



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Wednesday afternoon, June 2, 2021

Day 108

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta
The 30th Legislature
Second Session

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Milliken, Nicholas, Calgary-Currie (UC), Deputy Chair of Committees

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Deol, Jasvir, Edmonton-Meadows (NDP)	Pon, Hon. Josephine, Calgary-Beddington (UC)
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United Conservative: 60

New Democrat: 24

Independent: 3

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Legislative Assembly of Alberta

1:30 p.m.

Wednesday, June 2, 2021

[The Speaker in the chair]

The Speaker: Hon. members, please be seated.

Members' Statements

The Speaker: The hon. Member for Spruce Grove-Stony Plain.

Pride Month

Mr. Turton: Thank you, Mr. Speaker. Throughout the month of June Alberta joins the world in celebrating pride. This month is a celebration of love, truth, and authenticity. It is also a time to recognize the contributions of our LGBTQ2S community here in Alberta. There is amazing work happening right across our province by the community and their allies.

In fact, right in my own constituency of Spruce Grove-Stony Plain there's an organization called Pride in the Park. Each June they organize a fun family celebration for all regardless of how you identify. The event brings awareness to the LGBTQ2S community, with a focus primarily on our youth. Pride in the Park was first organized in Stony Plain by one of my constituents, Tannis Matthews. Tannis is a mom, an advocate, and an ally who started this event in support of her children and the community. In Stony Plain and across Alberta there will be many ways for people to get in on the pride action. For example, the annual Stony Plain Pride in the Park event will be hosted virtually on June 25 and June 26. I'm also excited to attend the government of Alberta virtual pride flag raising on June 10 from 5 to 6 p.m.

Mr. Speaker, Pride Month is more than just attending events. There are so many ways to be part of building a more welcoming and inclusive community. Speak out against discrimination. Be an ally. Share support online and show that our province is a safe place for all to live and love freely. If you know a volunteer in the community, I encourage you to nominate them for the Stars of Alberta breaking barriers volunteer award. This award recognizes the exceptional volunteers who are working to create communities that are diverse and inclusive, including those who are advocating for LGBTQ2S inclusion.

In closing, I want to wish everyone a happy and safe Pride Month. Thank you, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-City Centre.

Rural Care Facilities and Physician Supply

Mr. Shepherd: Thank you, Mr. Speaker. Yesterday the UCP government closed a rural health facility. The Galahad care centre, which is home to 18 seniors, closed its doors while families scrambled to move their loved ones to facilities in other towns, some as much as an hour away. Alberta Health Services says that due to impacts of COVID-19 they are unable to provide enough staff to keep the building open safely. That's a direct result of this Premier's failure to respond to the rising danger of the third wave. He acted last, he acted least, and seniors at the Galahad are paying the price.

Some of these residents have called that centre home for 10 years. Some live with dementia. Yesterday they had to leave their home and move to an unfamiliar place in a different town, far from their family and friends. I asked the Health minister about the seniors in

Galahad yesterday, twice, but he clearly had no idea this was even happening. Eighteen rural families thrown into chaos, a community's second-largest employer shut down, and he had no answer for them. Imagine a Health minister so disconnected from reality that a whole facility closes without his knowledge. The families even reached out to the UCP MLA and so far have had no help.

But Galahad isn't the only rural community being ignored by this minister. In Elk Point their emergency department won't have any doctors on Tuesdays and Thursdays until further notice. Does this UCP government believe that an emergency room with no doctors is an acceptable level of service for a rural community? In the same constituency the St. Paul hospital has had to halt surgeries twice in the last two weeks due to a lack of doctors. In Westlock the hospital stopped performing C-sections for a month due to a lack of doctors, meaning that expectant mothers will have to travel to other communities to deliver their babies. We've seen closures of the emergency departments in Fairview and Rocky Mountain House. I am deeply concerned about what will happen to rural hospitals as this minister follows through on his plan to lay off 11,000 front-line health care workers, including more than 700 nurses. He is failing rural Alberta.

The Speaker: The hon. Member for Fort McMurray-Lac La Biche.

Menstrual Hygiene Products

Ms Goodridge: Thank you, Mr. Speaker. Today I'm going to talk about something that will make some people uncomfortable, periods and menstrual hygiene. While it is a natural bodily function that half of the population experiences, it is often taboo to talk about and is met with stigma. Nearly 1 in 4 Canadians who menstruate say that they have struggled to afford period products for them or their children, which then affects their health, their ability to socialize, attend school, work, and just live their lives.

Barrier-free access to menstrual hygiene products is incredibly important. I'm proud that Alberta's government announced last week on Menstrual Hygiene Day a partnership with the United Way to support their Period Promise campaign in our province. This campaign works to address period poverty and stigma by distributing free period products to those in need.

Many young people who menstruate don't have access to period products in their homes and are often not informed about which products they need or even how to use them. Those who can't afford menstrual products often end up using makeshift pads that don't suit their needs, often aren't very hygienic, and cause danger to their health.

Mr. Speaker, no student should feel like they have to miss out on school or activities because of period poverty. In partnership with the United Way, Alberta's two-year pilot program will bring dispensers and free period products to more than a hundred schools across this province. Young women, girls, and gender-diverse people in our province all have a right to education, which means we have a responsibility to ensure that they have access to the period products they need.

I encourage all Albertans to help address period poverty by donating period products to their food banks and shelters across this province.

Police Carding and Bill 63

Mr. Sabir: Mr. Speaker, for too many Albertans interactions with the police feel discriminatory, arbitrary, and intimidating. It is vital for a balance to be struck between police doing their job protecting

our communities and the right of citizens to be free from state coercion and discrimination. The practice of carding has always been illegal in Alberta and continues to be so today. The government's introduction of Bill 63 serves only to muddy the waters. It is a confusing and weak attempt to make political gains out of people's real-life experiences.

Alberta's NDP supports a complete ban on carding, but Bill 63, despite the press release and spectacle put on by this Minister of Justice, simply does not ban carding. We are not the first province to ban carding. In fact, both Ontario and Nova Scotia had independent reviews commissioned, yet this government has not adopted many of those recommendations.

Yesterday I introduced amendments on Bill 63 in this Chamber. One which provided clarity on the basis of discrimination, which is prohibited, was defeated. Another amendment this government struck down would have required police to inform citizens of their rights during these interactions. I have more amendments to introduce which will clean up the mess of a bill the government has brought forward, that will incorporate the recommendations from Justice Tulloch's and Dr. Wortley's reports, that will strike the balance needed between police powers and citizen rights, and that will ensure that we are collecting race-based data to maintain compliance. If this government, if this Justice minister is serious about banning carding and upholding the rights and freedoms of Albertans, they need to work with us and support these amendments.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Banff-Kananaskis is next.

Tourism Industry

Ms Rosin: Thank you, Mr. Speaker. Well, it's my honour to rise in this House today to commemorate National Tourism Week. Alberta is blessed to encompass some of the most beautiful lands on Planet Earth. While there are many places that support tourism industries, there are few places to whom it comes so naturally. While most locations pride their tourism industry on infrastructure, skyscrapers, shopping malls, and other man-made attractions, here in Alberta our tourism industry is founded on the natural, God-given beauty all around us.

As the MLA for Banff-Kananaskis I know this full well. Between Banff, Canmore, Lake Louise, and Kananaskis Country, my riding welcomes millions of tourists every year. In fact, these towns welcome more tourists every single day than they have permanent residents living within. Individuals, families, and dogs of every breed travel from near and far to witness the breathtaking scenery of the Rockies.

In normal times tourism contributes 127,000 jobs to Alberta's economy from 25,000 tourism businesses and \$8.5 billion in visitor expenditures. This is an industry to be proud of, but the past year has been difficult. Revenue from air travel is down 91 per cent, revenue from hospitality accommodation is down 71 per cent, and 65 per cent of restaurants across the province have been operating at a loss.

1:40

Our government has worked with the industry to leave \$36 million in the pockets of Alberta hotels by ceasing collection of the hotel levy and to create a unique border pilot program to support safe travel, all while keeping true to our promise to double tourism in Alberta by 2030. This week we announced that Alberta will reopen at full capacity at restaurants, events, and festivals and that we will soon be welcoming back international visitation to our

province for the summer. Mr. Speaker, to quote Frances Hopkins at the Grizzly House restaurant in Banff: I am just so happy to go down this road of good news. Alberta is on the path to leave COVID behind us for good, and this year National Tourism Week couldn't come at a more appropriate time.

