgary, right?

I was just curious to know: in local or municipal elections for councillors and the mayoralty race in Calgary, how is it that the average amount spent for various candidates, especially for the mayor's race, is so much different between Edmonton and Calgary? I've just have always been shocked to see that discrepancy. Perhaps, you know, by looking at that through that lens, it can help us to understand how allowing for more donations, especially from individuals, can somehow change or distort the electoral process at a municipal level, right? It's always good to look at comparative analysis.

I don't know if you've thought much about that, but I would be curious to know if you could perhaps provide some reflection on that.

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

Mr. Sabir: Thank you, Mr. Speaker, and thank you, Member, for the question. I think that in the Calgary context we do know that when the Minister of Transportation ran for mayor and lost, he spent over a million dollars, and similarly, Councillor Joe Magliocca spent over \$300,000 and barely won.

But the thing is that with democracy we say – the textbook definition of it is that it's the "government of the people, by the people, and for the people." That's what we say. When it's about ideas, when it's about people, and when there are some rules around financing those ideas, then governments are more responsible and more accountable to their citizens. But if you know that you will win an election anyways, based on abundance of money or an unlimited supply of money, then I don't think the government feels that accountable or responsible to the people.

For that reason it's important that our democracy belongs to the people. It's about ideas, it's about majority opinions, and it's about the majority of the people and not about the select few dictating the policies, like we saw in the United States with wanton corporate influence. Over the last couple of decades their tax rate has gone down 15 per cent and that not necessarily benefited all Americans. There are still issues of poverty. There are still issues of income disparity. That divide between rich and poor has gone even wider.

In short, this bill will impact local elections by making it more about money and those who can buy these elections and less about the people and their issues. That's why this bill should not be . . .

The Speaker: Hon. members, are there others wishing to join in the third reading debate? I see the hon. Member for Peace River.

Mr. Williams: Well, thank you, Mr. Speaker. I want to take my own trip down memory lane after the Member for Calgary-McCall

quoted the great speech from President Lincoln and the Gettysburg Address: the government by the people, for the people. I also am interested in early American history, and I pay close attention to a particular Princeton law professor, who sits down his legal class the first day, and he asks them: what safeguards did the American founders put in place to protect our democracy? Being in America, they all get up and they say: oh, the separation of powers; we have the judiciary separated from the legislative from the executive and the balance of powers. He says: no; when you read the American founders, they tell you that it's an educated population. That is the number one thing that they knew would save American democracy.

Now, of all the things that our American brothers and sisters had wrong, including their take on Her Majesty the Queen, this they had right. This they understood correctly, that an educated population is the root of democracy. It is inherent in any functioning democracy.

The law professor takes the students to the Soviet Union, and he shows them their bill of rights. It was cutting edge. It was state of the art as far as human rights advocates were concerned. None of it was listened to. None of it meant the paper it was written on. What matters more is an active, educated, democratic population, Mr. Speaker. That is the heart of it. Without that, it's all smoke and mirrors. Without that, it doesn't have root in genuine action of the people, and the government cannot be for the people if we do not have representation that can respond to educated, open critiques and advocacy from the people.

Mr. Speaker, I never went to Princeton. I just listened to this on YouTube. I live in the constituency of Peace River. They're plain people, but they have a wisdom, a wisdom that not one individual can understand himself or herself. I believe that the criticisms of the opposition fundamentally deny the legitimacy of the Albertan people and the wisdom they have. They deny that they're an educated population. They deny that they get to make their own decisions.

Now, what does money in politics do? It allows politics to operate. It allows ideas to be advocated, put forward, and moved forward. Does the opposition believe that the \$1.8 million spending from the Alberta Federation of Labour bought the 2019 election? Well, it didn't. They put their ideas forward. They failed. Do they believe that the PC government bought the election in 2015? Well, no, Mr. Speaker. It was evident that they had a majority across, you know, Edmonton, Calgary, and rural Alberta, across the province because people made their decisions independent of how much money was spent. Now, that money did allow them to put their ideas forward.

We can look at examples throughout recent history. We can look at Mike Bloomberg in the United States. I believe he spent \$1 billion on his campaign, dropped out after one state he competed in, as far as I understand, one night of a very, very long election in those American primaries. The money didn't buy him the election. Maybe it got him a platform, the ability to make the case, but those Democrats in the States didn't agree with it. If they did, he would be the Democratic candidate right now challenging Donald Trump. He's not.

10:00

The voters will have their say, Mr. Speaker. The ability for individuals to advocate their position should be fundamental in a democracy so that an educated population can make their decisions as they see fit. If we do not allow people to advocate their position in a free democracy then we are hampering that. If we had a chill factor where their war chest of \$300,000 is carried election over election, intimidating any other candidate from running, that could be a problem, but mandating that the money goes to a charity after every election cycle and allowing individuals who are not

incumbents, incumbents whom they challenge, those incumbents having every single advantage you can imagine – name recognition, experience, organization, networks, all of that – coming to that, what you need is to be able to mount a genuine challenge. You cannot do that if you have election laws that are putting even more advantages in the incumbent's pocket.

Ultimately, what you need to do is allow a free, open democracy to have a challenging of ideas, and I truly do believe that people in their wisdom collectively will make their decision. I trust their decision. Every single member of this Chamber ought to trust their decision. We ought not question the legitimacy of their ability to make up their mind on what is garbage and what is not, what they think is a legitimate argument and what they dismiss. It is up to them to decide.

This alleged dark money is nonsense. What this is doing is that it's allowing people to freely advocate their position, and as we saw in the last election, in 2019 in Alberta, if folks don't like it, they will unelect the government. That is the people making their decision. It wasn't money that bought that. It's incredulous to assume that the people of Alberta can be bought, that they're so thick that Facebook ads or TV placements somehow have more importance to them than their values, their heritage, the democracy in which their parents, their grandparents, or, if they're new Canadians, they themselves came here as the very reason they chose Alberta and Canada. That is essentially what the opposition is saying. It's bringing into question the ability for average citizens to say: I know as well as those elected officials do that ultimately they work for me; I don't work for them.

That's a concern when we have an Official Opposition who is really bringing into question the ability for people to make those decisions. It draws into question not only the current ability for us to elect individuals municipally but provincially and federally across much of our history. I think that's a scary road to go down. I think that there are certain members on the opposition who haven't yet made the conclusion that they're naturally coming to. They haven't quite realized that what they're doing is questioning the legitimacy of democracy itself when people are donating. I believe it truly is the ability of every single citizen to make those decisions for themselves. It truly is a situation that in spite of the orange money through AFL and other unions, Albertans saw through it, and they made up their minds.

What this legislation does is allow municipal candidates to put their voice forward when they felt like they weren't able to before. That's a freer democracy, and individuals will get to decide themselves whether or not they want to vote for it. What is the concern with that? It makes me wonder what individuals are being protected at the municipal level by the Official Opposition. It makes me wonder if maybe there's a motivation from the other side to say: no; it's good for us to have these huge balances carrying over election after election, steamrolling any potential upstart who wants to challenge them. Maybe it's that they believe their politics dominate the municipal level right now. I tell you that if that is the case, there'll be a reckoning because the people of Alberta will continue to advocate their beliefs, and they'll show up at the voting bloc, and they will decide who they want to rule them, whether it be municipally, federally, or provincially.

Mr. Speaker, I am open to conversation from the opposition on this or anyone else as I find it sad that they continue to repeat the same talking points without engaging in the real issue.

Thank you.

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

Seeing none, is there anyone else wishing to speak to amendment RA1? The hon. Member for Edmonton-Decore.

Mr. Nielsen: Thank you, Mr. Speaker. I appreciate the opportunity this evening to add some additional comments here to Bill 29, the Local Authorities Election Amendment Act. Of course, I wish we could add a few extra words around the pay-to-play around this. You know, it's funny. I've certainly been accused of wanting to spend too much time getting hung up on the language, but the reality is that I keep finding myself being placed into that position that I have to go into the language and talk about what it actually says. I have noticed this evening that we keep referring to the \$5,000 limit that people have, and part of that is correct, that an individual, according to this proposed legislation, would be able to donate \$5,000.

Now, with regard to the referral motion and why we shouldn't be reading this a third time, it's important because when I look at the proposed legislation, right on page 6 under section 15(a)(ii) it says: "by repealing clauses (a) and (b) and substituting the following: (a) \$5000 to any candidate for election as a councillor, and (b) \$5000 to any candidate for election as a school board trustee." When I read that, that says that I as an individual could donate \$5,000 to an individual running for council, and then I could donate \$5,000 to an individual running as a trustee during a municipal election.

Now, I know that I've always been accused that math is hard for me, but \$5,000 and \$5,000 is \$10,000, so when we talk about somebody being able to donate \$5,000 and kind of leave the language there, it's not entirely accurate because it says "to any candidate". That means you could choose multiple numbers of candidates.

Now, unfortunately, I didn't get the opportunity to fully write down the quote, Mr. Speaker, so I'm paraphrasing here, but I think it's important, which is why the amendment that we're speaking to here right now is so important. It was essentially around the number of times that an individual could donate and who, realistically, could do that kind of thing. Well, I remember back in May of 2013 when a story broke about an individual that was able to donate and sent in one cheque in the sum of \$430,000 at one crack. Now, I would be remiss if I didn't mention that at the end of this story, everything did apparently turn out to be above board except for one little small amount in the order of about \$25,000. But it was found out that that individual was apparently paid back on or soon after April 16, 2012, which was only a few days before the election on April 23, 2012.

So I've always said, Mr. Speaker, when you're designing language, that generally speaking, I'm not worried about what most people will do. I'm always worried about the one, and in this case the comment around: well, who could possibly do that? Well, there was one that managed to do it, so who's to say that by bringing forward this language, we would not be enabling yet another circumstance like that to take place, where an individual has the ability to donate to many candidates? That's why by utilizing the referral that we have before us and not reading this a third time, it would give us an opportunity with which to re-examine what we're doing.

10:10

Now, I do appreciate that, you know, because I'm the critic for red tape and the Municipal Affairs minister said that this is reducing red tape, I'm kind of wondering, just based on the legislation that I've seen so far: if this is really just about red tape, why didn't the Associate Minister of Red Tape Reduction bring this forward under the topic of red tape? Well, maybe we'll get a chance to hear from the associate minister on that going forward.

I've also heard about balancing the scales. Well, quite honestly, Mr. Speaker, I question, I guess, the interpretation of balance. I've seen legislation that claims to be creating some balance in another area which doesn't really look so balanced. Well, let's push the pause button. Let's utilize the referral motion that we have right now to not read this a third time, and we'll get a chance to actually find out if it is indeed balanced. We've heard about the consultation that apparently has taken place with regard to this bill, and I think for members here it's important that we remember that this is one of three bills that are covering kind of this topic, and you have to keep that kind of context with regard to the changes that are also being made there as well.

With regard to the consultations, I mean, looking under section 17, which repeals the enabling authority which would allow municipalities to pass a bylaw requiring candidates to file pre-election disclosures, there have been some, shall we say, strong opposition to the changes that are proposed there. I know my friend from Calgary-Buffalo has delved into this quite deeply. I can't help but ask myself: in those consultations that were done and the results that came out, are we cherry-picking the results and only chose the ones we liked, or were we ignoring what came out of some of those consultations? Based on what we've managed to hear, the excitement about this section is not so much. Well, I'll tell you what, Mr. Speaker. Let's utilize this referral motion. Let's hit the pause button. Let's go back. Let's find out if indeed they said, "No, yeah, no; this section is fine," or let's find out why they're apparently so opposed to it.

There are many things, quite honestly, Mr. Speaker. I wanted to touch a little bit on comments around transparency because I'm seeing a little bit of a lack of it here, which is kind of conflicting. You know, it's funny. I hear about the money that the AFL spent during the election and everything like that. Well, it's because of transparency that that is available. What we're seeing here is a lack of transparency, yet we've also seen other comments saying: well, the government is insisting that unions disclose what the dollars are being spent on; there has to be transparency there.

I mean, certainly, my experience within the union that I called mine, UFCW local 401 – over the 26 years in which I was a member, sometimes I used to think they were a little too transparent at times because it would take so long to go through the financials, and that was for only two months at a time. Every single two months we'd have to go past.

Let's utilize the referral. Let's go find out if indeed it is really transparency that is believed in over there, or isn't it? Again, here's me getting caught up in the language. One thing is being said over here. History is showing me based on legislation that I've seen before: not so transparent. Which one is it?

I'm able to follow this quite clearly, but do people in their busy lives have time to keep up with it as much as I do? Mr. Speaker, probably like you, I door-knock a lot except, of course, for the last few months because of the situation that we've found ourselves in. I'm sure that, like you, I've had constituents that sometimes will ask municipal questions. It comes with the territory. That's okay. You know, if maybe I do happen to know the answer, I'm more than happy to share that. Most times I have to say: "You'd be best to call your city councillor. I can get you the information." That's all great.

But it's funny. In all those times that I've seen that, I've never had a constituent say: well, how come they haven't increased third-party advertising spending? That just hasn't come up. Or maybe we should allow people to donate a considerable amount of money at one time to multiple candidates: it's never come up at the doors. Before I had the opportunity to serve as the MLA for Edmonton-Decore and represent those residents, I did get a chance to

participate in a municipal election with a candidate. The funny thing is that at all the doors that I knocked for that candidate, that never came up either.

I remember back, of course, Mr. Speaker, in the 29th Legislature when we had the Ethics and Accountability Committee. I must say that, again, it seemed like at the point where we got to elections financing rules, there was always an effort to try to put more money back in. It was funny because I remember, you know, almost being berated and made fun of about the number that was chosen: \$4,000; where'd you come up with that? Well, I have to ask: where did these numbers come from? Did you just come up with them out of the blue? What other jurisdictions are doing \$5,000 per candidate to councillors and trustees essentially as many times as you want? Again, that's what the legislation is telling me here on page 6.

I bet you, Mr. Speaker, that if the Assembly were to vote in favour to not read this a third time, the committee would get a chance to explore that. If indeed those kinds of limitations are out there, I think it would kind of help the government a little bit in its justification of this bill. But right now, my goodness, the way it's presented is that it really looks like an opportunity for those to be able to pay to play.

I know that a good portion of my residents in Edmonton-Decore really don't have the means with which to make those kinds of substantial donations, even at \$10,000 a year, financing their own campaigns. So we have to press pause, Mr. Speaker. We have to take another look at this and be sure that what is being asked here is what we're looking for. I mean, definitions around political advertising being changed . . .

10:20

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

Just for clarity's sake for the House, I wanted to ensure that everyone is aware that we are on a reasoned amendment, not a referral. It's an easy mistake to make, and I just wanted to make sure that everyone is clear that we are on a reasoned amendment.

Member Ceci: I appreciate the clarification, Mr. Speaker, for the purpose being: "the view that the bill would significantly limit local government decision-making powers and weaken the democratic process of local governments."

My colleague from Edmonton-Decore talked about how a reasoned amendment would provide an opportunity for people to come and speak to it in a committee meeting. My interest is knowing: who does he envision would want to come out and speak to this bill? You talked about the need for Albertans to re-examine the bill, to know about the bill. You talked about pushing the pause button for that purpose. Then you also talked about people having busy lives, and perhaps that's the reason why people don't know about it at this point in time.

With regard to the consultation that's done, you also spoke about the need to review the consultation that Municipal Affairs has conducted and to dig into it. So I just would ask my colleague from Edmonton-Decore if he could speak more about who would likely want to attend, and what kind of feedback does he believe they would share?

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

Mr. Nielsen: Thank you, Mr. Speaker. Thank you for those questions, my friend from Calgary-Buffalo. One of the things I used to hear a lot in the 29th Legislature was that there never ever seemed to be enough consultation. It was never ever good enough: "You didn't talk to the right people. You didn't talk to enough people." You know, insert reason here.

So here we are. Here's the reverse, and we're saying either "You didn't talk to enough people" or "Why did you exclude what they told you?" or "Did you cherry-pick what they told you?" Who would be wanting to speak to this? The list is open, Mr. Speaker. We could have councillors speak to this. We could have former candidates speak to this. We could just simply have Albertans who want to speak to this. I mean, one of the things I always hear – and it doesn't matter what the election is, whether it be municipal, whether it be provincial, whether it be federal. There are a lot of people out there, including in Edmonton-Decore, that just seem to think that all politicians are crooks or something like that. It's because of things that have happened in the past, the way the laws have been written around elections, and the flood of information that is out there that frustrates people and gives them the impression that that's going on.

So let's give them their opportunity to have their say. Why are they frustrated? Is it because of language that's being proposed here in Bill 29? Is it some of it? I mean, there were comments around donation of any surplus. I'm not necessarily saying that that's a bad idea. I mean, maybe what a great chance to help out your favourite charity, or perhaps you could have some fun with it. You can poll your electorate afterwards and say: "Where do you think? Is there maybe a charity of your heart that would best have that type of money?"

Giving people the opportunity to speak to something could be paramount, especially when the representatives that they've sent here are expressing some concerns around the language as presented. By utilizing the reasoned amendment, Mr. Speaker, we could give those folks a chance. I mean, we've seen it recently around a bill that had substantial feedback from Albertans, something to the tune of 35,000 signing their names, another 3,500 wanting to actually come and speak to a committee. That's absolutely amazing.

The Speaker: Hon. members, on amendment RA1? The hon. Member for Edmonton-North West.

Mr. Eggen: Well, thank you, Mr. Speaker. I appreciate the opportunity to say a few words in regard to the hon. member's reasoned amendment for Bill 29, the Local Authorities Election Amendment Act, 2020. Just to remind ourselves and remind myself, you know, this reasoned amendment did say that "the bill would significantly limit local government decision-making powers and weaken the democratic processes of local governments." I've not had a chance to say much about this bill yet, but I certainly have been looking at it.