Canada Pension Plan

Ms Phillips: It is clear that Albertans do not want this Premier anywhere near our CPP retirement savings. We know this through polling and the constant stream of messages we've received from Albertans. I know that the government has heard the same concerns as well because they heard it loud and clear during the Fair Deal Panel. Albertans do not trust this Premier's plan to take our CPP and hand it over to the UCP's troubled investment agency, AIMCo.

They don't like the idea, yet the UCP is barreling ahead. This fall they'll spend millions of our tax dollars to run a partisan campaign with questionable numbers to justify their unpopular plan to give our savings to their AIMCo. AIMCo has been described in the financial press as amateur hour. Last year their returns were just over 2 per cent; the CPP's just over 12. AIMCo lost \$2 billion last year, much of it out of our heritage fund. Our CPP deductions, our money that comes off our cheques every month: for many Albertans who don't have a six-figure Ottawa pension like the Premier does, our retirement income is our CPP savings, with a few RRSPs and maybe our home equity. The UCP wants to gamble with all of that.

This fall Albertans will stand up to this Premier, who fancies himself a high-roller gambler with our money. When it's not his money at stake, I guess the sky palace is the limit, Mr. Speaker. But Albertans know when to walk away; they know when to run. Go to handsoffmycpp.ca and join the over 30,000 Albertans who have already told the government to stay away from our retirement. It's our money.

The Speaker: The hon. Member for Leduc-Beaumont.

Provincial Reopening Plan

Mr. Rutherford: Thank you, Mr. Speaker. The past year has been extremely challenging for all Albertans, including those in Leduc-Beaumont. COVID-19 has put their health and safety at risk while families and small businesses in these communities bore the brunt of public health restrictions. That's why I am pleased that last week the Alberta government announced its open for summer plan. This is the announcement that so many in my community have been waiting for. After the remarkable progress made by this government in the distribution of vaccines – almost 3 million doses have been given to Albertans – this is allowing the government to move forward with a clear path to removing public health restrictions and getting Alberta back to normal for the summer.

The three-stage reopening plan announced last week means that as of yesterday restaurants can reopen their patios once again, more people can attend churches, and Albertans can finally go and get a haircut, Mr. Speaker, something that I desperately need myself. In mid-June more restrictions can be lifted to allow indoor dining, indoor fitness classes and gyms can open, and outdoor festivals can resume. Finally, in early July this government plans to take the remarkable step of removing almost all restrictions.

Over the course of COVID-19 the Alberta government insisted that vaccines were the ticket out of this mess, and now with almost 3 million doses distributed and more than half a million bookings scheduled for the next month, I am hopeful that we can fully reopen in time for all Albertans to have that best summer yet. I want to

thank everyone for staying safe, getting vaccinated, and making this reopening plan a reality.

Philippine Heritage Month

Member Loyola: Mr. Speaker, yesterday marked the beginning of Philippine Heritage Month in Alberta. Three years ago, under an NDP government, we proclaimed June as Philippine Heritage Month in Alberta to celebrate their contribution to our province, and I'm honoured to rise and continue that tradition, highlighting the tremendous contributions of Filipinos' faith, culture, community in our province.

This month I would like to specifically take the time to thank Filipino/Filipina essential workers and volunteers that worked tirelessly over the past 14 months to keep Albertans safe during the COVID-19 pandemic. Within every position in our health care system, schools, and throughout the private sector, Filipino Albertans were here keeping us safe in our society and keeping us moving. Also, many Filipino grassroots groups stepped up to support Albertans in need. They delivered groceries and donated protective gear to those on the front lines throughout the pandemic: to meat plant workers, health care providers, grocery store staff, support workers in nursing homes, and cleaners. A prime example of this work was Migrante Alberta helping the meat plant employees when they were in isolation. Filipino Albertans have gone above and beyond during the pandemic, and we are ever thankful for their efforts.

Unfortunately, as the Filipino community helped Alberta through this pandemic, the Alberta government didn't return the favour. We have seen Filipino-owned businesses struggle and many close because this government provided way too little support. Also, the government has ignored the difficulties for many Filipinos getting vaccinated. Many work long and irregular hours, which is a barrier for them to get vaccinated. That is why we will continue to advocate for pop-up clinics and invest the time and energy to bring the vaccine to the entire Filipino community.

The Alberta NDP is here to help with all those concerns, and we won't stop advocating to the current government what your concerns are and the solutions that are needed. What they won't do, we will be sure to follow through once we make government once again.

The Speaker: The hon. Member for Lac Ste. Anne-Parkland.

Social Studies Curriculum

Mr. Getson: Thank you, Mr. Speaker. Growing up, we had two television channels, three when the weather was good. Around 5 a.m. on Saturday mornings the stations would come back on the air with the best show of the week, in my opinion. Blanket in tow, keeping the volume low so as not to bother my parents, I turned on the black-and-white TV so I could watch Professor Kitzel with my little brother Brian. We had a ton of questions about the world beyond our farm, and the professor seemed to have all the answers and stories that continued to feed our imagination.

To answer the questions, the professor would fire up a machine that he invented, and we were whisked away, off to far places for all those answers. John Cabot, Charles Dickens, Jacques Cartier, Genghis Khan, Charles the Great, Eric the Red, King Tut, Cleopatra, Julius Caesar, Peter the Great, Louis Pasteur, Joan of Arc, the voyageurs, plus many more: they were all up for grabs and had our full attention. My kids are just as fascinated with history and cultures and time travel as my brother and I were as kids. Mr. Peabody and Sherman would whip around the WABAC machine,

weaving history, culture, social studies into a great story, and to a kid this is time travel. It's magical, and it leads to more questions.

When I hear the ATA all up in arms on how our kids today cannot fathom by the age of eight years old where the pyramids are or the relevance of the Mongolian empire, I just don't get it. Kids are way smarter or more capable than you think. Don't sell them short or the rest of us either. Open the door to the WABAC machine. Encourage them to take that first step, to hear of the great adventures, in many cases the misadventures of the past, to let them know that there have been many journeys and stories throughout time to make us who we are today. They'll be encouraged to learn more, see more, be more.

I want to thank the minister for the new curriculum to open the door to kids to travel through time through that WABAC machine and to encourage them on a path that'll prove to be an amazing adventure, that will lead them well beyond the cul-de-sac or the farm gate at the end of the road where they live currently.

Thank you, Mr. Speaker.

Notices of Motions

The Speaker: The hon. Member for Central Peace-Notley.

Mr. Loewen: Thank you very much, Mr. Speaker. I rise to give notice that at the appropriate time I intend to move the following motion.

Be it resolved that the Legislative Assembly urge the government of Alberta to prepare options to amend the Constitution of Canada to defend Alberta's interests and to make such options public before the end of the 2021 spring sitting of the Legislative Assembly.

Thank you.

Tabling Returns and Reports

The Speaker: The hon. Minister of Service Alberta.

Mr. Glubish: Mr. Speaker, this morning during debate I read a letter from the executive director of the NAIOP Edmonton and the director and president of BOMA in support of the amendments to Bill 62, and I have the appropriate number of copies of that letter to table this afternoon.

Oral Question Period

The Speaker: The Leader of Her Majesty's Loyal Opposition has the call.

Income Support Supplemental Benefits

Ms Notley: Mr. Speaker, last year the Premier was caught red-handed trying to make significant cuts to AISH. The outrage was immense, so he backed off, or so we thought. Turns out he pivoted to slashing \$50 million from the barriers to full employment program, or BFE, which supports Albertans who cannot work, likely due to disability, addiction, or mental illness. They used to receive \$1,173 per month; now they receive \$300 less. Why in the middle of a pandemic is the Premier clawing back income from the most vulnerable Albertans? Is this really who you think you should be going after in the middle of a pandemic?

Mr. Kenney: Mr. Speaker, that's simply untrue. Current rates and frequencies for supplemental benefits were established by a ministerial order in 2018, and they have not changed since that time. For instance, the ministerial order states: additional shelter benefits

are available to eligible clients for a period of three months and may be extended for an additional three months if the conditions requiring the benefit continue. There have been no changes to these policies.

1:50

Ms Notley: You know, it's one thing to gaslight Albertans about parks, whether you're selling them or not; it's quite another to gaslight Albertans when you are literally throwing them onto the street. They know they lost \$300 a month. You know you changed the policy in December. You are putting people onto the street. Premier, why are you doing it? Why won't you take responsibility? And, most importantly, why won't you stop?

Mr. Kenney: Mr. Speaker, we cannot stop what is not happening. Supplementary benefits, including benefits for special transportation and travel, handicap benefit, special diets, and additional shelter expenses, continue to be available to eligible Albertans in accordance with the 2018 ministerial order. Regular reporting is required, of course, for the income support program. In some circumstances clients may need to provide updated documentation to confirm eligibility for supplementary benefits. That's entirely normal.

Ms Notley: Your government changed the policy in December 2020, and you are not giving this Legislature the right information.

Last month we saw three men overdose and die in an Edmonton park. That's what these kinds of policies lead to. All that these December changes do is to push more vulnerable Albertans out of their homes every month, Albertans with mental health issues, with chronic health conditions, with substance abuse problems. When asked how they should cope, caseworkers are literally telling these people – they're giving them directions to the nearest shelter. Premier, how can you be so focused on putting these Albertans on the street? How do you sleep at night . . .

Mr. Kenney: Again, Mr. Speaker, that is simply not correct. In 2019, I should point out, the Auditor General reviewed the income support program to ensure that eligible clients are receiving supports in accordance with policy. As a result of the AG's review, the AG recommended that the department "improve its processes to approve client eligibility, assess the client's needs and employability, and monitor compliance with . . . service plans." We're acting on this recommendation. We're working to ensure . . . [interjections]

The Speaker: Order. Order. Order. It's very difficult to hear the Premier giving his answer. I understand that you might not like it, but he is entitled to give it.

The hon. the Premier.

Mr. Kenney: Thank you, Mr. Speaker. We're acting on this recommendation and are working to ensure that the program is being operated fairly . . . [interjections]

The Speaker: Order.

Mr. Kenney: Mr. Speaker, we are working to ensure that the program is being operated fairly and consistently right across the province.

The Speaker: The hon. Member for St. Albert is next.

Ms Renaud: I'd like to build off what the leader is asking by reminding the Premier that there are real Albertans hurting. Lorna Sanderson has received the shelter benefit that we're talking about

over 10 years without issue; just lost it. This now means that she can no longer afford rent. Here's a quote: "Without the generosity of my daughter and the reasonableness of my landlord . . . I would be homeless . . . Why is my income the first thing attacked in a time of crisis?" Premier, what do you have to say to Lorna?

The Speaker: The hon. the Premier. [interjections]

Mr. Kenney: Well, Mr. Speaker, they can't even wait for me to open my mouth before they start screaming in this House. I would ask that they respect this place.

Mr. Speaker, more than 43,000 Albertans receive income support as of this past March. No changes have been made to eligibility requirements for supplemental benefits. In September 2020 some changes were made pursuant to the Auditor General's recommendations in terms of the administrative procedures. We continue to provide the most generous package of income support of any province in Canada.

Ms Renaud: The Auditor General never recommended these changes, that are putting people in harm's way, that are causing homelessness.

Let me give you another quote. This is from Jennifer Campen, who has had her supplemental benefits stripped. Here's the quote: "I worry every month if my son and I will have enough to make it." Premier, what exactly will you do to make sure that Jennifer and her son can stay in their home?

Mrs. Sawhney: Mr. Speaker, first of all, I would like to reiterate that all of the suite of supplemental benefits is intact. They do require substantiation because we were seeing inconsistencies, regional inconsistencies across the province . . . [interjections]

The Speaker: Order. Order. Order. The hon. the Leader of the Opposition has had her opportunity. I think that she can show some respect for other members inside the Chamber.

The hon. minister of children – the Minister of Community and Social Services. It's my first day.

Mrs. Sawhney: I would say that it is not fair nor just nor equitable to have regional inconsistencies as to how these policies are implemented. I would ask the member opposite, if she knows of somebody who is needing additional support, to send their name to my office, and we will deal with them directly.

Ms Renaud: Aaron Chy is a pharmacist who works with many patients experiencing poverty. As you can imagine, he sees the struggles these Albertans face daily. He says that their health is getting worse, and it's because of the sudden loss of income support supplementals. Quote: many of my clients had housing for years with no issue; now I prescribe antidepressants to people sleeping in graveyards at night or wherever they can find a place. Premier, stop. Think. Are these changes really something that you want to be known for?

Mr. McIver: Point of order.

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

Mrs. Sawhney: Mr. Speaker, I can tell you that there is no one more concerned than I am about our income support clients. I keep on top of the statistics, and I keep on top of the cases that come to my office. These policies have been in place since 2018, since the ministerial order was put in place by my predecessor. We have only asked that it be implemented fairly and consistently across the province.

Chief Medical Officer of Health

Mr. Shepherd: Last night the Member for Cypress-Medicine Hat introduced an amendment to the Public Health Act that would bring some independence and accountability to the role of the chief medical officer of health. It would require the person in that role to appear before a legislative committee every 90 days during a public health emergency, where members from all parties could ask them questions. Now, I do not agree with the Member for Cypress-Medicine Hat on how to manage the COVID-19 pandemic, but I do agree that this government has not been accountable during it. Does this Premier support the chief medical officer appearing before a committee of members from both sides of this House, and would he be willing to make that happen?

Mr. Kenney: Well, Mr. Speaker, I understand that the chief medical officer did appear before the select special committee reviewing the Public Health Act and, as with other senior public servants, appears before Legislature committees from time to time. That's quite appropriate. It's, of course, for committees and not the government to choose their own priorities and call their own witnesses. We respect the autonomy of the relevant Legislature committees in that regard.

Mr. Shepherd: Well, at that committee, Mr. Speaker, the Public Health Act Review Committee, the UCP backbench, in fact, did everything possible to ignore the public. Reasonable recommendations from the opposition were shut down. They voted against bringing the officer back a second time and against making the officer an independent officer of the Legislature. We've seen how important transparency is as this Premier is the least trusted in the country, can't get his story straight on contact tracing despite the documents showing it collapsed last fall. Will the Premier finally admit he's not king, he can't rule by fiat, and agree to give some independence to the chief medical officer?

Mr. Kenney: Well, Mr. Speaker, with respect to contact tracing I would refer the hon. member to the statement made by Dr. Verna Yiu, president of Alberta Health Services, yesterday, which contradicted the false information being spread by the NDP with respect to contact tracing.

With respect to the chief medical officer appearing before Legislature committees, Legislature committees have the absolute right to call witnesses, including senior public servants, when they choose to do so. It would be entirely unconventional in our system to make that a legislative requirement when Legislature committees have full flexibility to call witnesses when they deem it's appropriate.

Mr. Shepherd: Mr. Speaker, there's a pattern with this government, and it doesn't look good. At every step of the way during this pandemic they've fudged the truth, hidden information, and kept Albertans in the dark. This Premier went missing as cases soared in the second wave. We ended up with the highest COVID case count in North America during the third and still weren't able to see modelling data that we know was provided behind closed doors to the government. Some weeks not even the R-value was available. Why has this Premier continued to hide information from Albertans and their representatives in this House during the greatest health crisis we've ever faced? Do the right thing, Premier. Allow the chief medical officer to answer questions without the filter of your office.

Mr. Jason Nixon: Point of order.

The Speaker: A point of order is noted at 1:59.

Mr. Kenney: Mr. Speaker, which witnesses appear before which Legislature committees has nothing to do with the Premier or my office. It has to do with the will of the committee members, which we respect, unlike the NDP. We respect the collective judgment of committee members, just as we did in framing Bill 66, which was based largely on recommendations from the bipartisan select special committee.

Mr. Speaker, the allegation that I went missing really has to do with me having complied with the public health requirements to self-isolate. I hope the member isn't suggesting I should have ignored those requirements.

2:00 Premier's Remarks on Canadian Historical Figures

Mr. Feehan: Mr. Speaker, the discovery of the remains of 215 children at a Kamloops residential school has devastated Canadians. The long-standing trauma of these schools remains prevalent amongst indigenous people. The Premier offended many yesterday when he took a question on the changing of the name of Langevin school in Calgary as an opportunity to riff on cancel culture and defend John A. Macdonald. I know who Macdonald is, but, Premier, can't this week be about these 215 children? Why did you make these comments yesterday, comments that cause harm at a time when so many are grieving?

Mr. Kenney: Well, Mr. Speaker, I was answering a question. The question was about the naming of schools and the presence of statues of historical figures. I have made very clear in this place in our debate on Monday my own personal conviction that the entirety of the residential school system was unspeakably wicked and unjust. I would invite the member to realize that we can all join together in the condemnation of the great moral evil of the Indian residential school system. At the same time, I don't think that recognizing that evil requires that we remove from our history many of the central figures of Canadian history.

Mr. Feehan: The Premier knows full well that what he said was tone-deaf and not even close to what the vast majority of Canadians expect to hear. The name Bishop Grandin is being actively reviewed by the Calgary Catholic school district, and there is discussion on whether Grandin LRT station here in Edmonton should be renamed. I believe that communities should come together to make these decisions. The Premier appears to disagree. Premier, are you really going to suggest today that changing the name of Bishop Grandin high school or the Grandin LRT station is not something worth considering? Do you oppose these kinds of conversations?