The question I asked on a 29(2)(a) in regard to the hon. Member for Calgary-McCall's speech – I just want to bring that back for a moment because I think we can learn about how democracy and how elections change over time by studying the history of different places and even inside the province of Alberta. What I always thought just as a casual observer is, "How is it that there are such radically different amounts spent on the mayoralty races, let's say, between Calgary and Edmonton over the last number of elections?" and found it disconcerting to see that, really, the Calgary races for mayor are in excess of a million dollars – right? – to stage an election while it's much less money in the city of Edmonton. What is the difference, Mr. Speaker? I would ask myself. Part of it is just sort of inertia based on donations and so forth and the movement of big money from developers and so forth to seek to dominate the race for mayor in both cities but much more so in the city of Calgary.

I know that you have to spend money, obviously, to run elections and be successful, and I certainly don't oppose the process of

raising money and spending it on elections, but, you know, it's really important to have some constraint on how much money and how people can choose to spend money on elections because it really does make a difference. I mean, for the casual voter who says, "Yeah, I'm going to vote," and then can see the big flashy campaign with lots of signs and advertisements and campaign literature and all that stuff and then opposed to somebody who is not spending as much money – you know, very little to do with the ability of a person or the intention of that person but the financial backing that a campaign has or doesn't have.

I mean, that's why we have campaign limits by law. That's why in fact we sought on a provincial level to put in some limitations to donating to campaigns in order to limit the big money being spent on a provincial level. I mean, on a municipal level, then, of course, we have literally hundreds of people running, you know, next October, not just for councillors and mayors and so forth but also school boards – right? – and school board trustees. I mean, all of those campaigns do take money, but the degree to which it's being spent, I think, is a lot to do with local circumstances and so forth.

10:30

You know, it's interesting because again we've seen, I guess, several bills through this session of the Legislature that are quite wide in scope. Again I just wish that this government would think twice about doing that, because within the scope of Bill 29, for example, I mean, there are some, a couple of, I think, very innovative and good ideas – right? – in regard to campaign surpluses and so forth, not having those carry over. I know that that can cause a problem for individuals who do raise a lot of money or just have some money, and then that money accumulates over time so that they have a head start on other people who might want to run the next time around. I mean, within this bill, that I think has several critical faults to it, you do have that reasonably good idea that people must start and donate the money that they have in surplus in their accounts during the campaign and then start again. I mean, that seems reasonably okay.

But this other issue, though – and I know that we've had UCP MLAs sort of speaking about part of how the change is from different donations to these campaigns. I mean, from \$3,000 to \$4,000: well, yeah, unto its own that's significant, the increase, but it's not wildly out of step. But let's remember that that is – and people can make donations, though, to multiple candidates in multiple elections around the province. I mean, I don't know about you, Mr. Speaker, but for me the notion of \$5,000 is not insignificant. For us to be able to open up for someone to make four or five or six different donations of \$5,000: you know, that's adding up, right? Certainly, a lot of people, most people in Alberta would not have the capacity to do that.

Again, that's why we are raising the alarm around people with substantial funds available to them, quite wealthy, obviously, to be making tens of thousands of dollars of donations, being able to influence elections and build perhaps slates in a certain city and use that slate or, you know, multiple trustees running based on sort of a loose coalition and so forth. We saw that happening in Calgary during the last election already, and this ability to make multiple donations to different campaigns would just exacerbate that issue and then allow more money to be put behind it as well.

The other issue that I've heard a number of times – and I just want to point out to it as well – is the notion of third-party advertising. Again, you know, we have to make sure that we have an accountability to that third-party advertising because, of course, it can have quite an effect on elections. I know that the changes that are being suggested here in regard to third-party advertising are a concern, right? We know that we would want at the very least to

make that accountable. It seems like there's quite a change in regard to that with this proposed bill as well.

I believe that my colleague from Calgary-Buffalo has, I think, outlined these issues, these challenges with Bill 29 quite eloquently. The thing that struck me was that in his considered opinion, from quite a few years of experience in municipal politics, this is quite a sea change, a categorical change, in how municipal election funding is taking place here in the province of Alberta. You know, we have to ask ourselves – and the hon. Member for Edmonton-Decore, I think, put it very succinctly, which is, I mean: why? What's the point to doing this? We know that we want to keep our democracy alive and vibrant and so forth, and campaigns do need money, right?

But the question is that if we make categorial changes around how much money can be donated to elections, then over time you leave quite a lot of people behind. I mean, you know, \$5,000 is not insignificant; \$5,000 times four or five or six is money that most people just don't have. I know that the notion of allowing self-financing for candidates, allowing \$10,000 for self-financing: that's \$10,000 per annum. So it's times four – right? – potentially, if someone is building a campaign over time to get ready, and lots of people do do that. We see people jockeying for positions already. Then, of course, you can make, I think, another \$10,000 after to cover as well, according to this change in this bill. You can correct me if I'm wrong on that. Yeah. I mean, the numbers are what they are, but you have to look at how they have a multiplying effect in the way that this bill is set up.

Always we want people to be engaged in all levels of government and all levels of elections. We want everyone to – you know, we want to fight against this notion: oh, well, it doesn't matter anyway because larger powers or larger forces are at work, and my vote just doesn't count anyway. I mean, we want to counteract that. Part of the way we do counteract it is to make sure we have reasonable limitations built into campaign financing because, again, some cynical views out there would say: "Well, the big guys are going to be running the thing anyway. Who am I? I'm just an average person, and that doesn't count, right?" The way we can counteract that, at least, is to say that the donations to any given account are kept quite modest. So they can see their neighbour running. They can see some young person giving it a shot and having the ability to be competing with the person that does have more money because you have campaign limitations that don't allow someone just to run away with a campaign with lots of money and make it unbalanced somehow.

With all of those things, I believe, Mr. Speaker, that it is very reasonable that we do support the amendment by my colleague from Calgary-Buffalo, and I would encourage all members here in the Legislature to consider voting for it here this evening. Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see the hon. Member for Calgary-Buffalo has risen.

Member Ceci: Yes, very briefly, Mr. Speaker. The reasoned amendment to a committee would allow an opportunity for people – you know, the interested public and stakeholders – to come out and speak to this bill if, in fact, they were invited. One of the things that this bill is purported to help with is the low rates of participation in elections at the municipal and school board levels. Do you think that there might be other ways to address low rates of participation aside from the bill that's before us?

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

Mr. Eggen: Thank you for that, Mr. Speaker. Certainly, that is something that, you know, I think about a lot – right? – not just as an MLA but, of course, as an educator, too. I believe that the degree

to which we can reach into schools to talk about the democratic process and to have active engagement – I mean, I know that the student vote program that we've seen across the province has been very effective in getting kids engaged at a younger level. They teach different levels of government at a grade 6 level. Grade 6 kids are just so open and interested in so many things. The student vote program really does help to set people for good habits in the future, to make sure that they vote.

You watch elections around the world. I guess I don't wonder why people are feeling cynical about the electoral process because there's so much manipulation going on, right? What I've seen from the United States, for example, recently is that if one group is maybe running away with the election or they're not looking so good in the polls, they will start voter suppression very quickly. They will say, "Well, you know, it doesn't matter; it doesn't matter who wins; they're all just the same anyway," using that kind of language. I see it on social media a lot. The best way to counteract that is to have it internalized in people's minds – "Yes, it does matter; it does matter, and I'm going to do it; it's part of what I do as part as of my civic duty" – and to even consider participating as well.

10:40

By keeping the price on a campaign relatively modest, for people to say: "Yeah. You know what? I can run for trustee – I have kids in school, or I want to see something better for our students – and I don't have to spend thousands and thousands of dollars to do it. I can mobilize and make it happen at a very local neighbourhood level." Again, I think that every step of the way we're not just responsible here in this level of government for, you know, making rules and regulations and laws around elections and so forth, but we are here to encourage the movement of democracy and participatory democracy in the most broad way. Again I would suggest that education is always the key, is always the best medicine but also always keeping that sense of optimism and that door open for people and having the perception of that door being open, too.

I think that this bill does not do that because, of course, it's increasing the donations and the financial side of elections. I know for a fact that when I try to encourage people to consider running for trustee or whatever, they always think, "Oh, well, I can't do this because I'm living paycheque to paycheque, and that's just not who I am, right?" To exclude or to at least get that part of the big money from politics outside of not just the reality of running but outside the heads of people psychologically, I think, can help to promote the cause of participatory democracy here in our province and anywhere, really, in the world.

Thanks for that question.

The Speaker: Hon. members, there are approximately 30 seconds left on 29(2)(a) if anyone would like to provide a brief question or comment.

Seeing none, are there other speakers who would like to speak to RA1? The hon. Member for Drayton Valley-Devon. [interjection]

Mr. Smith: I'll keep it short, Premier.

Thank you, Mr. Speaker. I just want to speak to this reasoned amendment, RA1. I'm a pretty average Albertan. Prior to ever being elected for public office, I was a teacher for 30 years. I wouldn't say that I was one of those people that had big money behind them or a lot of political experience in running for political office. I think that in many ways I've been the beneficiary of living and growing up in a political system that has looked at political financing and elections in really a very reasoned and reasonable way. We've tried to find a balance between allowing people to run for political office, to be able to be afford to run for political office.

We are going to be talking in this amendment about – I mean, really, this amendment deals with Bill 29 and a series of what I see are really quite reasonable amendments to the Local Authorities Election Act. You know, when I look at elections, coming from a background where I didn't have a huge amount of money, where I didn't necessarily have a huge political campaign behind me, I guess I wanted elections where every candidate had the ability to put themselves before the people, to put their values, their beliefs, and their platform before the people, where they would have a reasonable capacity to raise money and to be able to pay for the capacity to put that message before the people. I believe that the amendments in this bill actually allow us to do that.

You know, I think the first time that this kind of thing came to my attention was with the creation of the Reform Party. I was helping Preston Manning to run in the Yellowhead constituency. Trust me; we did not have a well-oiled machine. We were a brand new political party that had a hard time raising funds. It was those \$5 and \$10 donations from Joe Average Albertan that we worked very hard to find. It wasn't the large, flashy donations. I think most campaigns are like that. I think most people that run for political office have to work hard to be able to find the funds that they need to be able to run and to be able to get their vision and their values and their beliefs before the people.

You know, I can remember having a conversation when I was down in the United States in 2015, after being elected. I sat down with some Americans, and we got talking. They said, "Oh, you're an elected member of your Legislature." I said, "Yeah, I am." They said, "Well, you realize that one of the candidates running for the governorship of California spent over \$60 million and never got elected." I said: "You want to know how much I spent on my first campaign in 2015? I spent under \$25,000, just under \$25,000." They said, "You could run and get elected in your constituency for under \$25,000?" I said: "Yeah. You know, we have limits on how much you can spend. We have limits on how much people can donate, and they tend to be pretty reasonable limits. I think we find the balance pretty well in trying to figure out how much people can donate, and we don't have the problems that you seem to have down in the United States." Like, for somebody running for the Senate, I think they said that they've got to raise \$2 million every year in their election cycle to be able to afford to run, where you start to get people that are beholden to the people that are donating large sums of money to their campaigns. I said, "I just don't see that as a problem in our system."

Tonight we have an opportunity to vote down an amendment and to support a bill, Bill 29, that brings what I see as some reasonable boundaries for how we're going to fund municipal elections, school board trustee elections. They seem eminently reasonable to me. I mean, I read through the bill, and I see in section 147.2 that there are contribution limits that go from \$4,000 to \$5,000, and somehow that jump seems to have created a problem for the opposition. You know, I don't think that it's that big of an issue. This is not some unreasonable jump that could or should be considered dark money.

Mr. Speaker, when I look at section 147.2(4.1), if the candidate's expenses are not reimbursed to the candidate, it's considered a campaign contribution by the candidate. It's eminently reasonable that this should be in a bill that governs how we run our elections. It seems ultimately reasonable to me and to, I think, most of the people that I have been involved with on my election campaign teams and to those that I have run against. When I look at section 147.4, it reviews how to handle campaign deficits and how they're to be eliminated. When I look at section 147.5, how to handle a campaign surplus, any surplus over \$1,000 is going to be donated back to the charity of choice of the candidate. Very reasonable.

Why we would support this notice of amendment for a bill that is eminently reasonable is a bit of a mystery to me. It will not have my support because, at the end of the day, when I look at what I want in an election, I want an election where the candidates had the capacity to raise a reasonable amount of money to be able to make an effective run at that position.

10:50

I want an election campaign that has balanced legislation that allows that candidate to seek the support of the people they want to represent. I want legislation that allows you to account for, if you do enough work, and to raise enough money to be able to get your point of view across while at the same time knowing how to distribute funds that are left over or how to address campaigns where they've actually got a deficit. Bill 29 does that.

I guess, at the end of the day, I would remind everybody in this Chamber that while we spend a lot of time talking about campaign finances, I know that I've been involved in at least three elections where I'm not sure that the money was the defining characteristic, the determiner of who would win. I know that in that first campaign that I talked about, with Mr. Preston Manning, we lost the election. We came close, but I know that our campaign funds were significantly less than the candidate we were running against, the Hon. Joe Clark. He won, but I don't believe that he won because he amassed a more significant amount of money. I know that there were elections after that where the Reform Party became the Official Opposition, where they became that Official Opposition even though they were outspent by many of the other political parties.

I know that in my 2015 election, I was outspent by a significant amount of money, yet I know that the results of that election were not determined by the money that was necessarily collected but by the ideas and the history and the political issues of the day. I would argue, as some of my colleagues have in this House, that with the Alberta electorate, there is a thing called the common sense of the common people, that they do understand the issues, that they do take a look at the individuals that are running, that they do measure us, that they do measure the policies that we bring in, and that while money is important and that while money does play a role in elections, it is often not the dominant role.

As a matter of fact, I would argue that it is most of the time not the dominant role, that it does come down to the candidate, to their convictions, to the policies of their parties, to the issues of the day, to how they can articulate those issues, to the vision that they put forward, and that all of these combine. So while this piece of legislation is important, it's not the be-all and the end-all of why people win or lose elections.

As far as supporting the amendment, I will not be supporting this amendment because I see that this is a reasonable attempt at making some boundaries for how we raise money, for how we spend money, for how we account for that money, for who can advertise in those elections. It is a worthy piece of legislation to support, so I will not be supporting this amendment.

Thank you.

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

Mr. Jason Nixon: Well, thank you, Mr. Speaker. It's a pleasure to see you this evening, and I want to thank the hon. Member for Drayton Valley-Devon for his excellent speech this evening. I do know that he managed to jump out of his seat a little bit faster than the hon. the Premier today, so I'll be quick with my brief comments

and questions to him in regard to his speech because I do know the Premier wants to address the House next.

I did want to raise a quick question with the hon. member. We are currently debating, Mr. Speaker, as you know, a reasoned amendment. You've already reminded the House that we were debating a reasoned amendment, and I've listened with fascination for the last little while to my friends in the Official Opposition's comments and speeches in regard to the amendment that is before the Chamber, that they brought to the Chamber today, a reasoned amendment on this piece of legislation, Bill 29. They've repeatedly talked about the good things that are in this legislation. They have some concerns with the legislation. That's fair. They're the Official Opposition, they have an opportunity, and they should raise their concerns inside the Chamber.

They continue, then, to say that there are good things in the bill but that they just want it to go to committee so that the committee can make some recommendations associated with the bill. Now, the concern I have with that, Mr. Speaker – and I will get to my question to the hon. member shortly – is that that's not what a reasoned amendment does. A reasoned amendment would essentially kill this bill. It is an amendment that basically says a reason why this bill should not be read a third time. That's actually what's being debated in this House right now. The amendment that has been brought forward by the NDP would be to kill this bill in its entirety, including the good portions that they say are there, and it ultimately would have the impact of making it hard for municipalities who are preparing for an election in a year. It takes a significant amount of work to put in the infrastructure to be able to run an election. Of course, you need to know the rules.

Now, the reason I think that's important to raise, Mr. Speaker, is because the other night inside this Chamber the hon. Member for Edmonton-Decore moved an amendment. His concern at the time was in regard to a bill that was moving through the House that would make it easier for interprovincial trade, a big objective of the Premier, in regard to how grazing leases work, interprovincial issues like that. His concern was that he wanted, he said, to stop other provinces from being able to purchase public land inside the province of Alberta, which is fine if that was his position. But he moved an amendment in the House – and I'm glad I caught it – that would accidentally, I assume it was accidentally, actually remove all the rules associated with purchasing land inside the province of Alberta and would have allowed non-Canadian citizens to purchase land inside the province of Alberta, something that Albertans are certainly against.

You know, the member was clear that that was not his intention when he did it, but this is what happens when you come into the Chamber and move amendments that you don't understand, Mr. Speaker. The reality is that if you're dealing with a reasoned amendment, you should certainly know before you move that amendment inside the Chamber what it is and what the consequences would be if that amendment was passed. I would not want to see us accidentally confuse our fellow members of the Chamber.

To be clear, this is a reasoned amendment, and if we voted for this, the bill would be killed and not read a third time. I'd like to know how the hon. member feels about the opposition coming to work and moving amendments they don't understand, and maybe, with his considerable experience in the Chamber, he can help them understand what a reasoned amendment is.

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

Mr. Smith: Thank you, Mr. Speaker, and thank you to the hon. member. You know, I remember being in opposition, and there was

some legislation that we really looked at under the NDP that was going to severely hurt Albertans. I can think of the legislation that farmers got all upset about, Bill 6. There were times when, as an opposition – an opposition is supposed to criticize, and an opposition is supposed to bring forward good ideas to try to make legislation better. That's, in theory, what oppositions are expected to do. Occasionally I could see where you may want to put forth a reasoned amendment if a bill was significantly going to impair the capacity of the citizens to be able to move forward in their country, to be able to, in the case of Bill 6, even just have workers on their farm that could be a neighbour.

A reasoned amendment has a place in our parliamentary tradition and in the rules of this House and, when used properly and when used appropriately, is a fine thing for the opposition to be able to use. I guess that brings me to the question: for Bill 29, is a reasoned amendment a reasonable thing to bring forward, where you're going to kill the bill? We're in third reading. This bill is done. There is nothing in this bill . . .

The Speaker: Hon. members, that concludes the time for Standing Order 29(2)(a).

The hon. the Premier has the call.

Mr. Kenney: Thank you, Mr. Speaker. I'd like to thank and commend all members for their participation in this debate. I'd like to commend the hon. the Minister of Municipal Affairs for having brought forward these important reforms, which will help to level the playing field in local elections in Alberta. As other members have pointed out and as the hon. member has demonstrated through hard historical data, there has been an enormous bias towards the re-election of incumbents in Alberta municipal elections, which this bill seeks to address by levelling the playing field, by no longer allowing municipal incumbents to carry forward large campaign accounts.

Now, Mr. Speaker, in the past, of course, this problem was much greater than it is now. We had, I recall, former mayors of Calgary who could carry forward large six- or seven-figure accounts into subsequent elections, constituting an enormous and unfair advantage over challengers.

11:00

But, Mr. Speaker, I did want to address some of the false arguments being made by members of the Official Opposition. First, allow me in particular to address the assertion I've heard, I think in every opposition speech, that this bill would bring, quotes, dark money into Alberta municipal politics.

[Mrs. Allard in the chair]

I think that's a term they – it's a very typical tactic of today's angry and divisive NDP, Madam Speaker, where the NDP invents falsehoods from whole cloth, and then they seek to repeat them ad nauseam in the hope that people will begin to believe the misinformation. What is dark money? It sounds very sinister, and arguably it is. Dark money . . . [interjections] Oh, it didn't take them long to start heckling. It took about three minutes before the anger machine started to crank up.

Madam Speaker, dark money is defined by Merriam-Webster as "money contributed to . . . organizations . . . that is used to fund political campaigns without disclosure of the donors' identities." Let me repeat that: without disclosure of the donor's identity. Now, I've also checked the Oxford definition, and it's almost identical. The key defining characteristic of, quotes, dark money is that it is not disclosed. It is not transparent. These are contributions that the public cannot see. They cannot therefore draw any inferences about

potential conflicts of interest. The opposition's contention that this bill permits dark money to enter municipal politics is completely, clearly, objectively false. Not surprising. It's just the kind of misinformation which has become the stock-in-trade for the party opposite.

[The Speaker in the chair]

Part 5.1, section 147 of the Local Authorities Election Act requires in multiple subsections the disclosure of all contributions to municipal campaigns for school boards, trustees, councillors, mayors, and Reeves. It requires public disclosure of all contributions, I believe, over \$50. Correct, Minister?

Mr. Madu: Correct.

Mr. Kenney: All contributions over \$50. So it's true, Mr. Speaker. There is dark money embedded, I suppose, in the Local Authorities Election Act for all contributions that are \$49 and below. Those dastardly grandmas who throw 20 bucks into the KFC bucket at a town hall are clearly trying to engage in the nefarious activity of making dark contributions to campaigns. Oddly enough, though, that was the case under the previous government, and there is nothing in this bill, Bill 29, that would diminish the disclosure requirements which have long existed in the Local Authorities Election Act, part 5.1, section 147. There is nothing. There is not one syllable, not one clause, not one sentence in this bill that diminishes transparency or disclosure of contributions.

So where's the so-called dark money to which the NDP is referring? It is a complete figment of their imagination. It is political propaganda. They should be ashamed of themselves yet again for seeking to dishonour this place, bring discredit to themselves by so flagrantly – this is the thing I don't understand about them. When they make things up, they're so easily falsifiable, so easily falsifiable when they make these things up. No, Mr. Speaker. This bill has precisely nothing – this is not an opinion; this is a fact. The bill does nothing to diminish statutory disclosure requirements. So the only dark money under Alberta municipal election law is for contributions of under \$50, and that has long been the case. It was under the previous government.

I heard a comment on the other side about maximizing participation. Now, let me address this, Mr. Speaker. It's not addressed directly in the bill, but it is an interesting tangential issue. I agree. I profoundly agree that we should be concerned about the ridiculously low levels of voter participation in both school board and in municipal election campaigns. Typically we see school board voter participation rates in the range of 15 to 20 per cent and municipal election voter participation in the range of 30, sometimes maxing at 35 per cent. I look at one of the most experienced former municipal elected officials in the province.

For the provincial level we have seen recently, the last couple of elections, participation rates in the range of 55 to 60 per cent or more. Federally, we see typically participation rates in the range of two-thirds of the voters. So as you go up in the order of government, you see at each step a higher order of magnitude in historical voter participation in Alberta.

So I agree with the NDP. We need to see many more voters participating in local school board and municipal elections, and this government is going to help make that happen, Mr. Speaker. That is exactly why – that is exactly why – we will be holding an election for the next nominees of the people of Alberta to the upper Chamber, the Senate of Canada, concurrent with the next municipal election. It is exactly why we will be holding a referendum on the principle of equalization in the Constitution of Canada concurrent

with the 2021 municipal election. It is exactly why we will be holding a referendum per our platform commitment to Albertans on the constitutional entrenchment of the protection of property rights – I say to my friend from Medicine Hat, who I know is a great advocate of that – concurrent with the 2021 municipal elections, and we may have other important consultations with Albertans, expressions of direct democracy.

Mr. Speaker, let me tell you, democracy is going to break out in an unprecedented way in October 2021, and we hope that it moves the voter participation in municipal elections up from the historical 30 per cent. I hope it goes to 50 or 60 or, let's hope, 70 per cent. I know that the NDP is so preoccupied with this issue of voter participation in municipal elections. I think they just implied that Conservatives engage in voter suppression, but, no, this is a voter turnout program that we'll be running to ensure maximum participation. I know that when the mayor of Calgary, as he's already done, speaks against these opportunities for Albertans to speak concurrently on important issues before the province, I know that the NDP will stand with us in a desire to maximize voter participation in the next Alberta municipal elections.

Now, having said that, I also heard from the Member for Calgary-McCall the assertion that new Canadians and members of diverse cultural communities are somehow disadvantaged by the modest increase in the maximum donor limit for municipal campaigns included in Bill 29, where we go from \$4,000 to \$5,000. I just wanted to say anecdotally that in my experience in campaigns, which is pretty considerable, the greatest enthusiasm I have seen for participating as volunteers and financially has come from new Canadians. I look at my friend the Minister of Municipal Affairs. I've been honoured to attend democratic fundraising events with him where new Canadians – in the case of the member, very often Canadians who have only been here for 15 years or less; many of them highly educated people who chose Canada, coming from west Africa, for example – are eagerly participating in the financial process.

I know that my friend the hon. the Minister of Infrastructure – he and I have attended fundraising events where the vast majority of contributors are members of visible minority communities and new Canadian and cultural communities. And I know that my friend from Calgary-North knows exactly to what I'm referring, the eagerness to participate in Canadian democracy. I think it's regrettable that the Member for Calgary-McCall should diminish that.

11:10

While he was giving that speech, I just scrolled down the donor disclosures for the United Conservative Party, and I could just see the remarkable diversity of the names and the backgrounds of people who have proudly contributed. So, no, I don't believe there's any disadvantage. To the contrary, as the Member for Calgary-Glenmore pointed out, the ability of people to make multiple contributions means that people in certain communities can leverage that into supporting candidates who they know, who share their values, who share their identity, who share perhaps their background, and encourage multiple candidates coming from those backgrounds, who perhaps in the past have been disadvantaged systematically.

Mr. Speaker, finally, allow me to address the greatest whopper of all coming from the other side, their concern about, quotes, big money in Alberta politics. It's true that this bill would take the maximum donation in municipal elections from \$4,000 to \$5,000 and allow for more than one campaign to be contributed to, but it is also true that in the last three years NDP-affiliated unions have

contributed – get this – \$4.8 million to campaigns that effectively support the NDP.

When they talk about voter suppression, almost all of those campaigns were negative attack campaigns designed to suppress the Conservative vote. Just one of those, \$1.8 million of the \$4.8 million over the past three years, that was dumped into so-called third-party expenditures – by the way, who created the statutory framework for these so-called third-party expenditures or political action committees? The NDP. They legitimized it, Mr. Speaker. They put no limit on how much could be spent in these campaigns, no limit on how much could be contributed to them, and, most shockingly, they allowed a loophole which effectively allows – get this – the NDP to contribute millions to the NDP. Now, how does that work? It's called the AFL loophole.

Now, Mr. Speaker, I recommend that you read up on this because the government will be coming forward with legislation. You're going to be hearing a lot about this AFL loophole in the months to come. No longer will they be able to hide this. Here's how it works. The Alberta Federation of Labour – this is the group that's run by Mr. McGowan, who recently said that Conservatives in Alberta are Nazis. He also said that religious parents who send their kids to independent school are “nutbars.” This bigot – this bigot – is on the board of the NDP. Why haven't they kicked him off, by the way? Why haven't they pulled his membership? Where's the accountability? Why haven't they publicly denounced him? Presumably because they agree with him.

This bigot, Mr. McGowan, who promotes hatred towards people of faith, who trivializes the Holocaust, who has been denounced by the Simon Wiesenthal centre for Holocaust studies, the Edmonton Jewish federation, and B'nai Brith Canada. This bigot, Mr. Speaker – his group is a constitutional legal affiliate branch of the NDP. The words “Alberta Federation of Labour” are written into the NDP Alberta constitution. They are guaranteed seats on the Alberta NDP board. They are guaranteed votes in the Alberta NDP leadership. The Leader of the Opposition has never disclosed which unions were allocated votes, but there's no doubt the AFL, led by Mr. McGowan, was one of them.

So here you have that political parties are limited, and I think quite rightly, to how much they can spend in an election. Under the previous government they spent that limit at \$2 million. The party which I am honoured to lead was capped at \$2 million. We don't have a legal affiliate through which we can spend money on the side, but they do. Their legal back door: it's called the Alberta Federation of Labour, and they spent \$1.8 million in voter suppression tactics over the last three years. And, Mr. Speaker, they have the temerity to stand up sanctimoniously in speech after speech after speech attacking the big money that they brought in to Alberta politics.

Well, Mr. Speaker, here's the good news. Here's the good news. This government will keep its election commitment this fall, so I would advise their friend Mr. McGowan: spend it while you can. This fall this government will be tabling and hopefully passing legislation that takes big money out of Alberta politics once and for all. How? We will be imposing per our platform commitment a \$30,000 limit on how much unions or corporations or individuals can contribute to third-party expenditures, or so-called political action committees. Mr. McGowan: right now unlimited. On behalf of the NDP, on whose board he sits, his constitutionally twinned organization, he can spend millions. The Health Sciences union has spent \$2 million on campaigns like that. The Teachers' Association last election spent over a million dollars. They can spend millions and millions and millions today, but as of this fall the game is up. The gig is up, Mr. Speaker. They will be limited to \$30,000 each.

More than that, we will close the AFL loophole, the NDP AFL loophole, by making it illegal, as it always ought to have been, for a formal legal affiliate of a political party to spend money in election campaigns. You know, there's a principle in the law that you should not be able to do indirectly what you cannot do directly. Well, the NDP has ignored that jurisprudential principle through the backdoor of the AFL loophole, and the end to that is coming.

More than that, Mr. Speaker, we will also make good on a campaign commitment to get foreign money out of Alberta politics, another gaping loophole the NDP wrote into their political action committee legislation, which allows foreign organizations, including those that campaign against our oil and gas workers. They will no longer be able to contribute to third-party expenditures or political action committees in Alberta. [interjection] That's worth applause, too. I agree.

Mr. Speaker, this bill retains the disclosure requirements. The best disinfectant is sunlight, and the sunlight of disclosure is embedded in the Local Authorities Election Act. That is retained under Bill 29. The advantages that incumbents have are diminished under Bill 29. The big money will come out of Alberta politics through a variety of amendments introduced to the Election Finances and Contributions Disclosure Act this autumn. We hope, in part as a result of multiple opportunities for direct democracy, to see the highest-ever level of voter participation in municipal history next fall.

Mr. Speaker, I've got to say, closing thought – I forgot that I get a lot of time with these things. I won't go much further, I promise. I'll wrap it up. How much time do I have?

Mr. Jason Nixon: As much as you like.

Mr. Kenney: All right.

An Hon. Member: Ninety.

Mr. Kenney: Ninety. Okay. I will wrap it up.

Mr. Speaker, I was really impressed. There have been some very good speeches on this debate, and I particularly want to point out and commend my colleague the Member for Calgary-Glenmore for her very thoughtful and spirited intervention although I must confess that I do think she made a factual error, at least one through which I disagree, when she asserted that there was, quote, no tree on which volunteers grow. Well, clearly she's never worked on an NDP campaign. It's called Unifor; it's called CUPE. Just call the union hall, send them down to the campaign.

We know, Mr. Speaker, of course, that NDP-backed candidates always scrupulously record every dollar's worth of gift in kind through labour contributed through unions. We're sure of that. In fact, maybe we should come back with some amendments to this bill to require greater disclosure and oversight when it comes to gifts in kind, for example, by labour unions because suddenly, you know, it's not a problem for them to have free auditors and accountants to fill out all of these piles of forms that the NDP wants to use to gum up the works of scrappy, insurgent challenge campaigns at the municipal level.

11:20

You know, I'll tell you this. Most of the free enterprise candidates I see running at the municipal level, they're running with their family members and their friends and maybe some co-workers, and that's it. They can't call up some union hall to have people redirected down there to drop brochures, and they certainly don't bus in union members from B.C. and Saskatchewan, Mr. Speaker. I don't know. Maybe that's phase 2. The NDP has really brought

my attention to the need for greater transparency in local elections. I'm going to ask right now the hon. Minister of Municipal Affairs to take a closer look at: how do we ensure appropriate transparency when it comes to volunteer labour in municipal campaigns?

With that, Mr. Speaker, I'm proud to support this bill.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. I see the Government House Leader.

Mr. Jason Nixon: Well, thank you, Mr. Speaker. I do rise under 29(2)(a). The AFL loophole that the hon. the Premier was referring to reminded me of a moment in opposition that he may remember, and I would like to get his comments on that. He was, of course, the Leader of the Official Opposition at that time, still the hon. Member for Calgary-Lougheed, and I was his Official Opposition House Leader at the time. I was summoned to a meeting with the then Government House Leader, Mr. Mason – I hope he's enjoying his retirement in the Okanagan – and the now current Member for Edmonton . . .

An Hon. Member: Mill Woods.

Mr. Jason Nixon: Mill Woods. Thank you very much.

She was at that point the minister of labour and the minister of democratic reform. It had just dawned on the NDP, Mr. Speaker, that at that point the hon. Leader of the Opposition was in charge of three political parties. He was in charge of the Progressive Conservative Party, he was in charge of the Wildrose Party, and he was in charge of the United Conservative Party, and they were very concerned that we were going to be able to spend \$6 million on the next election. They were very worried. So I arrived at the meeting, and I said to the minister: no need to worry.

The now Minister of Transportation, the hon. Minister of Health, and the former Member for Livingstone-Macleod, Mr. Stier – I hope he's also enjoying his retirement down south today – as well as many hard-working members who participated with us as we unified those two parties to create a unity agreement, actually foresaw that, and within the agreement there actually is a line where we committed in advance that we would not use our three parties to be able to overcome the limits. So I said to the minister: "No need to worry. We already wrote it down."

Now, at the same time I also said: "What are we going to do about this AFL loophole? If you want to bring a bill in the House, why don't we deal with this once and for all?" And I kind of got excited. I thought: hey, we'll get this fixed. I know the hon. Member for Athabasca-Barrhead-Westlock also sat on the democratic reform committee, where we tried to fix PACs the first time. We had the support of the NDP members in that committee, and the then Premier of Alberta and now the Leader of the Official Opposition shut that committee down and shut down even her own members who voted to deal with this issue.

So I said to the minister: "Hey, we can get this finally fixed. If you're going to bring in legislation because you're worried we're going to break the unity agreement that we signed, that's fair, but let's get rid of that." Fast-forward a couple of hours later and as the minister of democratic reform for the NDP was bringing forward something like her 19th or 20th electoral reform bill – usually it was all to stop the Member for Calgary-Lougheed. It didn't work; he's the Premier now. They brought it forward, and nothing about unions. The Premier is a hundred per cent correct. The NDP don't want to block unions and their sources of it.

They do everything inside this Chamber to block Conservative members from being able to utilize the resources that they have, Mr. Speaker, and it's unfortunate because at the end of the day I actually

think that that is hurting democracy inside the province. I'm very grateful to see that the Premier continues to move forward in his time as Premier of Alberta to fix these democratic issues and move it forward. So I just want to say through you to him: yeah, let's do it. Let's close all these loopholes, and let's fix democracy once and for all because they did not do it when they were in power in this province.

The Speaker: The hon. the Premier has a minute and 45 seconds to respond should he choose to do so.

Mr. Kenney: I appreciate the thoughtful intervention by the hon. the Government House Leader. In fact, I was going to mention this, that I was in a position for I think about 18 months as legally the leader of three parties following the merger that created the United Conservative Party. We legally had the right, the ability to spend \$2 million for each of those parties in the writ period, Mr. Speaker, but we made the honourable decision not to do that, not to exploit that unintentional loophole in the law. So why didn't the NDP make the honourable decision not to spend nearly \$2 million through their AFL affiliate?

This is some of my favourite bedtime reading on my phone right here, Mr. Speaker. This is the constitution of the Alberta NDP, and there it is, black and white, the inclusion of the Alberta Federation of Labour. They get seats on the board, they have all sorts of governance authority in the party, and they also get to spend money in elections on top of and above and beyond the \$2 million to which the party is limited. Yeah. It is a shame. But I say to Mr. McGowan: spend it while you've got it because we're shutting down the loophole in a few months' time.