Mr. Kenney: Mr. Speaker, I never opposed conversations, nor do I oppose in any way a factual debate about our history, which includes, as I said yesterday, many grave injustices. The greatness of Canada is that we seek to overcome those injustices, to learn from them. That was reflected in Prime Minister Harper's formal apology, for example, for the wickedness of the indigenous residential schools and \$3.5 billion of compensation as an important symbol of redress and all of the other work in which we must collectively engage in towards reconciliation.

Mr. Feehan: Today is the anniversary of the release of the final report of the TRC, which includes calls to action to find all of the unmarked graves of children who died at residential schools, to notify their families, and to keep a formal database for future generations. That should be our focus. But, instead, the Premier's

comments have caused harm. Grand Chief Vernon Watchmaker of the Confederacy of Treaty Six First Nations said: just when we think that we're experiencing acts of reconciliation, the Premier contradicts all the efforts towards an understanding. Will the Premier apologize to Chief Watchmaker and every other person harmed by his horrendous comments?

Mr. Kenney: Mr. Speaker, the comments yesterday and on Monday to which the member refers were a very clear statement of my view and Alberta's view that the Indian residential schools were an unspeakable moral evil, a grave injustice. But I must raise to the hon. member my frank disappointment that he referred to that terrible injustice as "a holocaust." We can and should use very, very strong language to condemn the injustice of the residential school system, but we must recognize the historical singularity of the Shoah of the Jewish people. I would just ask the member to reflect carefully on the kinds of words that he chooses.

The Speaker: The hon. Member for Spruce Grove-Stony Plain.

Accessibility and Inclusion

Mr. Turton: Thank you, Mr. Speaker. More than 6.2 million Canadians aged 15 and older live with some form of disability that affects their independence or their quality of life. This could be a physical disability such as cerebral palsy or a cognitive disability such as autism or dyslexia. This week is National AccessAbility Week here in Alberta and across Canada. To the Minister of Community and Social Services: can you please tell Albertans what you are doing to provide opportunities for people with disabilities?

Mrs. Sawhney: Thank you to the member for that question. As the minister responsible for disability programs I am pleased to say that we have maintained funding for all programs, and I am happy to highlight a number of ways that my ministry promotes accessibility. Mr. Speaker, we recently provided \$1.5 million in investments to fund family resource networks to provide families across the province more supports in navigating disability programs.

In addition, we have funded a number of organizations such as Autism Society of Alberta and Disability Action Hall to allow families and individuals across the province, regardless of where they live, to have access to virtual and remote services. This includes helping these organizations purchase computers to help keep clients better connected.

The Speaker: The hon. Member for Spruce Grove-Stony Plain.

Mr. Turton: Thank you, Mr. Speaker. Thank you to the minister for her answer. Given that it is crucial for all Albertans to work together to make our society more inclusive, accessible, and welcoming to people with disabilities and given that these individuals have a lot to offer to society and have many skills and ideas that are valuable to employers, to the same minister: can she please tell us what's being done to help people with disabilities who are able to work to do so?

Mrs. Sawhney: Mr. Speaker, as we face rising unemployment during the pandemic, it is more important than ever to ensure that Albertans with disabilities have opportunities to participate in the workforce. The recently launched \$370 million Alberta jobs now program encourages employers to create new jobs by reducing the cost of hiring and training new employees. Under this program employers who hire people with disabilities will receive a grant 1.5 times higher than the amount they receive for other new employees.

The Speaker: The hon. Member for Spruce Grove-Stony Plain.

Mr. Turton: Thank you, Mr. Speaker. Thanks again to the minister for her answer. Given that this month is also National Deafblind Awareness Month, where we celebrate Albertans with disabilities and their contributions to society while also supporting them as they live full lives with opportunities while they participate in their communities, to the minister: how are you and the government supporting deaf-blind Albertans?

Mrs. Sawhney: Mr. Speaker, the disability community is working hard to make communities and supports more accessible. My goal is to ensure that services in our communities meet the needs of Albertans affected by deaf-blindness. Community and Social Services has provided financial support to organizations like the Calgary Association of the Deaf, the Connect Society, and the Deaf and Hard of Hearing Services Calgary Region Society. These investments will provide resources to help deaf-blind Albertans fully participate in their communities and allow them to live dignified and successful lives.

Social Studies Curriculum

Mr. Deol: The Premier's curriculum has been widely discredited by Albertans, and it's obvious why. Some of the content is not only wrong or is inappropriate; it's downright offensive. In social studies the UCP expects students to learn and study the history, motivations, and even the slogans of the Ku Klux Klan, a murderous, racist hate group. My question is: what does the Minister of Education say to the black, Asian, indigenous, and other racialized students who are forced to learn the slogans of the Ku Klux Klan, and how can she possibly support this?

The Speaker: The hon. Minister of Education.

Member LaGrange: Thank you, Mr. Speaker. In terms of the curriculum we are looking to ensure that all our students have a good understanding of racism, including a broad and inclusive account of history, black history, indigenous history, and that means ensuring that our students learn of all of these injustices that have happened in the past.

Mr. Deol: Given that 90 per cent of teachers have stated their opposition to this curriculum, something the UCP has openly stated that they don't care about, and given, again, that the UCP curriculum requires that students be taught the slogans, history, and even motivations of the Ku Klux Klan, a racist hate group that murdered countless people in the name of their hateful ideology, how can the Minister of Education justify forcing racialized teachers to teach the hateful slogans and racist motivations of the Ku Klux Klan?

Member LaGrange: Mr. Speaker, the Ku Klux Klan was about racial segregation and has a long, terrible history that our students need to know about. They need to learn about these injustices so that they do not repeat them in the future. We need our children to learn what has happened, learn from those experiences, learn from those terrible things that have been in our past so that they can move forward and understand how they can be a better society in the future.

Mr. Deol: Given that this curriculum and its backwards content has been universally rejected by school boards, teachers, principals, superintendents, and Albertans and given that I would think that everyone in this House should agree that racism and racist slogans

have no place in Alberta or our classrooms, will the Minister of Education commit without any equivocation that racism should have no place in our schools, classrooms, or curriculum, and if so, will she drop her plan to force teachers and students to study the slogans of the Ku Klux Klan?

2:10

The Speaker: The hon. the Minister of Justice and Solicitor General.

Mr. Madu: Thank you, Mr. Speaker. You know, it is quite shameful that the Member for Edmonton-Meadows would come here and criticize this government for wanting to make sure that our children learn the terrible past of the KKK. The members opposite spend all of their days in this Assembly calling our attention to issues of racism and discrimination. If we are truly going to end these horrible practices against cultural minority people, I think, in my view, it's a good thing for my children to be able to learn about that horrible past. Shame on you guys. [interjections]

The Speaker: Order. Order.

Coal Development Policies and Landowner Rights

Ms Ganley: Mr. Speaker, this government's coal consultation is a sham. It doesn't include effects on land and water, which are the main concerns for most Albertans, so much so that they even managed to express that despite the government's intentionally poorly worded survey. The government has now struck a special committee on property rights, which could have been a great opportunity to address these issues. Many landowners have expressed concerns about how coal and water affect their property. Instead, they have refused to deal with coal, water, or surface rights. Does this government ever plan to have a real conversation about the rights to clean air, land, and . . .

The Speaker: The hon. the Minister of Environment and Parks has risen.

Mr. Jason Nixon: Well, thank you, Mr. Speaker. That question is completely and utterly ridiculous. First of all, the coal consultation does include conversations about land-use planning when it comes to coal and when it comes to water despite the fact that the NDP keep misrepresenting facts. In regard to property rights, we have a clear platform commitment when it comes to property rights, one that has been widely endorsed by landowners and property rights advocates inside the province. The standing committee is doing important work to be able to ultimately bring, hopefully, a significant piece of legislation to this place. The real question is about the Official Opposition, who voted against every major property rights bill that ever came to this place. Are they going to vote against this one, too?

Ms Ganley: Given that the government promised real consultation on property rights but given that coal, water, and surface rights have all been relegated to discussion at the off-the-record subcommittee and given that this government had secret meetings with coal companies before ripping up the long-standing 1976 coal policy, is it now government policy to push important discussions about coal, water, and landowner rights into closed-door meetings?

Mr. Jason Nixon: Yet again, Mr. Speaker, completely and utterly fabricated by the Official Opposition when it comes to this important issue. Very credible people working on the coal consultation panel, a very open process: we look forward to seeing what they have to say when it comes to this. The 1976 coal policy

had absolutely nothing to do with water; it doesn't even say the word "water." But it's still important to have a conversation with Albertans when it comes to coal development. Energy is having that conversation. We'll look forward to seeing the results of that and taking appropriate action. Again, we're still waiting for the NDP to apologize for opening up category 2 lands in the eastern slopes to coal mining.

Ms Ganley: Given that landowners are increasingly concerned about wells and other projects abandoned on their property and that they deserve to discuss this issue as well as coal in a genuine process, not a sham committee, and given that this government was voted the most secretive in Canada, will the government commit to real consultations with Albertans on these issues, or will they admit that the committee is simply a process to keep its private members busy and prevent them from rebelling against failed government policy?

The Speaker: The hon. minister.

Mr. Jason Nixon: Well, thank you, Mr. Speaker. There is a very significant property rights commitment within the United Conservative Party platform, which is working its way through that standing committee and ultimately will make its way to this place. That is endorsed by Keith Wilson, one of the great property rights advocates inside this province. I'm not sure if the hon. member has had time to visit with Keith, but if she'd like to start to learn about property rights, that's where I would start if I was her. The real question, though, is this. Inside this Chamber every time that there's been serious action brought forward, while that member was a member of this Chamber, on property rights, she voted against it each and every time. Is the Official Opposition going to vote against property rights again, like they have in the past, or are they actually going to truly stand up with . . .

COVID-19 Response and Provincial Reopening Plan

Mr. Barnes: Months ago this government used its power to ban all gathering with family and friends: grandparents barred from visiting grandchildren, mothers barred from visiting sons. Today your ministers and staff ignored the COVID rules in favour of a casual sky palace lunch with far more than the permitted two-household limit that has separated Albertans from their loved ones for months. To the Premier: when will your government fully restore all of Albertans' rights and freedoms and acknowledge that your government's double standards and communication failures have tremendously hurt all Albertans?

The Speaker: The hon the Minister of Health.

Mr. Shandro: Well, thank you, Mr. Speaker. As we know from the last 14 months, the member hasn't always been keeping up with the public health measures and the announcements that we've been making, so I'm very happy to use these 35 seconds to provide him with this information. As we announced, stage 3 will have all of the current restrictions being removed throughout the province, so that will be two weeks after our province gets to 70 per cent of those who are eligible, which is about 3.8 million Albertans, and two weeks after that we'll be moving to stage 3.

Mr. Barnes: Mr. Speaker, over the weekend the Macdonald-Laurier Institute released its provincial COVID misery index. The index measures disease misery, response misery, and economic misery experienced by citizens across our country. The index found that Albertans are experiencing the highest levels – the highest

levels – of COVID misery in all Canada. To the Premier again: are you in any way aware of the level of misery being caused by your pandemic policies, your inconsistent actions, and your communication failures?

Mr. Kenney: Mr. Speaker, on the first question, the earlier question, the member should know that the public health rules permit up to 10 people to gather for outdoor gatherings. We have always respected and followed the rules very carefully.

With respect to the Macdonald-Laurier misery index, of course, that largely reflects the fact that Alberta had the largest economic contraction in the country last year. I don't know if the member was aware of this, but we saw the largest collapse in the price of the province's largest commodity in history. We went from \$65 WTI to, at one point, minus \$20 WTI, which caused Alberta to have the largest negative economic growth in 2021.

Mr. Barnes: Mr. Speaker, on Monday yet another poll was released suggesting Albertans are fed up with this government's pandemic policies. According to the Leger poll conducted for Postmedia 78 per cent, 8 out of 10 Albertans, say that this government did not handle the pandemic response well. Again to the Premier: at what point will you accept that the public has spoken and take personal responsibility for your pandemic policy failures, your double standards, and your communication failures?

Mr. Kenney: Well, Mr. Speaker, it's absolutely true that a significant number of Albertans have believed that the government was too reluctant to bring in public health restrictions, and I would just remind that member that he has been consistently opposed to restrictions that have been put in place as a last and limited resort in order to protect lives and prevent an overwhelming of our health care system. Perhaps his model for policy would appear to be the South Dakota model, where they ended up with a per capita death rate five times higher than Alberta's. I don't think Albertans would have accepted 10,000 deaths during COVID.

Tourism Industry Support

Mr. Bilous: Alberta's tourism industry has been one of the hardest hit sectors by the pandemic. According to Tourism Calgary annual visitor spending fell almost 60 per cent last year. Even as we reopen our economy, it could still take years until the industry fully recovers. The Conference Board of Canada predicts that overnight visits in Alberta will not recover until 2024, and while the government has provided some support for the tourism industry, I'm hearing every day that it's not nearly enough. To the minister: as our tourism industry continues to struggle, why isn't this government doing more to support them?

Mr. Glubish: Mr. Speaker, the Minister of Jobs, Economy and Innovation has been doing a lot of work on Alberta's economic recovery plan, which includes plans for all aspects of Alberta's economy, including the tourism sector, which is such an important and vital part of Alberta's economy. We know that those folks have been hit hard through the pandemic. We know that a lot of Albertans have been hit hard through the pandemic, and that's why the Minister of Jobs, Economy and Innovation is working so hard on all sorts of supports that have been offered to Alberta businesses throughout the pandemic and also on developing the Alberta recovery plan, which will chart a strong path forward.

Mr. Bilous: He's not working hard enough.

Given that this UCP government likes to point to the relaunch grant as the be-all and end-all for supporting small business and

given that we're hearing from small businesses that it does not provide nearly enough – it barely makes a dent in overhead costs – and given that the Tourism Industry Association of Alberta is calling for a dedicated tourism and hospitality stream for the grant, to the minister: is this government finally going to step up, create a dedicated stream for tourism, and increase the grant amount? Yes or no?

2:20

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

Mr. Toews: Well, thank you, Mr. Speaker. There's no doubt that the tourism sector has been hit hard during the pandemic. That's why we've been quick to roll out relief in the small and medium enterprise relaunch grant. Almost from day one we abated the tourism levy, the accommodation levy, and we just recently extended that abatement to June 30, 2021, in recognition of the continued challenges in the tourism sector.

Mr. Bilous: I guess that's a no.

Given that the Tourism Industry Association is seeking an incentive program, similar to what was instituted in New Brunswick, to encourage residents to spend money in the province on their holidays and receive a partial rebate and given that we've already proposed the Alberta travel pass, a one-time rebate of 20 per cent of travel costs to encourage more Albertans to vacation in our province's mountains and parks this summer – it's already working in other provinces. The tourism industry is begging for help. Will the government introduce our Alberta travel pass?

Mr. Glubish: Mr. Speaker, I think an important thing that we should focus on here is what would happen to the tourism industry if the NDP were making the rules right now. Let us not forget that Alberta has the most aggressive opening strategy for the summer here. We are turning the corner. Albertans have been vaccinated in record numbers. This is good news. We can safely reopen, and that is going to be the single best thing that can help the tourism industry going forward. If the NDP were in charge right now, those folks would be suffering because they would be wanting to keep all of Alberta locked down for another two or three months. That doesn't make sense for Alberta, it's not what Albertans want, and we can do better.

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

Calgary LRT Green Line

Member Ceci: Thank you, Mr. Speaker. The green line will create 20,000 jobs and get Calgarians back to work, but the UCP have repeatedly put up roadblocks and moved the goalposts that put those jobs at risk. After Calgary city council approved the route for the green line, the UCP delayed the project by reviewing the project. The review took almost a year, and it took so long that the city will miss the entire 2021 construction season, which means no jobs created. When will the government quit delaying and finally approve this project to proceed?

Mr. McIver: Well, Mr. Speaker, first of all, let me say that I appreciate the co-operative way that the city of Calgary has been working with our officials on the green line project. I believe that we're coming together. In fact, the Green Line Board chair issued a statement today, basically saying that they'll be able to move forward where we're at now with greater cost certainty, and that's

the positive path that we want to be on with the city. We feel good about where we're going in that co-operative way.

Member Ceci: Given that the government has finally completed the technical review that found no problems with the city's plan and only served to delay the project, increase costs, and delay jobs and given that now they've asked the city for a business case, despite it being long accepted that this is a good project, it'll get people to work, it'll connect our downtown, which is critical to any plan to revitalize our economic centre in Calgary, why won't the government approve the project, release the funding, and get people working on it? Or are they just throwing up more roadblocks and moving the goalposts once again?