The Speaker: Hon. members, that concludes the time allotted under 29(2)(a).

Is there anyone else who would wish to speak to the amendment? The hon. Member for Edmonton-Riverview has the call.

Ms Sigurdson: Well, thank you very much, Mr. Speaker. I appreciate your recognizing me, and I'm happy to add my voice to this debate on the reasoned amendment to Bill 29. I'm just going to read part of the amendment that is identified. It says: "The Bill would significantly limit local government decision-making powers and weaken the democratic processes of local governments."

That is demonstrated very clearly if you turn to page 7 in Bill 29, and you see that section 17 says: "Section 147.4 is amended," and you go down to "(c) by repealing subsections (8), (9), and (10)." And, gosh, what do those say? You go over to the next page, and you see:

(8) An elected authority may pass a bylaw requiring candidates running for election in that local jurisdiction to file a pre-election disclosure statement with the secretary of the local jurisdiction.

Of course, you know, you can tell by that language that it's enabling legislation. It enables the local council, the city council, for example, to create that legislation. Of course, we know that this is repealed, so it's no longer enabling legislation. It's being taken out.

If you look further and go to, say, (9)(a):

Set out the information that a candidate must disclose in a pre-election disclosure statement,

and there's much more to read, too. Again, that is repealed.

So despite what the Premier has just said, that dark money, money that is not disclosed – it is absolutely doing that, this bill. It's very clear – and you can read it yourself. I'm certainly no lawyer, but I know what he said is incorrect. It's right here in the legislation, and he's making some kind of strange spin on this that's not true at all. This takes away the power of local governments to

make candidates say who is donating to their campaigns before, so that is dark money. Timing is everything. It matters little after the election. It's so important that we know before the election. We as voters have the right to know who's seeking to influence candidates that are running. So what the Premier just said is ridiculous. It's not true at all. It's right there in black and white.

Professor Lisa Young of the U of C, an expert in this area, talked about the importance for voters to understand who a candidate might be beholden to. She identifies the development industry as a group wanting most to influence candidates. You know, these corporate owners and their associates can influence through their individual donations. So this is a professor at the university who sees this in black and white, also sees that this is dark money in politics, also sees that this legislation repeals that requirement that municipalities can put in, also sees that this is indeed what this legislation is doing. The public has a right to know who is seeking to influence candidates.

[Mr. Milliken in the chair]

11:30

Of course, you know, the Premier started his comments, and many of the members on the other side talk about: yeah, absolutely; this is levelling the playing field. Well, of course, just my description of what I shared shows that that's not levelling the playing field, when there is dark money hidden from the electors, hidden from the voters until after the election. No. No, that's not what a level playing field looks like.

Another thing that does not limit the playing field is, you know, having self-financing up to \$10,000 for the candidate, increasing the amount of donations up to \$5,000, and, of course, that's not just for one candidate. It can be for as many as you like, and "as many as you like" depends on how much money you have, how much you can give. Again, it was \$4,000 max before. I mean, how is that levelling the playing field? It defies logic, really. Again, I'm just refuting very clearly what the Premier just said. This is creating unfairness, inequality. It's for people with deep pockets, and it brings dark money, big money back into politics, and we don't want that. We don't want that in a healthy democracy. We want people not to feel that they can't step forward because they don't have that kind of support.

We know that there are particular individuals who do have, you know, more barriers to stepping up politically, and, of course, we know that diversity in politics is key. I know that the opposition talks about the importance of that, so it kind of flies in the face of what they're putting before us today. It doesn't make any sense. It's irrational really because, really, this is just a game, once again, supporting elites, not flattening, not creating this level playing field.

Then also, just in terms of a healthy democracy, of course we want to make sure that there is that fairness and justice in our system. We know that the director of the Centre for Urban Policy and Local Governance expressed serious concerns about this legislation, and I know that other colleagues have talked about this. This is the first example I've come across of a government basically weakening provisions rather than strengthening them. That's right. They're weakening them by taking away that provision for enabling legislation for pre-election disclosure of donors, increasing the limits to infinity, really, and beyond because you can donate as much as you want, just \$5,000 for a particular candidate. He said that for years in western Canada we've been known as the Wild West for campaign finances but that the rules were tightened in the last five years. Guess what? Who was government then? It was us, and we did tighten the rules significantly. We took big money out of politics. We put limits of \$4,000 for donations. That made a big

difference for people to feel like: "Okay. The game is more fair now. It's not so unequal."

A big issue is, of course, you know, if we want to have women involved in politics – and we have many movements or groups working for that. I know the government is often identifying how hard they worked in the last election to increase the number of women who were elected. Good for them. I think that's an important thing. We know that the then Official Opposition – I don't know what their membership was; it changed a few times because people left the party or got kicked out or something. But it was about maybe 26. Two – two – of them were women. Only two. Our party, certainly, when we were government was pretty much 50 per cent parity, 50 per cent in cabinet, same kind of situation right now, so we obviously have had some good history of being able to attract women in our party.

But we know that one of the key barriers to women is funding. We know that. It's just a fact that women don't often have access to that kind of funding. I mean, there are other barriers, absolutely, to women being involved in politics, but that is a key one. Of course, this bill, again, makes it all about big money, making it for people who have access to that, and it's oftentimes not women. It's certainly not me as a woman. I don't have that kind of access.

Organizations Parity YEG and Ask Her YYC put out a joint statement that the lack of access to funding prevents women from getting involved in the electoral process. Also, they had serious concerns about the transparency. Again, that's that dark money piece, which I've already, you know, identified and specifically cited in the legislation. That shows how that enabling legislation has been repealed. It's not even available to municipalities to require candidates to disclose that.

You know, this legislation is not leveling the playing field. It's extremely clear that it's not doing that. We know that it's so important that we have a diversity of representation in our members because we each bring our own lived experience, and our lived experience matters because when we're sitting around the policy table, when we can share our different views, then – guess what? – we make way fewer mistakes in policy because we actually understand how people are impacted by different things.

Myself as a single mom, who lived in poverty, you know, certainly, in my 20s, really struggled financially, became a social worker, worked in that field for many years, had experience on the front line: when I came to politics, I came with that life experience, those values. When I'm sitting at the table, I can speak from that voice. It's important for someone who is a person of colour: they come with their experience. Maybe they have an immigrant experience. That's an important voice. Someone who is maybe fifth generation, dominant culture: they have a voice. Someone with indigenous heritage who has – I mean, that's one of, really, the travesties here in this Legislature; we have hardly any representation from indigenous people, and that's really a very sad thing. That's another area. We need to really work very hard to support indigenous people to step up and be in politics. That is so key.

If we, you know, in 2020 bring in legislation that, again, puts barriers to people actually stepping up and being able to be in politics, like this legislation does by hiding money, by really encouraging people with deep pockets to have more influence, then that's just a big mistake. It's just not right, and it's not, I think, what anybody wants. We want that diverse representation. I really question what the government is doing with this legislation, if indeed what they say is true, that they really do want to level the playing field.

This reasoned amendment: certainly, I'm speaking in support of it because, you know, this legislation is not going to improve the

situation. It's going to make the situation worse, and it's going to make it much harder for women to step up and go into politics. We know that women have many barriers. Certainly, funds is one of them, but there are many other things. Women often are depicted less positively in the media.

We know that there are professors here – Linda Trimble at the University of Alberta and Jane Arscott at the Athabasca University – who wrote a book, some time ago now, called *Stalled*. It's about how women had made some gains in the '80s, but then it really stalled out, and women, you know, aren't becoming equal to men in the political arena. A lot of it is how we're depicted in the media, and women are judged. They talked about hair, hemlines, and husbands. Women are scrutinized and asked questions that are not really about leadership or politics; it's just about appearance, how they look. Certainly, we know that on social media, in those forums, women are often savagely attacked, and certainly I've been the victim of that myself.

11:40

There are so many barriers for women that they must, really, you know, overcome to be able to step up. A lot of times one of them is that women don't have that political confidence that men – Professor Melanee Thomas called it that. They actually will put themselves up to run politically. Guess what? They even have organizations that are named that, Ask Her, because of it because women need to be asked. They generally don't step up. They need to be encouraged. Certainly, that was very true for me. I never saw myself running politically ever. I had to be encouraged. I was asked several times, and it took someone really pushing me to make me do that.

There are so many barriers. It just, you know, confuses me greatly that if indeed this Conservative government does want women to be involved in politics, to be in municipal politics . . .

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available, and I believe the hon. member who caught my eye is the Member for Lac Ste. Anne-Parkland.

Mr. Getson: Ooh. Yeah. Third time's a charm, Mr. Speaker. Thank you so much. I got a history lesson tonight. You know, originally I wasn't going to speak to this amendment or this bill because I didn't have a huge understanding of municipal politics, but I'll tell you what. There was a history lesson just given here today. We learned lots about what had taken place before, how the NDP operates, and this AFL; I thought it was, like, the American Football League. No, it's not. It's the Alberta Federation of Labour. This guy, Big Daddy Gil: his name keeps coming up all the time about how he's just doling out the cash apparently on that one side of the playing field. It's not about leveling it. It's this gaping, huge hole that's in the centre of it, this massive loophole, that the members opposite from the No Democracy Party keep wanting to avoid.

I've got this constituent. He's up in Mayerthorpe. His name is Stuart. He's an early riser. He gets a hold of me in the morning around 6 a.m., somewhere around there. There was this one time that he called me up. It was after all the Twitter trolls and everybody else out there hammering on us, and I wasn't feeling so good about it. Apparently the members opposite have a lot of money to spend on that, too, to actually pay people to troll us, not just candidates or constituents, but made-up names, just to make up stuff and stir and agitate the pot.

I'm going through some of those, and I get this call from Stuart. He goes: "How's it going there today, MLA from Lac Ste. Anne-Parkland?" I won't say my own name in here. I said: "You know,

Stuart, it's kind of a rough one of those days." He goes: "You know what? Every time I pick up the newspaper – every time – I hear the NDP squeaking and hollering. You keep up at it, because every time they're squeaking, we know you're filling some of those holes. We know you're doing the right thing, so you just keep at it."

Now, we heard that we're talking about this dark money. It's been highly recognized that the AFL has spent over \$1.8 million on their side of the fence, doling out the cash, making it rain, levelling the playing field for their candidates, but not for the new people coming in. We heard that you can, in municipal politics, keep banking your dollars, in a sense, building up these big slush funds. If you're the incumbent, not only are you there in the media and you're out front and everything else, now you've got this treasure chest. But heaven forbid that you start letting other people, the new people, come in. The new people come in and actually play against that.

Now we hear the members opposite going back to the same speaking points about dark money, the dark side, whatever else they want to go on about. There's another gentleman that comes to mind. His name is Jeff Long. He was a project manager I worked with. He was out of Oklahoma. He had a saying for these kinds of things when you're hearing these stories and they just don't quite fit: well, that dog don't hunt. That's exactly what's happening on the opposite side. "That dog don't hunt." You better pay out some better speaking points because holy crow.

Our Minister of Municipal Affairs is bringing forward some good legislation. We heard our Premier speak about it, we heard our deputy House leader give us the background, the history on it, and we're going to be filling some holes. Every time you hear the opposition start to squeak about democracy when we're talking about referendums coming forward, and they're pushing back on it and they're squeaking, the reason is that their star candidates that they've been running for a number of years – I bet you they're a little bit nervous because the playing field is being levelled, and those gaping holes that they've been pouring their cash through are getting filled quicker than you can imagine or quicker than you can shake a stick at.

With that, Mr. Speaker, I'd love for some of the members opposite to stand up and actually respond to how the AFL works and how they've been salting the field for a number of years. I'll cede my time.

Thank you.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is still available with about one and a half minutes.

Seeing none, are there any hon. members looking to join debate on RA1? I see the hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Speaker. It's always a pleasure to rise in this place and speak to Bill 29 and the reasoned amendment on Bill 29, the Local Authorities Election Amendment Act. It's very clear that this government has no interest in actually having a functional democracy. It's actually very clear that members of this government caucus are speaking in this place and have no understanding of the implications of what's actually happening in this act. They've demonstrated time and time again that instead of actually focusing on real people, instead of actually focusing on municipal elections and how those operate, their priorities are actually in the profits over people and big corporations and party insiders before regular, hard-working Albertans.

Mr. Speaker, this bill is designed to put Albertans and their elections up for sale. It's designed to give it to the highest bidder. I'll refer to some comments made earlier by the Member for

Drayton Valley-Devon where he spoke about how it was simply a change, an administrative change, from \$4,000 to \$5,000 for disclosures. Well, it's very clear that the Member for Drayton Valley-Devon wasn't a math teacher because what it's actually doing is that, yes, it's raising it \$1,000 dollars, from \$4,000 to \$5,000, but on top of that it's allowing a single contributor, a single donor, to give to an unlimited number of candidates. That means, for example, that you may be able to give to all 14 council candidates and then a mayoral candidate and then every single school board candidate and then do that in a number of municipalities.

We're suddenly looking at over \$50,000, over \$100,000, significant contribution sums, and as opposed to what the Premier said, which I believe was factually incorrect, those donations now do not need to be disclosed until after the election is already concluded. These fundamental changes to how we operate in democracies, how municipal elections work are actually significant and are actually substantive, right? We talk about these issues, and the government throws out these big words and ideas about how these are supposed to be eminently reasonable and everything, but simply saying it does not make it true, Mr. Speaker. The reality is that if you actually go in and read the clauses of the bill, if you actually go and talk about the issues and understand the effect on the individual elections, you will find that what the Premier said was untrue. You will find that what the Member for Drayton Valley-Devon said was untrue.

Instead, you will find that indeed you are, as an individual donor, able to contribute tens of thousands of dollars or hundreds of thousands of dollars to municipal elections. In fact, under the new rules, that the Member for Drayton Valley-Devon said were supposedly reasonable, the Member for Drayton Valley-Devon could have funded his entire first campaign in 2015 by himself over four years, the \$20,000 he said he spent, if he was running municipally.

Indeed, to the Premier's point earlier around dark money – the Premier brought up all these definitions of dark money from various dictionaries and said how dark money is when this money isn't disclosed – that is exactly what is happening here. That money is now not being disclosed until after the election has concluded. That is a fundamental change to how this government is allowing municipal elections to operate. It fundamentally changes the fabric of Albertans knowing where this money is coming from before they go to the polls.

Having that ability to understand who's advertising and why they're advertising and to what effect they're advertising and having an understanding of who's contributed to which campaigns in advance of voting is what brings sunlight to elections – right? – is what cleanses these elections and allows us to have reasonable understanding, Mr. Speaker. Instead, this government has made it very clear that they are supporting this dark money, that they are supporting hiding the sources from Albertans, that they're supporting hiding these donors from Albertans until well after elections are already concluded, until candidates have already won elections, and until this undue influence in campaigns has already happened. That is what the difference is here.

Members of the government benches fundamentally do not understand what that means for campaigns, or they simply are in for the pay-to-play campaigns, Mr. Speaker. That's simply the case. Instead of trying to deflect from the real issues, instead of trying to bring up other things that are not actually speaking about meaningful elections, the members opposite should do their homework. They should read the bills. They should try to actually understand what we're voting on. Instead of bringing up people who aren't in this place and instead of bringing up things that aren't

relevant to municipal elections, they should actually understand how this brings dark money back into politics. They should actually understand why disclosures prior to the campaigns are actually important. They should actually understand why we need to have issues such as allowing for consolidated and amalgamated contribution limits, why it's not okay that a single donor can give hundreds of thousands of dollars in a municipal election. Those are the real substantive issues in this debate, right?

It's very clear that members of the government benches do not understand that. It's very clear they haven't actually gone through and read the bill. They may be speaking off their talking points, they may be reading off their notes, but it's very clear that they have not actually gone and done the research, done the homework, and understood how election financing works in these municipal scenarios and what these technical changes mean because, Mr. Speaker, it's not a simple matter of \$1,000. It's the matter of tens of thousands of dollars or hundreds of thousands of dollars, right? We're talking about hundreds of thousands of dollars that will not be disclosed before Albertans go to the polls.

11:50

This can very well be in place, if we move forward and we don't vote for this reasoned amendment, in advance of the next municipal election, right? So we could be talking about some people unduly spending hundreds of thousands of dollars in campaign contributions before the next election, which I believe is in about 14 months here, right? It's coming up very quickly. We're coming up on a situation where the government hasn't done their homework. They haven't actually put what they're saying in this place into this bill. They haven't actually – for example, the Member for Drayton Valley-Devon hasn't actually brought in what he's saying, that it's a \$5,000 limit. That's not the case. You can contribute \$5,000 to any candidate you want, as many candidates as you want. That is simply what is in the bill. So it's absolutely untrue that what he's saying is not in the bill.

I think this government should stop, put the brakes on it, and say: hey, we've been talking about a lot of things around strengthening democracy. I think both sides of this House have been saying words around strengthening democracy, but it's clear the government hasn't actually put the words they're saying into the bill. It's clear that they haven't actually done that research, done the homework, and actually gone so far as to understand what we're voting on. In that case, these government members should actually say that this is actually a reasonable amendment, that we should indeed put the brakes on this bill, and we should come back to this place with a better piece of legislation that would reflect the arguments they're actually making because, Mr. Speaker, I think that we could have an actual conversation then.

Instead of trying to deflect and instead of trying to talk about different campaigns that aren't related to municipal elections, perhaps those members should indeed actually look at the legislation, should indeed actually do their jobs, and come back to this place with legislation that makes sense, with legislation that is actually reasonable because, Mr. Speaker, it's very clear that what this bill, Bill 29, is allowing is going to be the Americanization of our municipal elections. It's going to be allowing these significant contributions in quantities that were basically unheard of in any Alberta campaign.

It's going to exceed even the pre-2015 Alberta provincial election contribution limits because in 2015, of course, we know that it was \$15,000 outside of an election year or \$30,000 during an election year here in Alberta for provincial politicians. But this will even exceed that because in a council such as Edmonton's – and I spoke about Calgary's a little bit earlier – there are 12 municipal

councillors plus a mayor. That's, obviously, over \$60,000 or \$65,000 in contributions that are allowed right there. Then you talk about the trustees as well. You add trustees for the public boards and the separate boards. Suddenly, you're talking about hundreds of thousands of dollars only in one municipality, spending in only one municipality.

When we look at this legislation, it's become very clear that this government is allowing some donors to come in and pay to play, some donors to come in and spend more money than anybody else would think is reasonable, spend hundreds of thousands of dollars contributing to these campaigns and changing how we understand advocacy in this province. Mr. Speaker, it's very clear that this government is not serious about this. To put it into contrast, our government was, right? The first act we did, Bill 1, when the NDP government came into Alberta was to actually regulate election financing and bring down those contribution limits and bring in a spending limit and bring in all these things that allowed Albertans to have a more level playing field.

The Acting Speaker: Hon. member, I hesitate to interrupt you.

However, I think that there is an hon. member in this House who probably requires a recycling bin in the lounge to the outside.

If the hon. Member for Edmonton-South could please continue with his comments. He is the individual with the call.

Mr. Dang: Thank you, Mr. Speaker.

I think it's very clear that as we move forward with this legislation and as we look at this reasoned amendment, the government should indeed put the brakes on this. They should indeed actually understand what the consequences are going to be and actually spend the time to read the bill to understand how many councillors are in each municipality, understand how many councillors are across the whole province, understand how many trustees are across the whole province, understand how many times these \$5,000 contributions can be made because suddenly you're talking about a lot of money, Mr. Speaker. I don't think it's reasonable to say that a \$5,000 limit spread across five, 10, 15, 20 people is going to be something that most Albertans can reach. The majority of Albertans do not donate to the contribution limit. Indeed, the majority of Albertans don't even donate to the disclosure limit.

So when we're talking about campaign contributions, when we're talking about trying to have campaigns that are not Americanized, that are more reasonable and are more fair and a level playing field so that marginalized people can be more involved in politics, the reality is that the rules that are being introduced by this government, that are being introduced by the UCP here today do not support those initiatives. The reality is that instead it supports individual donors and certain groups donating in excess of hundreds of thousands of dollars to their preferred candidates and pushing out marginalized communities and pushing out marginalized candidates and candidates, for example, of a visible minority. That is the fundamental problem here.

Fundamentally, this bill is not strengthening democracy. Indeed, it is actually weakening our democracy and allowing this American-style pay-to-play system that has basically not been seen in Canada to this point, right? To this level, we have never seen an American-style pay-to-play system that is this significantly an attack on our democracy. Mr. Speaker, I almost used a couple of unparliamentary words there, but certainly I think you get the point, that I do not believe Bill 29 is something that should move forward. I think that this reasoned amendment is the amendment that we need to accept. I think that certainly this

bill needs to come back. It needs to go back to the drawing board. We need to do some more work.

I think the government needs to do some more work. The government needs to look into why amalgamated contribution limits are important. It needs to look into why more regulation on third-party advocacy groups is important. It needs to look into why the disclosure of campaign donations prior to elections is important, because all of these issues affect the ability of individuals and particularly marginalized individuals to get into campaigns.

The government talks a big talk about things like trying to get rid of these rolling campaign funds that incumbents have. Sure. Actually, I think that those are some reasonable changes, but everything else in this bill – basically, significant portions of this bill make it significantly harder for those same nonincumbents to participate in politics, right? Significant portions of this bill affect the ability of nonincumbents to enter politics and marginalized people to enter politics.

The reality is that the government hasn't given a thought to that, right? They held up a shiny bauble in one hand, Mr. Speaker, and on the other they decided to gut the fabric of our municipal elections while holding up this bauble to try and distract from the real issue, which is that democracy is under attack. We are looking at an Americanization of our elections. We are looking at a system where we're going to have a Wild West of campaign financing, and that simply isn't fair. It simply isn't fair to Albertans. It simply isn't fair to the people of Alberta, that are going to be voting in municipal elections early next year, who are going to have to make decisions where they don't know where the money comes from. They don't know who is spending the money and who is contributing and where they're contributing. Albertans will not be able to see which advocacy groups have received money. They will not be able to see which candidates have received money, whether it's a mayoral, councillor, or trustee position, and they will not be able to see to what extent those contributions were.

In essence, Mr. Speaker, I think it's very fair to say that this is the definition of dark money, that none of these disclosures will happen in advance of when Albertans will have to make decisions that affect their community, which is to vote. Before they can vote, they must have that knowledge, right? It is reasonable to say that before they vote, they should have that knowledge, but instead this government is bringing in these dark-money rules that allow donors to hide their contributions before the election, right? It's, in its simplest form, bringing in the sort of American-style dark money into Alberta politics, into municipal elections here in Alberta. It's something that I think is fundamentally changing how we approach democracy, right? It's fundamentally changing how municipal elections will operate here in the province of Alberta, and it's going to fundamentally change how Albertans make their decisions on elections.

Mr. Speaker, it's pretty interesting because even candidates are going to be able to self-finance up to \$10,000 as well, right? You can receive \$5,000 from the slate of people that you don't have to disclose until after the election, and then you can self-finance \$10,000. Suddenly, if you're a person with maybe two or three kids, you have a \$50,000 campaign, right? Like, that's basically what we're going with here. It's a situation where we're creating this dynamic, we're creating this environment where you can have a self-funded campaign or a donor-funded campaign, and Albertans won't know. I think Albertans deserve to know. They deserve to know whether it's a self-funded campaign. They deserve to know whether it's a corporate donor funded campaign. They deserve to know if third-party advocacy groups are advocating for individual candidates. They deserve to know whether individual donors have given to a slate of candidates or individual candidates.

12:00

The Acting Speaker: Hon. members, 29(2)(a) is available, and the hon. member who caught my eye was the Minister of Transportation.

Mr. McIver: Well, thank you, Mr. Speaker. That was loud. That was. It was loud. That's the best thing I can say about what I just heard. The arguments that the hon. member is trying to make just don't really stand up to scrutiny, for the last couple of members from the other side. I guess what really punctuates that is that whenever the folks on the other side have nothing legitimate to argue about, they call something American-style. I think the member opposite used that term 10 times. He 10 times had nothing of substance to say on the matter, so he went for the standard NDP talking point, that if it's American-style, it must be bad, because he didn't have any legitimate arguments.

But back to some of the other things that he said that were just unbelievable. The problem, he says, is that a single donor could put in \$100,000. Yet the NDP doesn't have any trouble with Gil McGowan putting in \$1.8 million. They don't seem to see how inconsistent that is. They don't seem to see how not credible their argument is when they do this.

Now, I also heard the Member for Edmonton-Riverview talking about fairness to new candidates and talking about how councils can't make the decision right before an election to have pre-election disclosure. Well, again, Mr. Speaker, if you think about it, if you've got incumbents with an advantage and somebody that's going to challenge them – let's face it: most councils didn't pass a pre-election disclosure. Most municipal councils didn't. I have no criticism of that. But if you're actually looking at levelling the playing field between incumbents and challengers, the only ones with the power to pass a bylaw, if they think they've got a strong challenger, are the incumbents. One more advantage the incumbents have, if they've got a strong challenger, is to make them put out their donors ahead of time in hopes that they can slag them enough before the election so that their bad performance as compared to the strong incumbent can be overcome. The challengers don't have the ability to get together with other people and change the rules right before the election, but the incumbents do.

The members on the other side want to maintain and give the incumbents that power over challengers that they might be afraid of by adding new rules about disclosure, that the challengers can't do. It's just one more way the NDP is supporting the incumbents instead of trying to create a level playing field for the challengers. They haven't thought it out. At least, I hope they haven't thought it out because the alternative is that they're trying to provide a further advantage for the incumbents. It would be most unfortunate if the other side was actually trying to do that.

Mr. Speaker, the fact is that under the current rules no one has to disclose before the election. The NDP is trying to make it sound like our legislation changes that. It actually hasn't changed that. No one today, under the NDP legislation, in a municipal election has to disclose before the election. Now they're lighting their hair on fire because no one will have to disclose before the election, but nothing has changed. What they're saying is that yesterday this rule under their legislation is great but that today the same rule under our legislation is terrible.

It doesn't add up, Mr. Speaker. It's NDP logic. If they do something, it's good; if somebody else does something, it's bad. The public is supposed to say: well, don't really listen to what they say, because if you do, you'll understand that they don't make any sense. It's NDP logic, and it doesn't hold up. It's part of the reason

they got fired after one term, the only government in the history of Alberta to get fired after one term, because, amongst other things, their democratic reforms don't stack up to scrutiny by the public.

Mr. Speaker, again, the hon. members are trying to complain because someone that wants to challenge an incumbent can put some seed money in for themselves. Well, I'm just saying that the fact is that somebody that's been elected has a network; believe me. If they don't have a network after they've been elected a term or two, then maybe they should lose the next election. That would go for all of us here in this room, too. If, after four years of being in here, we don't have a network of people that we can go to for support, then maybe that's a sign that we are not cut out for this line of work.

The Acting Speaker: Thank you.

Hon. members, we are on RA1. Are there any hon. members looking to join debate? I see the hon. Government House Leader has risen.

Mr. Jason Nixon: Well, thank you, Mr. Speaker. I just rise to move a motion, not to join debate. I move that we move to one-minute bells for the duration of the rest of the evening.

The Acting Speaker: Thank you, hon. member.

[Motion carried]

The Acting Speaker: I see the hon. Member for Edmonton-Mill Woods has risen.

Ms Gray: Thank you very much. I am pleased to rise to join in the debate on Bill 29, currently discussing the reasoned amendment, which reads that "this bill be not now read a third time because the Assembly is of the view that the bill would significantly limit local government decision-making powers and weaken the democratic processes of local governments." I support this reasoned amendment, and I feel strongly that Bill 29 does limit the local decision-making powers.

One specific example would be the one that the Minister of Transportation was just making light of, and that is the ability of local governments to be able to create regulations to be able to require the filing of pre-election disclosure statements. Now, the Minister of Transportation supposes that because municipalities haven't used this regulation-making power, they didn't need it or want it, and that is not the case. We've spoken to multiple stakeholders that have said that they want to retain this specific bylaw-making authority, particularly given the other changes in Bill 29 and the impact that we can foresee on municipal elections with the lifting of donation limits as well as making those donations unlimited in number that they can be distributed to.

My comments tonight on Bill 29 are coming from a background of having spent some time looking into democratic renewal issues, talking to stakeholders, and I can tell you, Mr. Speaker, that from the research I've read and from the conversations I've had with our fellow Canadians, I know the majority of Canadians support strict limits on the influence of wealthy interests in politics. In fact, if you ask people, they will say that wealthy, monied interests disproportionately have influence in our political system and that this is a concern.

Now, our system here in North America, in Canada, is actually fairly strong, but when you look globally, money in politics is arguably one of the biggest threats to democracy today. So we cannot look at the changes in Bill 29 lightly because it is absolutely opening the door for people who are extremely wealthy to have disproportionate influence into our political system. Money is an

influencing factor. It influences outcomes, it influences policies, and it influences our political system. This is something we know. You can just google “money in politics” and find all sorts of great research papers that talk about this.

What’s happening in Bill 29: not only is the donation cap being lifted from \$4,000 to \$5,000, but it’s being made unlimited across Alberta municipal elections, and that concerns me very, very greatly. Now, interesting fact for you, Mr. Speaker: the government consulted on this piece of legislation for only four weeks, which stakeholders were concerned wasn’t a sufficient amount of time – in fact, newspaper articles were written about that – has not publicly posted the results of that consultation, which I know has happened in a couple of other places, but in this case we don’t know what the government was told.

12:10

Honestly, the consultation in the survey that was done: very questionable. Mr. Speaker, did you know that if you filled out the survey, you didn’t actually get an option to lower donation limits? You had: keep it the same, go to \$5,000, go to \$8,000, \$10,000, \$15,000. That’s it. The government only gave you the option to make donation limits go up when we know that the majority of Canadians support strict limits on the influence of wealthy interests in politics. We know this. Polling shows this. People are concerned. People want to know that democracy is individual people representing constituents.

We’ve actually seen a trend across Canada of more people donating at smaller amounts, which I think is a very positive thing, engaging that grassroots democracy. Yet tonight we’ve heard several remarks from government members specifically talking about how that influence in politics is not only right but should be encouraged, that the people with money have worked hard for that money and that, really, they should be allowed to influence politics and support anyone they want, as many people as they want. I will just say, Mr. Speaker, that that view and the views being put forward by Bill 29 do not fit with what the majority of Albertans and Canadians believe.

There are a number of concerns that I have with Bill 29, which is why I do support this reasoned amendment. I think that we are better off allowing the minister to go back to the drawing board, to engage more fully with important stakeholders, to be able to come back to this Chamber with the results. I haven’t heard the minister – and I apologize; I haven’t been able to attend every moment of this debate – but what GBA plus analysis was done on this particular piece of legislation? I can tell you that advocacy organizations that are actively working to recruit women into politics have said that this will have a negative impact and will actually discourage more women from being able to afford and being able to enter into municipal politics and local election races.

This bill is a step backwards from being able to bring in new voices, more voices, diverse voices, and we know that because the organizations that advocate on behalf of those voices have told this government that. Those concerns have fallen on deaf ears, with the government rejecting our attempts to amend this legislation, to improve it, to bring in more balance, to try and reduce that influence of wealthy donors on our political system, which, I can tell you, is incredibly important, and making sure that we have a good understanding of what’s happening in this legislation is important as well.

I will note that what this government is attempting to do in Bill 29 is increase the donation cap, but there’s also the ability to give donations pre-election and again postelection. Those wealthy donors are now able to give not \$4,000 but \$10,000, potentially. At the same time, on the self-financing: the barrier of “How much will

this cost, and do I have to personally finance my own campaign?” is a huge barrier for new entrants into politics, now knowing that the incumbent, who has that position of strength already, can also be self-financing \$10,000 per year across four years. Very concerning.

Now, I do want to note that what is being brought forward to us in Bill 29 appears to be fairly out of step with other Canadian jurisdictions and municipalities. The Member for Calgary-Buffalo, I believe, did flag that in B.C. there’s a single donation limit of \$1,200, in Ontario a single donation limit of \$5,000. This is far more appropriate and reasonable than unlimited donation amounts and the ability to have a slate of candidates perhaps.

Also, these donation amounts: it’s very, very important that they get limited. I would note that there’s a bit of a disparity between what happens in our big cities versus some of our rural areas, and I’m concerned about the impact of Bill 29 outside of the major cities and how this may influence the elections there.

I continue to feel concerned about the short time frame on the consultation, the bias with which the survey and the information being gathered was appearing to show through in that particular survey. Although the government has stated its goal as levelling the playing field, when I read Bill 29, what I see is bringing in more of that influential, wealthy donor money and having a system where we may start to see excessive private interests being expressed, and that concerns me very, very much. I think that having lower donation limits, having those caps, is a healthy, positive thing, and Bill 29 is a step backwards.

So I support this reasoned amendment to Bill 29 because I agree with my colleague that this bill significantly limits local government decision-making power and weakens the democratic processes of local governments. For those reasons, I will be supporting this reasoned amendment.

Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available, and the hon. member who caught my eye was the hon. Member for Fort McMurray-Lac La Biche.

Ms Goodridge: Thank you, Mr. Speaker. I was really debating back and forth as to whether I should stand up and speak to this bill. Most of my experience has lain in partisan politics, which is either provincial or federal politics, and I’ve kind of shied away from municipal politics for a variety of reasons, but I have been involved in a number of different municipal campaigns supporting different candidates that I thought were important and that were going to advance my community and my community’s interests and needs. As I was sitting here listening to some of the members opposite speaking, I just felt compelled that I had to get up and say something. One of the things that really, really irked me was that the Member for Edmonton-South West . . .

Mr. Madu: Edmonton-South. I’m Edmonton-South West. It can’t be me.

Ms Goodridge: Apologies.

. . . the Member for Edmonton-South kept repeating that this bill will fundamentally change politics as we know it, and I would say that we couldn’t ask for something better than to fundamentally change politics as we know it. We need to get more women involved in politics. We need to get more minorities involved in politics. We need to see more diversity in general in politics. We need to see younger people involved in politics. We need to see all of that. This bill helps that. We need to do more if we want to see something different, and this is that game-changing bill. This bill

will allow more people to get involved in politics because the incumbency factor, which is the single largest factor in preventing people from putting their names out there, is diminished.

I studied political science when I was going to university, and across the board one of the biggest things that I learned in my poli-sci degree was that no matter what the level of politics, incumbency played a large role in the success, but that was amplified when there was no party at play. So in municipal politics, where there aren't political parties, incumbency is a much larger factor than it would be in provincial or federal politics. Therefore, minimizing that incumbency advantage is that much more important.

I was doing some research here. In Edmonton there has only been one case in the last 10 years, in the last three election cycles, where an incumbent hasn't kept their seat. One. That's 2.5 per cent. In Calgary I don't believe there is a single person. Incumbency is so strong. Even in my hometown, my community of Fort McMurray, that I am blessed to get to represent, incumbency has been a large factor in our municipal councils over the years. Years upon years we had the same mayor, and it was only when that mayor decided not to run again that we would get a new mayor. People challenged the mayor, but the incumbency was so strong that it wasn't until that mayor would decide that they weren't going to run again before someone else could take that on and actually defeat them.