Mr. McIver: Well, Mr. Speaker, once again the hon. member – the premise of his question is out to lunch, frankly. The fact is that we've been working co-operatively with the city. The fact is that the city has been working co-operatively with us. It's pretty common practice with a loan or a grant amount of 1 and a half billion dollars to ask for a business case. The city finalized what they call their current alignment just a year ago. We're working together in a co-operative way with the city to make that happen. The hon. member should maybe phone somebody from the city; his third question might be better than his first two.

Member Ceci: I'll phone lots of friends.

Given that the constant delays from the government are creating uncertainty around the project and there are now reports that companies are unwilling to bid on the project due to the uncertainty and given that this government has given itself the ability to unilaterally pull funding for the project on only 90 days' notice, which adds a lot of uncertainty for companies looking to bid on the project, will the government commit to removing the 90-day clause if the project is fully approved and funding is released? If not, are you really willing to let this project die? Explain that one to the people of Calgary.

Mr. McIver: Well, I think the hon. member might want to explain to somebody at some point why the premise of his question is so far from what's actually happening. I would draw his attention, for example, to the Edmonton LRT project, which is somewhat similar. We worked together. They have a business case. We signed a funding agreement with them, freeing up the funding. At some point we anticipate that we'll come to a place with Calgary where we will sign a funding agreement with them, freeing up the funding. This is normal practice, which might not have been when the NDP was there, but on this side of the House we actually try to take care of the taxpayers while we're looking after their municipalities.

The Speaker: The hon. Member for Banff-Kananaskis.

COVID-19 Statistics

Ms Rosin: Thank you, Mr. Speaker. Well, last week the Premier and the Minister of Health announced the most ambitious reopening plan in the entire country, and I, for one, could not be more excited. This plan was developed with guidance from experts like our chief medical officer of health, with science to back it up. COVID-19 has been a hard row for all Albertans, and far too many have lost loved ones due to this virus. While I and my colleagues see each death that results from this pandemic as a tragedy, rather than focus on the negative today, I think it's time we focus on the positive. In light of this, can the Minister of Health please tell us what the recovery rate is from a COVID-19 infection?

The Speaker: The hon. the Minister of Health.

Mr. Shandro: Well, thank you, Mr. Speaker. Yes. Thankfully, the vast majority of Albertans who have contracted COVID have recovered. More than 227,700 Albertans have been tested positive for COVID, and about 218,000 of those have now fully recovered. Many others have, you know, still gotten extremely ill before or are still recovering from the effects of long COVID, as we're calling it. The high recovery rate, though, should not be taken lightly. More than 2,200 Albertans lost their lives, and more than 9,300 Albertans ended up in hospital. And thank you to all those in the health system who have . . .

The Speaker: The hon. Member for Banff-Kananaskis.

Ms Rosin: Thank you to the minister, and thank you, Mr. Speaker. Well, given that the hospitality industry was hit hard as a direct result of this pandemic but that many of the businesses have taken significant steps to ensure that their patrons are safe and given that many people, even as our province finally reopens for good, may still be a little bit hesitant or wary to enjoy in-person dining at a restaurant, would the same minister please tell us what percentage of Alberta's COVID-19 cases were linked directly to the hospitality industry?

The Speaker: The hon. the Minister of Health.

Mr. Shandro: Well, thank you, Mr. Speaker. We appreciate that the health measures have been disruptive for businesses throughout the province, and we know that the hospitality industry has worked incredibly hard to protect their patrons, their staff. We've seen cases linked to all sectors, including this one. There is clear evidence from not just Alberta but also across the world that the spread of the virus occurs by close contact. But we have stopped the spike; cases are falling, and with more than 63 per cent of eligible Albertans now already vaccinated, we're currently now in stage 1 and looking forward to proceeding to stage 2 on the advice of Dr. Hinshaw.

The Speaker: The hon. member.

Ms Rosin: Thank you, Mr. Speaker, and thank you again to the Health minister. Well, given that travel restrictions have been in place in Canada for what seems like forever, which has resulted in devastation for our tourism industry, and given that this industry is looking forward to a restriction-free summer so that they can continue to showcase our province, including the most beautiful riding of Banff-Kananaskis, but that some might still, again, be a little bit nervous or wary to travel within our province, can the same minister please tell Albertans just how many COVID infections have been linked to travel and if travel inside the province has been a significant contributor?

The Speaker: The hon. the Minister of Health.

Mr. Shandro: Thank you, Mr. Speaker. Travel has played a key factor in the spread of the virus and throughout the pandemic. The first strains of the virus were brought into Alberta through travel, and we've seen variants spread through travel as well. However, the bulk of transmission has occurred within the province. To date about 6,200 of our cases were acquired through travel outside of Alberta. We have, though, been a leader. Our border pilot program was the first of its kind in Canada and the only one that explored the ability to safely reduce that 14-day quarantine period. We look forward to being able to welcome more incoming travellers in the open for summer plan.

Child and Youth Well-being Review

Ms Pancholi: Last week the UCP announced the Child and Youth Well-being Review Panel to examine the impact on kids from the pandemic. Mr. Speaker, this is not a partisan issue. All members of this Assembly should share the same objectives on this. When the NDP were in government, we struck an all-party panel to review the child intervention system, including current UCP ministers. This is why yesterday I wrote to the co-chairs of the panel – the Minister of Children’s Services and the Member for Calgary-South East – requesting that I also be appointed to the panel. I can think of no other matter where both parties need to work together. Will the Minister of Children’s Services accept this request and give the NDP a seat at the table?

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

Mrs. Sawhney: Thank you, Mr. Speaker. We know that the last year has been hard and that every aspect of our lives has been impacted by COVID-19, including the lives of our children. As any one of us with children knows first-hand, this pandemic has also not been easy on our youth. It’s great to hear support for this initiative from the member opposite. This truly is not a partisan issue. We do need to come together to better understand the impacts on the lives of kids in order to provide the supports and resources that they need to help them thrive.

2:30

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

Ms Pancholi: Thank you. Well, I look forward to my invitation to sit on the panel.

Given that since 2019 the UCP has made funding and policy decisions that impact the well-being of Alberta’s children, including funding changes to PUF and the RCSD model affecting children with disabilities, reducing access to early childhood education, reducing the eligibility for supports for youth aging out of care, and cutting core funding for education, and given that all of these decisions have and continue to impact the well-being of children regardless of the COVID situation, will the minister commit to include in the panel’s mandate all of the funding and policy decisions made in the last two years so that we get an honest assessment of the well-being of Alberta’s children?

Mrs. Sawhney: Mr. Speaker, again I’ll reiterate that the child and youth well-being review is not a partisan issue, and we do need to come together to better understand the impacts. The review panel itself was selected based on their experience in this line of work and is made up of researchers, educators, health care professionals, and mental health experts.

Ms Pancholi: Okay. Well, given that the well-being of indigenous children, culturally diverse populations, and children with disabilities has been significantly impacted by the pandemic as well as by the funding and policy choices of this government and given that access to early childhood education and supports has been more limited in the past two years, impacting future education outcomes and success, yet the mandate of the panel does not specifically address this and given that this lack of diverse input will result in ineffective recommendations, will the minister commit to ensuring that the panel will seek targeted input from these communities and experts in these fields that goes beyond simply a generic online survey?

Mrs. Sawhney: Mr. Speaker, I can assure everybody in this Chamber that the Minister of Children’s Services is very committed to this review, and she is seeking a diversity of opinions. That’s why she’s going to be hosting town halls across the province to gather this kind of feedback from, as I had mentioned, a diversity of stakeholders to make sure that the review is comprehensive and complete.

Critical Worker Benefit

Ms Gray: Mr. Speaker, from the very beginning this government has made a mess of the critical worker benefit program. When the federal government announced the dollars last spring, the minister waited over nine months before announcing a plan for the money. Other provinces had already doled that money out to workers. Then the minister had to walk back eligibility. The portal was compromising private employer information. Now there are so many workers left in the dark to find out if they’re even going to be approved or not. Every step of this program has been in disarray, so I’d like to ask the minister: how much of the critical worker benefit has been paid out to date? How many workers are still waiting?

The Speaker: The hon. the Minister of Transportation and of Municipal Affairs.

Mr. McIver: Thank you, Mr. Speaker. I have to say that I do not have that number at my fingertips, but I will endeavour to have the minister’s office get those numbers or whatever is available over to the hon. member. It seems like a reasonable request for information.

The Speaker: The hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you, Mr. Speaker. Given that we have received a FOIP document indicating that over 2,000 of the applications for the critical worker benefit have been denied and given that there is massive outrage from Alberta workers on what was called unfair and inadequate eligibility requirements and given that this government had to set up a separate portal just to receive complaints about this program, to the minister: can you also tell us how many applications have been denied and why they have been denied? Again, numbers would be much appreciated.

Thank you.

Mr. McIver: Well, Mr. Speaker, there’s the application form, as the hon. member said. I’ve got a hunch that she might already know the answers because she did make reference in her question about having FOIPed it, so it could be that she’s asking questions that she already knows the answer to, which is fair enough in here. But I will say that there’s an application. It’s a matter of: people either meet the qualifications of the application, or they do not. If the member’s question is actually about the conditions to get the funding, then perhaps she should ask about that. Generally speaking, if they don’t meet what is on the website, then they wouldn’t be funded.

Ms Gray: Given that over 70 different front-line working groups, who represent thousands of workers, discovered they didn’t qualify for the critical worker benefit and given that this program has an unequal and nonsensical criteria and that my office has received thousands of e-mails from workers denied – they were told that their work was essential but not critical; in fact, we know that there are lab workers who work for the government who’ve received their benefit, yet workers who work for DynaLife still don’t know if they will even be approved – will the minister tell Albertans why this

government told workers they were essential and to keep working during a global pandemic but not critical enough for this money?

Mr. McIver: Mr. Speaker, it seems that I anticipated the member's third question. It sounds like her complaint might actually be about the conditions that somebody needs to meet to get the funding. I would ask the member to be more specific with the minister's office. Perhaps that way, the minister could address it. It's too bad that it took all three questions to get one question out that the hon. member actually needs to ask. Here's what's important. People need funding. Our government has gone out of our way to provide funding through the jobs now program, through income supports, through all kinds of things. That's important, and we'll continue to do that.

The Speaker: The hon. Member for Lacombe-Ponoka.

Energy Industry Property Tax Payments

Mr. Orr: Thank you, Mr. Speaker. Rural municipalities have lost a significant portion of their revenues for unpaid oil and gas taxes. Many oil and gas companies have been under extreme stress and even bankruptcy and have not paid their municipal infrastructure taxes. Lacombe county, for instance, has not been paid almost \$800,000 in 2020 alone, with another \$600,000 prior to 2020. Ponoka county is bracing for a total of all outstanding possible writeoffs of up to \$2 million. To the Minister of Municipal Affairs: what has Alberta's government done to assist rural municipalities when oil and gas companies have not paid their municipal infrastructure taxes?

Mr. McIver: Well, Mr. Speaker, the hon. member has put his finger on one of the major concerns of, particularly, rural municipalities. The triple whammy of COVID-19, the collapse of energy prices, and the worst economic contraction since the '30s has hit Alberta hard. In 2020 we extended the PERC, the provincial education requisition credit, program to help municipalities deal with uncollectable oil and gas properties. The program has been extended into the year 2021 because the issue still exists. In addition, the municipal operating support transfer, MOST, program provides operating funding support to municipalities who were hit with reduced revenues.

Mr. Orr: Thank you to the minister for that answer.

Given that Rural Municipalities of Alberta has asked the province to close a legal loophole that does not allow them to apply tax recovery tools to oil and gas assets and given that it's not an option to put a lien on a landowner's property because the landowner doesn't owe or pay the oil company's taxes for them and given that closing this loophole is something Saskatchewan has done, Minister, what is your response to this RMA request, and what specific tax recovery tools is Alberta's government considering?

The Speaker: The hon. Minister of Municipal Affairs.

Mr. McIver: Thanks, Mr. Speaker. The hon. member accurately reflects the concern of rural municipalities in particular and some urban municipalities. Alberta's government has and continues to support a balance between the industry and municipalities, keeping in mind that everybody has to pay their taxes. My department is working diligently and continues to assess the situation. We are looking at alternatives to see what additional tools may help municipalities collect unpaid taxes while ensuring that the companies are there to keep paying taxes for the next 20, 30, 50, or

100 years. We haven't come to the end of that work, but we know how important it is.

Mr. Orr: Thank you again for the answer.

Given that the Alberta Energy Regulator's directive 067 determines criteria for energy licence approvals and given that directive 067 was recently amended to include a consideration of a company's municipal tax payment history as part of new energy licence approval criteria, to the minister: going forward, how will that amendment help municipalities recover unpaid taxes?

Mr. McIver: Well, Mr. Speaker, the answer to that remains to be seen. The directive, I believe, is to ensure that the privilege to have a licence to operate in the energy industry is only granted to responsible parties. We will continue to work with municipalities and energy companies to encourage full compliance and have people pay their debts. Let me be clear. The overwhelming majority of gas companies pay their taxes in full at this time, but there are some bad actors who are operating in Alberta and just choose not to pay taxes. We will work with municipalities and look for mechanisms to get to those people and make them pay.

2:40

The Speaker: Hon. members, in 30 seconds or less we will return to the remainder of the Routine.

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

Point of Order

Addressing Questions through the Chair

Mr. McIver: Well, thank you, Mr. Speaker. I rise under Standing Order 16, which says that "every Member desiring to speak is to rise in his or her place and address the Speaker." I will also draw your attention *House of Commons Procedure and Practice*, third edition, on page 610, which says:

Any Member participating in debate . . . must address the Chair, not the House, a particular Minister or Member, the galleries, the television audience . . . Since one of the basic principles of procedure in the House is that the proceedings be conducted . . .

in terms of a free and civil discourse,

Members are less apt to engage in heated exchanges and personal attacks when their comments are directed to the Chair rather than to another Member. If a Member directs remarks toward another Member and not the Speaker, the Member will be called to order and may be asked to rephrase the remarks.

In Committee of the Whole members must direct their comments to the chair.

Now, Mr. Speaker, I could have called three points of order here because at the end of the member's three questions – the first one: they directed a question and a statement directly to the Premier and not through the chair. As such, I respectfully request that you require the hon. member to withdraw and apologize for that.

The Speaker: The hon. Official Opposition House Leader.

Ms Gray: Thank you very much, Mr. Speaker. The Deputy Government House Leader has done a great job at summarizing an important concept, which is speaking through the chair. Now, I don't have the benefit of the Blues. I thought I only heard the member do it the once. To my ears, what I heard was a great deal of passion talking about the first-hand experiences of Albertans who had found themselves to be homeless and the government responding with denial. I felt the temperature in this place rising. In that interaction I thought it was happening in the heat of the moment, but certainly speaking through the chair would be the

correct and appropriate way to do that. On behalf of the member I will apologize and withdraw.

The Speaker: I consider this matter dealt with and concluded.

Motions under Standing Order 42

The Speaker: At the appropriate time the hon. Member for Central Peace-Notley stood and gave oral notice of Standing Order 42. He now has the opportunity to provide brief remarks of up to five minutes as to the urgency of the issue he has raised.

Constitutional Amendments and Quebec Bill 96

Mr. Loewen: Thank you very much, Mr. Speaker. I rise today to ask for unanimous consent of the Assembly on a matter of urgent importance. As you may already know, the National Assembly of Quebec is currently considering Bill 96, which will effectively change the Constitution of Canada. With Bill 96 the government of Quebec is aiming to add two points to Canada's constitutional framework, the first being that Quebecers form a nation and, secondly, that French shall be the only official language of Quebec.

Both the Prime Minister and the Premier of Alberta have made comments to the press that there is a legal path for Quebec to make these changes unilaterally, with the federal government's consent, of course. The reasoning used is that under section 45 of the Constitution Act provinces may amend their own constitutional documents and that such changes may be reflected in the Constitution of Canada providing that the amendments pertain only to the province making the changes.

If this is now a commonly accepted process for constitutional change, then we must act quickly and decisively to defend Alberta's interests. There are many options to consider, many more than I can address in five minutes. The precondition of the success of an Alberta agenda is the exercise of all our legitimate provincial jurisdiction under the Constitution of Canada. We have an opportunity as a province to take advantage of the fact that the federal government is favourably considering allowing Quebec to amend the Constitution.

As a province we need to take advantage of this opportunity Quebec has opened up while public discourse and the federal government are amenable. Like with all other things in the news cycle, we have a limited opportunity for our Albertacentric proposals to be directly associated with the publicly accepted efforts of other Canadian provinces like Quebec. With a Prime Minister so hostile to Albertans and Alberta's interests, I believe we must take immediate action to stand up for our province.

With the introduction of Quebec's Bill 96 in the National Assembly, time is of the essence, and we are running out of sitting days in the current legislative session. As the spring session nears its close, we need to focus on representing Albertans with reasonable options for our province to favourably amend Canada's Constitution. Again, this is an opportunity to inform Albertans of the options available. This would give Albertans time to contemplate these options. Timing is critical to take advantage of this opportunity that Quebec has opened up. We are only sitting for a few more weeks, and this is long overdue. Today let us unanimously call on the Alberta government to prepare options to amend Canada's Constitution to defend Alberta's interests.