I think this is something that's really important. I will speak for myself. When I ran in my first nomination, I didn't have a lot of money. I didn't have a lot of wealthy donors. I did it because I worked really, really hard. I managed to beat people that had a lot more name recognition because I worked hard. What this bill does is to allow people who work hard and have the best interests of their communities to get involved and have a little bit better chance to get into politics and to make a difference in their community.

12:20

One of the big pieces that members opposite kept griping about was how they needed to see the donors in advance. Well, I don't know a single person that would vote based on who did or didn't donate. There are people that donated to my campaigns that I didn't necessarily always agree with, but I wasn't going to say no if they were going to give me a cheque for a hundred dollars. I didn't ask for a background check on every single donor that was donating to my campaign. If someone came in, walked into my campaign office with a cheque, and it was within the limits and it was within the rules and guidelines, I said: thank you very much; I really appreciate that. I did not do a background check on all my donors. That's crazy.

You're asking these people to put so much time and energy into filling out this paperwork rather than knocking on doors, engaging with the voters. I think that that just shows how they are supporting the status quo. They are supporting the system as it is, not necessarily understanding where the barriers lie. [interjections] Here they are laughing when I'm speaking. We were trying to be respectful here.

With that, Mr. Speaker, I really appreciate this.

The Acting Speaker: Thank you, hon. member.

Are there any other hon. members looking to join debate on RA1? Seeing none.

[Motion on amendment RA1 lost]

The Acting Speaker: We are now back on the bill, Bill 29. Are there any hon. members looking to join the debate on Bill 29? The hon. Minister of Municipal Affairs to close debate.

Mr. Madu: Thank you so much, Mr. Speaker. I do want to thank all members of the Assembly for a spirited debate on Bill 29. You know, I have had the honour to be able to prepare this bill and bring it forward before this great Assembly, a bill that I fundamentally believe would improve our local elections. When I was thinking about this particular bill, I asked myself: what are the concerns that we have heard or we have encountered at local levels, and what type of solutions do we put forward to address those concerns?

You know, Mr. Speaker, as a lawyer there is a doctrine in law that is called the canons of interpretation. What that is is a tool by which you solve a legal problem. So I am always wired to think about problems and think about how to overcome those problems. When I took on this file and I realized, you know, that if you carefully listen to the conversation by both members of this Assembly, they recognize that the power of incumbency is a problem that we need to deal with. Guess what? Bill 29 effectively attempts to tackle that particular problem.

Mr. Speaker, the other problem when, again, listening to members of this particular House that we need to address at our local elections is the voter apathy at municipal elections, the fact that there is a near universal consensus that there is very bad voter turnout, participation rates, at local elections. Near unanimous consensus on both sides of the House. The question, then, is: what do we need to do by way of legislative amendment to tackle that problem? The problem that – again, near consensus – our local elections are linked to the past incumbency, that has to do with the ability of an incumbent to carry over large sums of money from election to election, and something that has prohibited newcomers, made it impossible for newcomers and minority folks and women to participate in our local elections, again, something that there is near unanimous consent that we need to tackle. Guess what? All of those three concerns have been effectively dealt with in Bill 29.

The question, then, becomes: why is it that despite those key problems that we have identified, that ought to be a bipartisan understanding, as reflected in this particular bill, the members opposite still want to vote down this bill? I think that there is only one way to explain it. You know, my colleagues who have spoken on this particular bill have laid out the concerns, the rationale behind why the members opposite would want to vote down this bill, and I do want to thank the hon. Premier for his analysis of the philosophical underpinnings of the members opposite with respect to our democratic process and their anger and fear when it comes to an opportunity to allow the vast majority of our people to get involved in politics. What they fear the most is the people, we the people, being able to come out there in great numbers to show up and vote. That is their greatest fear.

Mr. Speaker, you know, a couple of weeks ago I saw a post on Twitter by the former NDP Member for Leduc-Beaumont, promoting a write-up by the Communist Party of Canada. A former member of this Legislature, who had the honour of serving as a former minister of the Crown, promoting an article written by the Communist Party of Canada. That is all you need to know about why the members opposite – even though you see the word “democratic” in their party name, they do not reflect anything democratic at all.

If you think about the countries where the doctrine of communism as a political and economic philosophy is practised, there is one thing that is consistent amongst all of those countries; it is the fact that there are no democratic elections in those countries. Even when they pretend to run democratic elections, it is more or less like a fake election. We're talking about China, North Korea, Bolivia, Venezuela. Those are really the guiding lights,

unfortunately, of the members opposite when it comes to their philosophical world view about elections.

You know, Mr. Speaker, I have always been proud to say that we legislate for the people. We do not legislate for those who want to suppress our people from going out there to exercise their democratic right, the right to vote, and that's why any time you hear them talk about referendums, it's like they want to light their hair on fire because they understand what that would mean. If we make our local elections exciting, if we force them to run on issues, if we force them to focus on what is important to the people, they would always lose. The one thing they can't afford is to stand when the people come out to insist that those who seek to lead them or govern them focus on the issues that are important to the people.

That is why, Mr. Speaker, I am so proud of this bill, and I can say this because I am one of those newcomers that they often talk about. I have always talked about the NDP attempting to say all of the right things, but when it comes to putting it into practice, you will not find them. You will not find them. They say all of the things that sound right to the ear, sweet for the ear to hear, but when you ask them, "Now that you have the time, put it into practice," they disappear. You won't find them.

12:30

You know, I gave an example last week when I spoke on this particular bill and talked about my own experience of encountering the unions in South West. I encountered some of the members opposite, especially the Member for Edmonton-Glenora, who had troops of union volunteers in South West. There is not a single street on the north side of my constituency – South West is divided into two: you have the south side and the north side by the North Saskatchewan River. On the north side you had all of their union troops. There was not a single street where you would not find them. One of the union members opened up their home as a campaign office.

I reflected on all of these things in making sure that this bill attempted to level the ground. They will not complain when their union bosses, you know, lend out millions of dollars in pursuing Conservative candidates. It doesn't concern them at all. But the moment they get the sense that a piece of legislation is going to help the ordinary citizens step out there and be counted, all of a sudden it becomes dark money.

You know, one of the things that they have raised is pre-election disclosure. Let's be clear. There is nothing under the current legislation that would change. If you stepped out there to run for a municipal election tomorrow, you would not be required to file a pre-election day disclosure. Let me be clear about that because if you carefully listen to the members opposite, you come to the impression that if you were to participate in local elections tomorrow, under the law that they put in place, you would be required to complete and file a pre-election day disclosure. Nothing can be further from the truth. There is nothing in the current law that allows that. What the law does allow, however, is a provision that allows a bylaw-making power to a particular municipality to be able to make a bylaw prescribing pre-election day disclosures.

I want you to think about that for one second. If that was so important to the NDP between 2014 and 2019 and, certainly, in 2018 when they made a particular change, if that was so important that it strikes at the heart of transparency, you would think that they would have legislated that themselves rather than saying: let's give that bylaw-making power to our municipalities. Imagine having 341 different disclosure rules in this province. That is what they are driving to get to, you know, to have these different standards of disclosure across the province so that it would detract from the local issues that the people are interested in.

Oftentimes we hear them talk about the need for us to focus our municipal elections on local issues instead of provincial issues. If that is true, how come they are not concerned about the terrible voter turnout at our municipal elections? If the goal is to ensure that we focus all of our attention on the issues that affect local citizens, how come our local citizens have become disconnected from our local politics? That doesn't bother them at all. If you read out there where some of these concerns are coming from, none of them have raised the issue of voter turnout at our local elections, but they are so quick, once again, to say: let's focus on local issues. I think this bill, that I am proud to get to third reading tonight, will eventually begin to ensure that our local residents in our various municipalities across this particular province come out, take an interest in their local municipal issues.

Mr. Speaker, one other issue that they raised is the \$5,000. This was a change that was made in 2018. Prior to 2018 it was \$5,000, and they made the change to \$4,000. Before the previous \$5,000 there was no limit at all, so an individual could donate a million dollars. There was no limit before. Our local elections did not go haywire. We did not have massive problems with this dark money from all over the place, as far as I can tell. Then we moved from that to \$5,000. This is what we have just brought back.

Mr. Speaker, I am very glad to be able to move third reading of Bill 29. With that, I close debate.

The Acting Speaker: Thank you.

The hon. Minister of Municipal Affairs has moved third reading of Bill 29, Local Authorities Election Amendment Act, 2020.

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

[Several members rose calling for a division. The division bell was rung at 12:37 a.m.]

[One minute having elapsed, the Assembly divided]

[Mr. Milliken in the chair]

For the motion:

Allard	Issik	Smith
Barnes	Long	Toews
Copping	Madu	Toor
Ellis	McIver	Turton
Getson	Nixon, Jason	van Dijken
Goodridge	Nixon, Jeremy	Walker
Gotfried	Panda	Yao
Guthrie	Pon	Yaseen

12:40

Against the motion:

Ceci	Gray	Sabir
Dang	Pancholi	Sigurdson, L.
Eggen		

Totals:	For – 24	Against – 7
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[Motion carried; Bill 29 read a third time]

Bill 21

Provincial Administrative Penalties Act

The Acting Speaker: I see the hon. Minister of Transportation has risen.

Mr. McIver: Thank you, Mr. Speaker. I rise on behalf of the Minister of Justice and Solicitor General to move third reading of Bill 21, the Provincial Administrative Penalties Act.

If passed, this bill will make our roads safer by introducing stronger and immediate impaired driving penalties and reducing the time it takes to enforce traffic and impaired driving matters to ensure that impaired drivers are off the streets. It will also restore critical capacity to Alberta's justice system by creating a streamlined, fair, and fast method of resolving impaired and traffic disputes by removing these matters from the court system. We will save thousands of hours of police and court time per year, ensuring that Alberta's prosecutors and courts are able to focus on the most serious justice matters and more police are patrolling the streets. This bill would introduce a new, immediate roadside sanctions program in late 2020 that would keep our roads safer by providing serious, immediate, and escalating consequences for all impaired drivers, a system that has been proven to significantly reduce impaired driving, especially impaired driving fatalities, in other jurisdictions.

This bill also introduces new zero-tolerance consequences for novice drivers and commercial drivers as well as new fines, longer vehicle seizures, mandatory education, and lengthy periods of ignition interlock. Repeat offenders and impaired drivers who cause bodily harm or death and other more serious cases will still receive criminal charges in addition to the provincial sanctions.

While all impaired drivers will face immediate consequences, the bill would also create a faster and more accessible way of resolving disputes to enhance public safety by keeping impaired drivers off the roads. Under the new model non-criminally charged drivers can quickly and easily review their tickets online and have their matters dealt with within 30 days.

If passed, Bill 21 would also create an administrative process for dealing with non-criminal traffic offences. The new online system would be introduced in late 2021 and would be easier and quicker for Albertans to navigate. These tickets, currently dealt with by the courts, will be handled online by administrative adjudicators, removing almost 2 million tickets from the courts. This system will be easier to use, and Albertans will have their matters dealt with in 30 days, not months or years after the fact, to ensure that impaired drivers are off the road as soon as possible.

If passed, this bill will increase impaired driving consequences. They include fines of up to \$2,000, increasing the length of vehicle seizure from three days to 30, new mandatory education programs for repeat offenders, new and longer periods of mandatory ignition interlock, especially for repeat impaired drivers.

I urge all members to support third reading of Bill 21, the Provincial Administrative Penalties Act. Thank you, Mr. Speaker.

The Acting Speaker: Thank you, hon. minister.

Are there any hon. members looking to join the debate? I see the hon. Member for Edmonton-Whitemud.

Ms Pancholi: Thank you, Mr. Speaker. If you may indulge me for a moment, I just would like to express my thanks on the record for the staff that are with us here tonight in the Chamber, every time we sit late into the night. I think it's very challenging for many of us to keep up with the schedule. I'm always reminded of the table officers, the sergeant, the sheriffs, the *Hansard* staff, and all of the people who come here every day and maintain these long hours as well. I'm sure a number of the other members in the House would also like to express their thanks for their hard work and their diligence and good spirits in being here tonight, so thank you very much to all of you.

It's a pleasure today, Mr. Speaker, to rise to speak at third reading of Bill 21, the Provincial Administrative Penalties Act. This is very important legislation, and I understand very much and I know that the members on all sides of the House have a very vested interest

in making sure that we take all actions we can to reduce impaired driving and protect the safety of Albertans on our roads. I know that a number of members in debate on this bill have shared personal stories either of how impaired driving has affected their families directly or perhaps people they know. I think the unfortunate reality is that many of us have direct and indirect experiences with respect to impaired driving. Certainly, measures that can reduce that are incredibly important.

I'm struck. I listened to the debate, and I heard the debate from one of my colleagues, the Member for Edmonton-McClung, who shared a very personal story about how his family was directly affected by impaired driving. In fact, he lost his brother because of an impaired driver. I mean, many of the things that that hon. member said struck me, but one of the things that he said in his debate which really resonated with me was that it's very unfortunate that we have to introduce measures that make it, I guess, administratively challenging for people to drive impaired, by threatening and making them exposed to the risk of losing their licence and their vehicle. That seems to have had an effect on reducing impaired driving and not the reality that every time an impaired driver gets on the road, they risk not only their own life but the lives of those on the road. It's unfortunate that losing a licence or losing access to a vehicle is a stronger deterrent in some respects than the injury and grief and death that can be caused by impaired driving.

That really resonated with me, Mr. Speaker, because unfortunately we know that that is the reality. I think our criminal justice systems, our social structures, our strong, strong advocates like Mothers Against Drunk Driving have been advocating for decades to decrease impaired driving, and I'm happy to say that I know we have made some progress not just in Alberta but across the country in terms of reducing impaired driving. But more steps should always be taken until we can say that no driver should be driving impaired and that everybody truly understands both the power of taking a vehicle on the road and the responsibility that comes with it to drive it carefully and not to place those others at risk simply because you've made a personal decision to become impaired or to take impairing substances.

But, of course, we know, Mr. Speaker, that there's also a very long history, a long judicial history, of measures that are meant to address impaired driving across this country. Certainly, in other jurisdictions we've seen substantial legal challenges, constitutional challenges because many times in our efforts to devise legislative schemes that would actually make an impact on reducing impaired driving, it does come up and infringe upon some of the Charter rights and basic rights that we have within the criminal justice system. Those two sometimes collide, and we've seen a number of pieces of legislation, good pieces of legislation, get tied up in the court system for far too long. I know that both provincial jurisdictions as well as the federal jurisdiction have taken many steps to try to address that. Because of that, you know, it's very important that we get this legislation right, because we want it to stand the test of time. We want it to make the impact that it has.

I note that in discussion we have talked about the positive impacts that have been noted in British Columbia with respect to a legislative scheme around impaired driving that has significant similarities to what's being proposed here under Bill 21. However, there are differences as well, and we know that there are some challenges with respect to the data collection in terms of the impact of B.C.'s legislation on their impaired driving rates.

12:50

One of the issues that I know was noted by the Member for Calgary-Mountain View, the former Minister of Justice, was, for

example, the fact that B.C.'s impaired driving legislation focuses primarily on alcohol impairment. Mr. Speaker, we have very good systems and scientific tests in place to test alcohol impairment. Breathalyzers have been used for quite some time and have been refined over the years and have become quite precise and good tools in terms of being able to measure impairment as a result of alcohol.

The B.C. legislation does not address in the same way drug impairment. We're learning a lot about drug impairment, but we're still not quite there, Mr. Speaker, with respect to the science to prove impairment, particularly with different kinds of drugs. But, certainly, as cannabis has been legalized in Canada, we know that measuring impairment has been a challenge. Certainly, within my work prior to becoming an elected official – I worked in the area of labour and employment law during the time when cannabis was being decriminalized – even as an employer, as I was advising employers, there was a lot of uncertainty as to how to test, accurately test, impairment as opposed to actual consumption or to show that somebody had actually consumed a cannabis product or was under the influence. It was very difficult to test impairment.

While I know that progress has been made with respect to science and testing impairment – for example, cannabis impairment – it's not quite there at the same level that it is with respect to alcohol impairment. For that reason, I know that my colleague the Member for Calgary-Mountain View brought forward a number of proposed amendments to Bill 21 that were really important, to make sure, as we say, Mr. Speaker, that we get this legislation right, because we want it to stand the test of time and we want it to have positive impacts on reducing impaired driving in Alberta.

Some of those amendments that the hon. Member for Calgary-Mountain View brought forward addressed this issue of how to distinguish between alcohol impairment and drug impairment. One proposed amendment was to move out from the legislation, from the administrative scheme that is proposed under Bill 21 to deal with alcohol impairment and impairment in a quick administrative process, to actually carve out drug impairment from alcohol impairment for that very reason, Mr. Speaker, that we don't quite have the science yet to prove impairment on the road the same way for drugs that we do for alcohol. The concern about that, of course, is that drug impairment currently would be done through a mix of subjective tests, really, by a police officer who would be pulling somebody over. The concern is that that is going to be subject to a significant amount of appeal and challenge. In order to make an administrative process that would really deal with alcohol impairment in a way that this bill is intended to do, the suggestion was to carve out the drug impairments.

Similarly, the Member for Calgary-Mountain View put forward an amendment to talk about allowing a longer appeal period, again, for drug impairment because of the more subjective nature of determining impairment by drugs. Right now the current appeal period is seven days for an administrative infraction, and the suggestion was that that period of time should be extended for drug impairment, again, because there's a lack of certainty around proving impairment there.

The Member for Calgary-Mountain View also brought forward an amendment to clarify that one of the reasons beyond the seven-day period where a longer, perhaps 12-month period of time can be granted under Bill 21 in exceptional circumstances – and the Member for Calgary-Mountain View put forward an amendment that would say: one of those circumstances would be that the individual does not have access to legal counsel.

Again, Mr. Speaker, all of these proposed amendments were intended to make this legislation more precise, I guess, more strong so that it could withstand potential constitutional scrutiny and that

it would not be in limbo for a period of time in terms of its application because of legal challenges, because we know this is an area where there are often a lot of legal challenges. Now, all of those three amendments, which were meant to address the distinction between alcohol and drug impairment, were not accepted by government.

I do appreciate, I understand that the Minister of Justice did give careful consideration to those amendments but in the end concluded that it would just cause too much work and the workload would be too much to carve out a distinction between drug and alcohol impairment. While that may be true, Mr. Speaker, that it would increase workload, I believe and I think the Member for Calgary-Mountain View certainly believes that the extra workload is important to create and establish constitutionally sound and valid legislation, which is the goal. I was disappointed and we were disappointed to see that those very thoughtful, well-researched amendments were not accepted.

Then, Mr. Speaker, one last amendment, that was brought forward by the Member for Edmonton-Rutherford, was very key to an issue that's been pressing in this Legislature for some time and is certainly pressing on the minds of Albertans, Canadians, and people all around the world, and that is the potential disproportionate impact that our criminal justice system and legislative schemes such as this may have on people of race and people of colour. One of the amendments that my colleague brought forward was that there would be a commitment that race-based data would be collected, tracking the race of those who are pulled over and subject to administrative penalties under the new proposed act, to keep track of what we know to be the case but is often not the intended outcome, because that's the essence of systemic racism, that it's not always intentional.

It's not in any way that we believe that this act is intended to have a disproportionate impact on persons of colour, but we know – we know; we have a significant amount of research and evidence to support that – that particularly within the criminal justice system there is a disproportionate effect on persons of colour, on indigenous peoples, on black people. Therefore, it is important, we believe, to track that information, to make sure and take action where appropriate to see if there is a disproportionate impact. We believed it was a very important amendment, meeting the moment of the time that we're in right now, where we're all giving important consideration to how our current institutions and structures and legislation may have a disproportionate impact on people of colour, and we believed it was a reasonable amendment. Unfortunately, Mr. Speaker, that amendment was not accepted either. We didn't have the benefit of hearing from government members as to why they did not accept that amendment, but it was voted down as well.

You know, we share significant concerns. I want to maintain again and strongly put on the record that we believe in taking legislative action that will reduce the impact of impaired driving on Albertans' lives. We want to make our roads safer. We stand in support of actions that will do that. I continue to express my thanks for the ongoing advocacy of Mothers Against Drunk Driving, who has become such a trusted spokesperson on this issue and has raised the awareness of Canadians and Albertans on this issue. We need to make sure that legislation, though, that addresses impaired driving is strong, is constitutionally sound, is valid, and is upheld. So, Mr. Speaker, I am disappointed that those amendments were not accepted, and I believe, for myself and for some of the members of our side, that it certainly raises into question whether or not Bill 21 is as strong as it could be.

Thank you, Mr. Speaker.

The Speaker: Hon. members, is there anyone else wishing to join in the third reading debate? The hon. Member for Calgary-West has the call.

Mr. Ellis: Well, thank you very much, Mr. Speaker. Certainly, I'd like to thank the member for comments and, of course, bringing back kind of a reflection on issues that have been passed within this Chamber. For the record – and maybe some of my colleagues know and some do not – I was a certified breath technician for the province of Alberta. I will say that in police reports – and I have discussed with colleagues and former colleagues in regard to the amendment that had been brought forward – in regard to describing one's race or culture, we actually put those in the reports.

What is inappropriate, Mr. Speaker, is to pull someone over, indicate that one's ability to operate a motor vehicle may be impaired by alcohol, and then say to them: oh, by the way, what is your race or culture? That would be certainly inappropriate. Certainly, police officers do their best to give a rough guess as to what somebody's race or culture is.

1:00

Now, that being said, we know that police officers do this because several years ago, back in I believe it was around the 2015-2016 mark, a cultural organization had actually FOIPed the Edmonton Police Service to discover the issue in regard to carding, which the NDP had clearly ignored during its tenure in government. In fact, their former Justice minister had even said that there's no evidence that carding discriminates against racial groups or violates other human rights, which is certainly extremely shameful considering that there were several organizations that asked for assistance from that government, including Black Lives Matter, including the Ogaden Somali community against racism, and, in fact, including several or at least a couple of grand chiefs on September 17, 2015.

That certainly is, Mr. Speaker, you know, a concern, that the NDP seemed very disappointed that an amendment was not accepted by this government in regard to this bill considering that police services do their best to provide data or at least find some sort of data that certain groups are not disproportionately affected. In the case in Edmonton, they found that there were some appearances of disproportionately affected groups such as the indigenous community and the black community, and it was raised to the attention of the NDP. If I remember correctly, they did nothing on this issue.

You know, I could certainly go over article after article and talk about how the former Justice minister told me to go back to school and get more education, not understanding themselves – it's very sad – that there are lawyers over there that still don't understand section 9 of the Charter of Rights, which indicates that police are not actually allowed to arbitrarily detain citizens. I could sit down and go over and explain specifically what that means, but I would like to hope that that was more than a day's class in law school. I know, in talking to the lawyers on this side, that they seem like they have a really good understanding of what section 9 of the Charter of Rights is.

You know, Mr. Speaker, I will say that I appreciate the members opposite somewhat being in support of this legislation, but I will tell you that as a former certified breath technician for the province of Alberta, I have been to and attended many impaired drivers, and if there's anything that is going to help get another impaired driver off the road, we should always do our best. I would argue that we should have a hundred per cent support that effort. I'm glad MADD Canada is behind this, and I hope that all members within this Chamber will actually get to supporting this bill a hundred per cent.

Thank you very much.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. It looks like the hon. the Minister of Municipal Affairs has a brief question or comment for the Member for Calgary-West.

Mr. Madu: Thank you so much, Mr. Speaker. I certainly do want to, through you, thank my colleague the Member for Calgary-West, you know, who has brought to light some of the concerns that I have with the NDP members opposite. I often talk about them saying all of the right things, but when it comes to actually doing the heavy lifting that is required, you will not find them. I think this is a classic example that illustrates what I was trying to talk about, which is the issue of carding.

You've heard them put forward an amendment that will further require police officers – and, heaven knows, I am one of those who have enormous trust and faith in our police officers. I do think they do a fantastic job. They take risks on behalf of all of us and keep us safe. That's why I want to put on the record that I am absolutely against the movement to defund our police forces. We cannot afford to allow a few bad apples, those who seek to undermine our law enforcement, you know, to bring disrepute to what I think is a wonderful organization that works so hard every single day to keep us safe.

With that said, the Member for Calgary-West in 2016, you know, brought to the attention of the previous NDP the number one problem that I have heard from the black community and something that was brought to the attention of the NDP in 2015. The black community reached out to the NDP that the issue of carding is a problem, something that they think is an abuse of their human dignity, a gross violation of their fundamental human rights, and a gross violation of section 9 of the Charter of 1982. All of the members opposite dismissed those concerns and, in fact, told the Member for Calgary-West to go back to school, that he didn't know what he was talking about. We had a Justice minister who was on the record as saying that she doesn't think that that was a problem. And no single member on the opposite side stood up to defend the Member for Calgary-West or to show that indeed this is a problem that a particular visible minority group has identified as a problem for them.

I just wanted to turn to the Member for Calgary-West and ask him, you know, if he could speak a little bit more about why the NDP and the former Justice minister didn't think at the time that this was a problem and why they have put forward an amendment that I think would further deepen the tension between the black community and our law enforcement.

The Speaker: The hon. Member for Calgary-West should he choose to respond.

Mr. Ellis: Great. Well, thank you very much. I will attempt to be brief. I certainly thank the hon. minister for his comments. Yes, it was certainly a very challenging time in 2016. You know, this was an issue that was facing many jurisdictions throughout Canada and especially the United States, and there were many minority communities that were asking for help, including ones that I have identified. I know that I specifically met with the organizations that I had previously mentioned.

But why would they put forward an amendment like this? You know, it's very common with the NDP to kind of sow fear and division. They say one thing, but their actions clearly have demonstrated something else, which has obviously been a bit of a concern.

I tried to approach this in 2016 from a nonpartisan perspective. As a police officer carding was not something I was actually familiar with. The Calgary Police Service – and I can't speak for

any other police service as I wasn't a part of them – had to put mechanisms in place to ensure that section 9 of the Charter of Rights was adhered to. I know that in my conversations with the former deputy chief he had indicated to me that they had civilian oversight, again, to ensure that no officer was breaching section 9 of the Charter of Rights.

What I was really looking for from the NDP, quite frankly, again from a nonpartisan perspective, was consistency.

The Speaker: Hon. members, we are on third reading of Bill 21, Provincial Administrative Penalties Act. Is there anyone else that would like to provide comments in the debate?

Seeing none, I am prepared to allow the Minister of Transportation to close debate on behalf of the Minister of Justice and Solicitor General.

Mr. McIver: Closed.

[Motion carried; Bill 21 read a third time]

1:10 **Government Bills and Orders**
Second Reading

Bill 32
Restoring Balance in Alberta's Workplaces Act, 2020

Member Loyola moved that the motion for second reading of Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, be amended by deleting all of the words after "that" and substituting the following:

Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Alberta's Economic Future in accordance with Standing Order 74.2.

[Debate adjourned on the amendment July 20]

The Speaker: Hon. members, before the Assembly there is Bill 32 at second reading, Restoring Balance in Alberta's Workplaces Act, 2020, on amendment REF1. Is there anyone that would like to speak to the amendment? I see the hon. Member for Edmonton-Mill Woods, and she has the call.

Ms Gray: Thank you very much, Mr. Speaker. If the table does not mind, we are on REF1, which, I recall, refers this to a committee, but I cannot recall to which committee.

The Speaker: The Standing Committee on Alberta's Economic Future.

Ms Gray: Thank you very much, Mr. Speaker.

It's a great pleasure for me to be able to join in the debate on Bill 32 this evening. I would like to support my colleague the MLA for Edmonton-Ellerslie's referral amendment to send this important piece of legislation, which has huge, huge implications for workers, for our economy, to committee for further study. I have a number of reasons why I support this referral amendment to committee, but chief among them is the need for consultation when we're making changes such as the ones we see in Bill 32.

I am particularly concerned about a section of the bill that has not received much media coverage or, necessarily, time in debate just yet. The construction section of the Labour Relations Code and the changes contained within Bill 32 have me very, very concerned, and as I am reaching out to stakeholders, the number of stakeholders who are telling me that they were not consulted in this section and are concerned about potential impacts of the changes to the construction section has me incredibly concerned.

I would like to take my opportunity to convince all members that we would all be better suited to send this to committee, where we can have an opportunity to try to understand an area that is incredibly complex but also critical to our economy, especially right now. I will remind the House, although I'm sure no one needs the reminder, that we are currently in a pandemic. There have been economic disruptions, and right now our construction industry is hurting. In Bill 32 there are some very fundamental changes to how construction labour relations will be conducted and how it will go forward, and I've had several stakeholders who are quite concerned about how disruptive this is going to be going forward.

The last time the construction section of the Labour Relations Code was amended, it was a multiyear process of consultation followed by consultation that culminated in a very in-depth report on construction labour relations and what is happening in our construction industry, quite a thick report that I've recently had the chance to refamiliarize myself with. The conclusions of that process came at the end of a fulsome four months of bringing everybody together, hammering out issues at the table, where not everybody was happy with how it worked out, but it contributed to the past 30 years of stability in the labour relations in our construction industry.

The disruption of that and the potential impacts are incredibly concerning to me, especially when we hear that there are important stakeholders who've contributed to over 30 years of construction peace that are concerned that this wasn't fully thought through, fully consulted on, and that there may be potential consequences that could be damaging.

According to some stakeholders that I've been talking to, essentially what's happening in the construction section is that the registration scheme in construction is being dissolved, and new ways to bargain collectively, new ways to organize work are being proposed in this section, and it is happening after 60 written submissions were submitted to the minister of labour, which are vaguely summarized in the what-we-heard document that they have posted as opposed to the incredibly fulsome report that was done the last time the construction section was updated.

I would note, Mr. Speaker, that the construction section was not an area that the NDP government, while I was minister of labour, made changes to because we received, I think, probably very wise advice not to disrupt an industry in the middle of a recession, when we knew construction and getting people back to work was a huge priority. We were given some advice in our review of the Labour Relations Code to not make major changes in the construction section. We chose to listen to that advice. Then here I see these changes coming forward without that fulsome, detailed consultation and with a number of people being very concerned about how these provisions will apply going forward on construction projects, with one stakeholder saying that it won't bring stability; it's going to create whip-style, leapfrog escalations in cost in the construction industry.

As we continue on the debate on this piece of legislation, I hope that some of the concerns that I'm registering will lead to members supporting this referral amendment to send this piece of legislation to the Economic Future committee, where we can have an opportunity to bring forward stakeholders to present, to talk to what's happening, especially when we're talking about an industry where it's multicontractor, multiemployer, multi-union. Some of the changes that are in Bill 32 will have a very, very dramatic impact.

Now, speaking not specifically about the construction changes, one area that I think is worth discussing from inside the labour relations section is the fact that the opt-in union dues on political spending, a very broad definition of political spending in the bill – but a question that I would want to ask stakeholders at committee

and why I hope we have that opportunity is to fully understand the impact on employers when we are talking about having to have these opt-in provisions, especially the impact when it comes to the construction industry and our trade unions and a trade union that has a dispatch hall system because there can be workers who work for six, seven different employers in a year. How are the logistics for that opt-in going to work?

What you're actually going to end up doing is creating jobs for HR professionals, driving up the cost for the employers because it's going to become burdensome, and the devil is going to be in the details, which have not been written through this for regulations just yet. If you've got a tradesperson working for eight different companies, contractors in a year, how is this going to be tracked? How will employers not have to deal with additional red tape because of the changes in Bill 32 that are being put forward by this government?

On the same topic of those opt-in provisions, I'm concerned that the government hasn't fully considered the impact that the changes in Bill 32 are going to have on local charities. I mean that very literally because the unions, organized labour, have done huge amounts of charitable donations to food banks, homelessness initiatives, school lunch programs. United Way I know has received a lot of money through partnerships with organized labour, with our trade unions. In all of that charitable giving, including the millions of dollars that was able to rally very quickly in support of Fort McMurray during the wildfires, is at risk with these opt-in provisions, and it's going to have an impact that I don't think the government has considered fully. I think that's something that we can delve into at a committee, potentially being able to have a larger discussion about what the political spending definition will be because, as I understand it, more of that information will come out through the regulation development, which we don't have in front of us at this moment.

1:20

One of the premises of Bill 32 is that there is not the financial transparency to union members, and I want to make it clear that unions share detailed financial statements with their members. In all of the calls that I've been making talking to people about the implications of Bill 32, I've talked to a number of people who are very concerned about the premise that Bill 32 is based off and the lack of understanding on how our trade unions work and how transparency and democracy are so foundational to these organizations that are working to advocate on behalf of their members in a number of different ways.

Bill 32 also very likely will be challenged in the courts because of its infringement on multiple rights constitutionally protected: the freedom of expression, freedom of association. It does this through a number of different ways. The opt-in provisions, that we've already mentioned, have been considered by the Supreme Court in different forms, and likely this form would become part of a challenge.

Secondly, Canadians have constitutionally protected rights to strike and to picket, and the changes here to those picketing rules are very likely to be challenged. There needs to be the balance between that freedom of expression and association and what the government is trying to achieve here, and I'm very concerned that that balance hasn't been found. I understand that the picketing provisions have been borrowed from a neighbouring jurisdiction, so they exist elsewhere in Canada. I think, honestly, that's positive because there's lots in Bill 32 that doesn't exist elsewhere in Canada. That being said, that doesn't necessarily mean that it will survive any challenges. I'm very concerned about the government trying to restrict citizens' freedom of expression and association

when it comes to their right to collectively organize, their right to band together to try and improve their workplace situations, their right to strike or picket, as the case may be.

Even in just a few moments talking only on the labour side of Bill 32, I can certainly find more than enough reasons to want to have that opportunity to speak to stakeholders at committee. The risks, especially given the economic circumstances Alberta is in, are quite high with some of the changes that have been made here because the impact, if the government has gotten it wrong, could be devastating to trade unions, to workers, to the construction industry, potentially, with, again, one stakeholder flagging to me escalating costs.

We've talked a little bit about the labour relations side of it. I would have to also suggest that on the employment standards side of this piece of legislation, Bill 32 – not only does this impact workers who are members of a union, but this impacts all workers with the basic employment standards that we have here in our province. I would like to see this go to committee so that we can find out more about how averaging arrangements will apply in different workplaces so that we can find out more about the variances and exemptions that the government is going to make easier for employer groups and associations to apply to the director to then receive. Today in question period I asked the minister of labour if these new variances and exemptions being made easier for employer groups and associations would be applied to our province's minimum wage, and he said quite strongly that his government is committed to a general minimum wage of \$15 per hour and then did not take that next step to say: and we will not be granting employer groups like Restaurants Canada exemptions to that general minimum wage.

So I think that is a strong concern, especially because the ability to grant variances and exemptions has been weakened in that you no longer need to meet the criteria established by regulations. I'm concerned about that because I think when granting variances and exemptions, particularly for entire groups or industries, it's incredibly important that you're able to consult, that you are making sure that you're doing things in a way that respects the rights of the workers, that takes into account their viewpoint. But throughout Bill 32 I see in a number of different places a lack of respect for the workers and their voices.

I've already mentioned in an earlier debate concerns around the fact that stat holiday pay is being lowered in this piece of legislation, because our workers are getting too much stat holiday pay, and that employees can be surprised by payroll deductions. If an employer gets the calculation wrong, it now becomes the onus on the employee, after they've got their paycheque \$500 short, to know about what that deduction was for and to be able to make the case.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment. The hon. the Minister of Labour and Immigration has risen.

Mr. Copping: Thank you, Mr. Speaker. I want to thank the hon. member for her comments. There's a lot there to unpack, and I did want to focus on one particular issue, which is the changes that Bill 32 has for the construction industry. The hon. member made a suggestion that, you know, the changes sort of eliminate – I think the words she used were that the registration system is being dissolved, and quite simply, that isn't that case. We did significant consultation on the construction industry, being very mindful that the previous regime, the registration system that has been in place for many years, has operated successfully in terms of ensuring that there was labour peace in the construction industry.

But one of the challenges of the legislation that we had in the Labour Relations Code is that, number one, it didn't recognize organizations that have a large market share in the construction industry, the progressive unions that have a large market share in the construction industry, didn't recognize that the system has grown up over the last 20 years. Secondly, it didn't provide opportunities for either those in the registration system, the trade unions, or those outside the registration, the progressive unions, to provide greater efficiencies and certainty for employers. Really, what this is all about, Mr. Speaker, is providing certainty so that, you know, large projects can come to Alberta, they can be built, and we can get Albertans back to work.

We did consultation not only with employers but progressive unions, with trade unions, and we had multiple conversations. In addition to the 63 written submissions we got on the Labour Relations Code, we had multiple conversations with the union side, with employers' side, back and forth, in terms of: how do we establish a labour relations system for the construction industry that will provide both greater efficiencies and competition on the one hand but at the same time maintain the stability of the current registration system? Mr. Speaker, we have done that, and that's what Bill 32 does. In terms of the comments made by the hon. member, you know, needing to refer this to a committee to address this, we did consult significantly on this particular piece.

What I'd like to say further, Mr. Speaker, is that in so doing, we need to move forward with this legislation now. The hon. member was quite correct. We are facing an economic recession. We need to get jobs back into the province. Bill 32 is part of our economic recovery plan, and the construction piece in this is designed so that we can go to major employers and major investors in the province to say: come here. We can provide not only greater efficiencies; we can provide greater stability from a workforce standpoint so you can build that major project, that petrochemical project, and we can get not only our craft- and tradespeople working. We can also get all Albertans working as these major projects come here and get set up.

With that, Mr. Speaker, I would urge the House – and I made comments on this earlier – urge the Legislature to not support this amendment. We need to get Bill 32 passed. We have done consultation on this. We need to get it passed because we need to get Albertans back to work.

Thank you, Mr. Speaker.

The Speaker: There's approximately a minute and 16 seconds remaining for the hon. member should she choose.

Ms Gray: Thank you very much, Mr. Speaker. Just very quickly I want to make clear that the quote about dissolving the system: I heard that from someone in the construction industry. Those were their words from that particular stakeholder, and I continue to find people who feel that they were not consulted, particularly around the construction changes, and are very concerned about the potential impacts.

So I hope all members will support sending this to committee so that we can dig into this as a team and all work together to chat with these stakeholders and find out the issues. Should that not be the case, then I hope we can dig into this a little bit more through the debate process on the bill.

1:30

The Speaker: Hon. members, there is just a brief moment left in Standing Order 29(2)(a) if anyone would like to take that opportunity.

Seeing none, is there anyone else wishing to speak to amendment REF1? The hon. Member for Calgary-McCall is on his feet.

Mr. Sabir: Thank you, Mr. Speaker. I rise to speak in favour of this motion asking that the content of this bill, the subject matter of this bill be referred to committee. I think there are a number of reasons that this referral amendment makes sense. The minister of labour just mentioned earlier that we are going through challenging times. We are going through an economic recession. We are going through a global pandemic, a slowing economy. And all of those things have certainly made things difficult for many Albertans. At a time when working people, when Alberta families, when Albertans need this government the most, what this government has done – this government has brought forward this piece of legislation that attacks their rights, that attacks their constitutionally protected rights and takes away things, takes away benefits that they worked so hard to earn. That's what this piece of legislation represents. It's a blatant attack on working people, their rights, and their representatives.

Earlier we heard about Charter rights. Within that same Charter there are fundamental rights stated in there that Canadians do have the right to peaceful assembly, to have the ability and freedom to express their views freely, and there is a whole jurisprudence that says that collective bargaining is one such right that is protected. However, with this piece of legislation this government has gone way too far, attacking workers and their representatives and unions.

We heard many members express their views about unions and worker representatives, but at the same time there are a number of pieces of legislation where government will get up and talk passionately about democracy. They will talk passionately about referenda. They will talk passionately about people's participation, Albertan participation. However, when it comes to unions, they don't stand by those words.

These labour unions, they're fundamentally democratic institutions. Labourers, with their free will, come together, and when there is more than a majority of the work force when they come together, they constitute a union through a democratic process. By all means, these unions strengthen democracy. They are the driving force for economic equality. They are the driving force for social justice.

And what we are seeing in this piece of legislation is a profound attack on unions, on working people and their rights. This is designed to dismantle their unity. It's designed to divide them, and it will have implications for constituents in all our ridings. We all have working people, working families in our ridings. Let's be honest that this bill will have implications for their rights, for their benefits, how they bargain with their employer. This will have implications for that, and that's why it's important that we take time and send this to committee, where we can have those detailed discussions, where working people can weigh in on these provisions.

The government is saying that they are trying to strike a balance, but what we are hearing from our constituents, from actual working people is that with this piece of legislation government is tilting the balance in favour of the employer, and government is attacking their ability to negotiate collectively with their employer. These are serious consequences for working Albertans. This represents an attack on working people's Charter rights to get together, to express their views freely and to bargain collectively. As I said, this process strengthens our democracy, and this process also helps us achieve economic equality, because without equality, without a fair distribution of prosperity, I think that economic growth may benefit few, but it's meaningless for the majority of the people.

1:40

This bill is changing the relationship between employers and the working people. It's an important relationship. It's the basis of our economic growth, it's the basis of our economic production, and it's important enough that we discuss and debate it in committee so that Albertans can weigh in on this important issue.

I've heard from the government side when they were in opposition very practical examples that when our Premier used to be in Ottawa, how every bill was sent to the committee and Canadians were given the opportunity to weigh in. For the longest time that was the standard argument that the government, when they were in opposition, were using.

I think: let's try that once. Let's see how that works, as I heard so many times that it worked really well in Ottawa. This is the opportunity to see that working here in Alberta as well, and see Albertans participating on this important issue because this is an issue that, I guess, most working Albertans are concerned about. It relates to their rights. It's impacting their ability to express their opinions. It relates to their Charter right of freedom of expression, their right to bargain collectively, many important rights. I think this bill is the perfect opportunity for the government to have that committee process that I heard so many times, when they were in opposition, was working really well in Ottawa. Test that process as well, and give Albertans an opportunity to learn about these changes, to understand these changes, and to weigh in on these changes because these are important changes.

The second thing is that I think what we have learned over time and during this pandemic as well is that workplace safety is critical, and it should always be of paramount importance. I do understand that Alberta has many amazing employers, entrepreneurs who go above and beyond in making sure that our workplaces are kept safe for Albertans. At the same time we do know that workplace incidents do happen, and it's the responsibility of the government to make sure that we have rules in place, we have enforcement mechanisms in place that ensure that all Albertans who are going to work are able to come home safe. During the pandemic we also saw that there were Albertans, there were Alberta residents, who went to workplaces like Cargill, like other meat plants in Brooks, that didn't come home safe.

There were things that could have been done differently. At least we can have those discussions on what could have been done differently to avoid those hazards that existed in our workplaces. This bill doesn't guarantee the safety of the workers. There is that opportunity that we can have those discussions in committee where we can talk directly to workers, where we can talk directly to the front line, have their input, and make our safety procedures, our safety safeguards better, making sure that all workers can be guaranteed a safe workplace. I think a workplace that doesn't guarantee safety is not fair, and it's not acceptable. That's another reason that we should be sending this bill to the committee because there is that opportunity that we can hear from experts.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment. The hon. Minister of Municipal Affairs has one.

Mr. Madu: Thank you so much, Mr. Speaker. I just wanted to respond to some of the comments that have been made by the Member for Calgary-McCall. You know, incidentally, this is one area of law where I have substantial experience. I think I have said in this House before that prior to coming to this House, I was a lawyer. I had a mixed practice of corporate and commercial litigation with a specialty in labour and employment law. I actually spent my entire time litigating some of the issues that have been

discussed in this particular House. Hear this. Oftentimes they normally accuse those of us on this side as being mostly pro-employer lawyers, but my practice was actually focused on employees going after the unions, who oftentimes had failed in their duty to fairly represent employees, before the Labour Relations Board, the Court of Queen's Bench sometimes on judicial review matters, and higher courts.

You know, I will begin with the last comment made by the Member for Calgary-McCall. If you carefully listened to him, he talked about safety, and you begin to wonder: what has safety got to do with Bill 32? This is very consistent with the NDP's pattern in this House, where they go out of their way to create a crisis, create something that is not part of the subject matter of conversation, because they are speaking to their base. They are not so much interested in the substance before this particular House. They are speaking to their base.

I've heard them talk about averaging agreements, but hear this, Mr. Speaker. Prior to January 1, 2019, the province of Alberta had an arrangement called a compressed workweek arrangement. All of that was changed on January 1, 2019, by the NDP. That was when they brought in the averaging agreements to the absolute objection of employers. They like to talk about consultation. Employers in this province were unanimous that they did not want that particular change. The NDP refused to consult with them and imposed averaging agreements on employers. Do you know why? Because they have no clue how the workplace operates. No clue. They have no clue how to run a business.

Sometimes they sit here and they want to lecture us about who cares about employees. I would submit to you, as a labour and employment law expert, that the policies they pursue actually end up harming the same employees that they pretend to advocate for, and that has been my experience with all of the files I have handled before the Labour Relations Board in my duty to fairly represent employees against the same unions that are embedded in their own constitution. If you ask most of the public-sector employees, that the union relies on for their dues to fund campaigns against their own interests, they would tell you – and I have heard this, not hearsay, face to face, having those conversations with them – that if given the option to opt out of the union dues, they would do it in a heartbeat. But the NDP will want you to believe that that is not true.

1:50

They talked about overtime pay. I want to show this particular House that if you take a look at sections 20, 21, and 23, all of those sections preserve all of the requirements for overtime hours, overtime pay, and – hear this – overtime agreements. All preserved. The only thing that this particular Bill 32 seeks to reverse are the averaging agreements that was put in place by the NDP on January 1, 2019, knowing full well that three months after, they were going to lose that particular election, so they rushed it through.

What we are doing is to restore balance. Thank you, Mr. Speaker.

The Speaker: Hon. members, we are at second reading of Bill 32 on amendment REF1. I see the hon. Member for Edmonton-South is rising.

Mr. Dang: Thank you, Mr. Speaker. It's a pleasure to rise tonight on Bill 32, Restoring Balance in Alberta's Workplaces Act, 2020, on the referral amendment, of course. Now, of course, we've heard some spirited debate tonight, and I do want to appreciate some of the comments from my colleague from Edmonton-Mill Woods, our critic for Labour and Immigration, and, of course, the former labour minister here in this place as well when we were in government. I'll

be honest. I've depended on my colleague a lot throughout this debate to inform me of some of the finer details because as a former labour minister she has had quite an experience and quite a breadth of knowledge on some of these issues.

Really, I think it's interesting because it's disappointing to see the contrast between what we're hearing from the industry, from stakeholders, from employers and employees and what we hear from this labour minister and members of the government bench. Mr. Speaker, it's really clear that we're on the side of looking out to protect working people, to protect employees, and make sure that we have a fair, equitable employment system in this province, and, really, instead, the UCP government, this minister of labour, is bringing in a bill that tips the scales in the favour of employers. Quite simply put, this is an attack on working people. We saw some spirited discussion – I wouldn't necessarily call it debate – from the Minister of Municipal Affairs earlier, who, I think, while he has some strong opinions, is lacking a little bit in the details and in the facts.

I think, certainly, that what we see in this bill are aspects that attack employees. We can see over and over again, when we talk about things like the averaging agreements being changed into averaging arrangements – this is, of course, the second time this is being brought back to this place in this House – that it does change, fundamentally, the aspect of how we average wages over certain amounts of time, and, fundamentally, it does allow employers to remove, essentially, overtime for people who work over 12 hours a day, right? The minister of labour seems to refute that time and time again, but it's in black and white in the legislation. Quite simply put, the minister of labour either isn't understanding what he's introducing to this place or he simply doesn't care what he's bringing to this place.

Mr. Speaker, I think that both of those are pretty disappointing. I think it's pretty disappointing when there's no longer a need to limit the hours of work to 12 hours per day or 44 hours per week, and employers can impose situations that require employees to work more than 44 hours, and they're not required to pay overtime. Of course, we know that some really significant concerns around that are the lack of recourse as well because in the same bill now there's a limit of how long the employment standard boards can review that averaging arrangement, and it's only six months. The arrangement itself can last for up to 12 months, right? I think there are many concerns here, and we're hearing this from stakeholders across the board that this isn't fair, it's not something that's reasonable, it's not something that this government has actually thought through, and it's not something that the government is actually bringing in that's going to protect working people at all. Indeed, it's actually going to make it more difficult for working people to make it through their work period. That's why I think it's important that we send this back to a committee, the Standing Committee on Alberta's Economic Future. I think it's important that we actually review the legislation and talk about what the impacts will be.

I mean, there are lots of impacts that are going to be very difficult. We can see, for example, if somebody is terminated or loses their employment, instead of having to be paid out immediately or within a reasonable amount of time, now they have up to 31 days to be paid out, and that's something that's very concerning, right? When we look at these types of situations, the minister says it's a reduction of red tape. The minister says it's to make it so that there's no out-of-pay-cycle payments there. Really, what it's saying is that the money that people have actually already earned, money that people have already worked for and the employer legally owes you, now they can withhold that for a longer period of time and choose not pay you. And that's something that's quite disappointing.

I think it's something that the minister hasn't actually thought about, what that means for families. I think it's something that speaks to what this government's values are in terms of how their world-view approach is of working people, because we know that for a lot of working people in this province those extra 14, 15, 20 days are going to make a huge difference for them, right? Like, that's the difference for many people between making rent at the end of the month or buying groceries at the end of the month or putting gas in their car at the end of the month, Mr. Speaker. It's quite disappointing that the minister of labour and this government bench don't understand that. It's disappointing that they don't feel for working people when these changes are being made, because it's not sometimes about the one paycheque that's going to come out of cycle. It's about the real, material impacts we're going to have on people's lives and on their pocketbook and on their ability to make rent at the end of the month. I think it's quite disappointing when we see these types of changes being brought forward.

I think these are all types of issues that, of course, we've brought up at other stages of the debate here as well, but it's certainly a piece of debate that I think would be better fleshed out if we were able to go back to committee and have those types of constituents, those types of people who would be affected by this legislation come and present to us, right? We'd be able to have a more fulsome debate, have a more fulsome discussion, and understand the individual issues, understand the individual concerns, and talk about that. If we were to go back to committee, we would be able to have the opportunity to hear from both the employers' and the employees' sides. We'd be able to hear from people whether they agreed with this government or didn't agree with this government. If indeed the government thinks that they have a right and that there are no changes needed, if we went back to committee, they could prove that to Albertans. Albertans would be able to see and come and tell the Legislature that.

I mean, certainly, I think it's something that all members of this place should be encouraging, that we have more discussions in committee and we try to have committee do more of this debate because it is important when we're talking about issues that are going to affect every single worker in the province of Alberta, right? It doesn't matter whether you're in a union or not. It doesn't matter whether you work in the trades or not or whatever field it is, Mr. Speaker. The reality is that every single worker is going to be affected by these changes. When we're talking about these wide-ranging pieces of legislation, we sometimes have to slow it down and say: are we getting it right? This is, again, the second time we're bringing averaging arrangements and averaging agreements back into this place because the government got it wrong the first time. If they didn't get it wrong the first time, they wouldn't have brought it back for a change this time. I think they're getting it wrong again, so we might have to be coming back to this place and changing this again.

Really, for the opportunity to make the changes and get it right, we need to go back to committee. We need to go back and actually talk to Albertans. We need to go back and actually understand the concerns of Albertans. We need to go back and understand what it means when the employment standards board will have only six months to review a year-long arrangement, because that means that if you wait for six months and one day, suddenly you're stuck in this arrangement for another six months, and you have no recourse, right? There's no way to actually challenge this. Those are all very concerning issues.

It's very concerning that employees basically will have no recourse at all for many of these concerns. Mr. Speaker, I don't think workers are going to come up to this government and say that the formula for calculating general holiday pay should be changed and there should be an option for employers to pay them less, but we don't know that. I mean, obviously, the workers I've spoken to

have told me that that's not the case, that they don't want that option for employers to choose to pay them less, but this Assembly has the opportunity to actually go and talk to those workers and then talk to the employers and then weigh the pros and cons against those issues if we go back to committee here.

Mr. Speaker, I think it's pretty clear that this bill is not overwhelmingly popular, right? It's not something that the government has hit out of the park. They haven't absolutely gotten this right, and we need to slow it down. We need to go back to committee. We need to talk about the issues. We need to understand what the concerns are, and then we need to move forward and say: what changes can we bring back for this bill?

So, Mr. Speaker, I think that there's a lot more debate that's going to be coming to this legislation. I think there's a lot more fulsome

conversation that's going to be had, and I hope that we'll be able to have some of that at committee.

At this time I'd like to move that we adjourn debate.

[Motion to adjourn debate carried]

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

Mr. McIver: Thank you, Mr. Speaker. It's been a full evening, and we've made some progress. I'd like to thank all members from all sides.

I now move that the Assembly adjourn to 1:30 p.m. on Wednesday, July 22.

[Motion carried; the Assembly adjourned at 2 a.m. on Wednesday]

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For inquiries contact:

Editor

Alberta Hansard

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875

E-mail: AlbertaHansard@assembly.ab.ca