Thank you.

The Speaker: Hon. member, pursuant to the recent change to Standing Order 42 there is the opportunity for a response of up to

five minutes. It appears to me that the Deputy Government House Leader is going to be responding on behalf of the government.

Mr. Madu: Thank you, Mr. Speaker. I do want to thank the Member for Central Peace-Notley for his motion. The reality is that we share on this side of the aisle many of the concerns that he raised and the reason why he has brought forward this motion. But, in my view, I think there is a time and place for everything. As you know, and for the benefit of this Assembly, something that we all should know: we are bringing forward a referendum on equalization this fall. We have also committed – and the Premier has said this multiple times – that we will be looking into the possibility of an Alberta-made constitution. There are a whole host of democratic reforms that we are working on right now, as we speak.

I am confident that our commitment to fight for fairness for our province, for more independence from Ottawa, a fair deal within this Confederation is something that every single member of this particular House ought to share in common. So, you know, there is a time and place for everything. The hon. member can rest assured that as a government we are committed to making sure that we obtain a fair deal for our province, protect our province from the intrusions of the federal government, and to ensuring that we strengthen our citizens. I would urge the hon. member to stay tuned, you know, to all of the initiatives that we are going to be bringing forward this year and the years to come in order to protect our province.

Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 42 is a request for unanimous consent to put aside the regular business of the day to proceed immediately to debate the motion as proposed by the hon. Member for Central Peace-Notley.

[Unanimous consent denied]

The Speaker: We are at Ordres du jour.

Orders of the Day

Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

Bill 63

Police (Street Checks and Carding) Amendment Act, 2021

The Deputy Chair: Thank you, hon. members. I would like to call the committee to order.

Are there any comments, questions, or amendments to be made at this time? I see the hon. Member for Calgary-McCall has risen.

Mr. Sabir: Thank you, Mr. Chair. I do have some comments that I will make. Before I do so, I do want to say again that both the Minister of Justice and I do agree that carding should be banned. It's a practice that is illegal, it targets certain individuals based on discriminatory criteria, and it has no place in a democratic and fair society governed by the rule of law. I hope that the minister and I can also agree that with respect to street checks we recognize the important role that police and law enforcement play in keeping our communities safe. In so doing, they have to engage with Albertans, with individuals, and during those interactions I think what we want to do is that we want to make sure that they are able to do their job without overstepping on citizens' right to be free from any kind of

state coercion or discrimination. That's what is the subject matter of this Bill 63.

2:50

Where we disagree is that the government claims that this bill bans carding, and the government claims that they have struck the right balance between police needing to be able to do investigations, their job, and citizens' right to be free from any kind of interference and discrimination. That's where we disagree.

I have canvassed the provisions of this bill clause by clause with my caucus colleagues and also with my teachers, law professors, legal experts, and then we have compared this bill with what's in the report about carding and street checks from Ontario and Nova Scotia and, in particular, the report from Ontario. I read that with interest. A respected justice from the Court of Appeal of Ontario took a whole year off the bench to consult with communities across the province, to consult with law enforcement across the province, to consult with legal experts across the province and then came up with a very comprehensive report. Based on that report, Ontario then came up with the regulations that are in place right now.

Many of the amendments that we are trying to bring forward, many of the changes that we are trying to make to this piece of legislation are with a view to make this bill better, are with a view to make this bill comparable to the laws in place in other jurisdictions. In many of the recommendations, even at times the wording, we are following those reports and the best practices from other jurisdictions who have dealt with this issue.

With those comments, I would like to move another amendment to this bill, and I do have the requisite number of copies.

The Deputy Chair: Thank you, hon. members. As is the regular routine, all you have to do is put up your hand, and a copy will be delivered to you by the pages. Also, there will be copies at both entrances on the tables. I'm going to remind the hon. member, though I think he knows quite well, to e-mail a copy to the table as well.

With that, for the benefit of all, this will be referred to as amendment A3.

If the hon. member could please read it into the record for everyone's benefit. Thank you.

Mr. Sabir: Thank you, Mr. Chair. I move that Bill 63, Police (Street Checks and Carding) Amendment Act, 2021, be amended in section 2, in the proposed section 38.1, (a) in subsection (4) by striking out clauses (a) to (e) and substituting the following:

- (a) inquiring into offences that have been committed;
- (b) gathering information for intelligence purposes related to individuals known or reasonably suspected to be engaged in offences;
- (c) inquiring into offences;
- (d) another lawful law enforcement activity.

And (b) by adding the following after subsection (4):

- (4.1) For the purpose of subsection (4), "offence" means an offence under an Act of the Parliament of Canada or the Legislature of Alberta.

What this amendment is doing is pretty simple. As I said – and I will repeat that – we support a complete ban on carding. With respect to street checks, we recognize the need for police to engage with citizens, but we want to have some safeguards in place so that citizens are not discriminated against, so those checks are not completely arbitrary. What was recommended in Justice Tulloch's report was that, for street checks, although that report didn't require that there be a reasonable probable grounds standard for police to engage with and interact with citizens if they are doing some kind

of investigation, still the report said that there needs to be something which is more than a mere suspicion.

In section (4), the section I'm trying to amend, the government has listed five things. The first one is crime prevention activities. That provision is way too broad, and it's not reasonably possible to think of anything that will fall outside the scope of this provision. With this amendment what we are asking is that we have some safeguards in place so that when law enforcement is engaging with citizens, they should be doing so to inquire into offences that have been committed. That's a legitimate law enforcement purpose. If they are gathering intelligence, that should also be connected to some kind of offence that they know has been committed or reasonably suspect that somebody has committed. Again, we are not requiring the reasonable probable grounds standard, but we are requiring something more than a mere suspicion.

3:00

Then for inquiring into offences, certainly that's the role of law enforcement. They should be doing that and any other lawful enforcement activity. I think that these changes will give enough room for law enforcement to be able to do their job, to be able to engage in activities to keep our communities safe, and at the same time citizens will be free from any kind of arbitrary street check, which you can do under crime prevention activities, a vague and broad term that cannot be reasonably defined. I would think that this provision was too broad. That's what I have heard from legal experts. That's what I have heard from community leaders, in particular those individuals and community leaders who are often the subjects of carding and street checks.

It's a reasonable amendment, and I hope that the minister will consider this with due seriousness. Again, I do want to say that it's just a matter of the interpretation of this bill that we disagree about. We support the ban on carding; we just don't think that this bill establishes that. We support regulating street checks, but we do not believe that this bill strikes the right balance. This amendment will help us strike the right balance, and I urge all members of this House to review both the provisions, the one I'm amending and the amendments. I've said this before, will say it again: it's not a partisan issue. I think it's our responsibility collectively as legislators to make sure that those in BIPOC communities – black, indigenous, person of colour communities – do not get targeted, do not get discriminated against based on just who they are. I hope that everybody can rise above and beyond partisanship and support this amendment.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any members wishing to join on amendment A3? I see the hon. Minister of Justice and Solicitor General has risen.

Mr. Madu: Thank you, Mr. Chair. Again, let me thank the Member for Calgary-McCall for his interest in making sure that carding is banned in our province. I think that that is a goal all of us can agree on, that carding is an arbitrary practice that targets mostly minority, cultural, and indigenous communities, something that everyone with an elementary knowledge of the law knows is a violation of our Charter of Rights and Freedoms, is an unconstitutional act. You know, that is precisely what Bill 63 is meant to accomplish, the ban on carding written into Bill 63 in subsection (5). That is why in November 2020 I stood with the public and the media and announced that carding was banned and that I would follow that up with a bill as well as a regulation that would detail, that would make clear the circumstances under which a police officer may interact with fellow citizens. My disappointment, however, is that the

members opposite would not take yes for an answer. The bill before them addresses every single concern that they have.

You know, I have had the benefit of studying law in two great common-law jurisdictions, Nigeria and this great country. We know that we can see a piece of legislation, look into the provisions, read all of the sections and subsections, and come to the conclusion as to what that particular legislation is meant to accomplish. My colleague from Calgary-McCall knows that too well. This is the unfortunate aspect sometimes of the nature of the disagreement that we have as political parties.

If you take a look at the amendment A3 that they put forward, that they collectively put together, in summary, in their view, the only thing that will confirm that this bill has banned carding is if subsection (4) addresses only offences, whether committed, that police can only have those types of interactions if an offence has been committed or is likely to have been committed. Without going into the details or complexities of the amendment put forward, that is essentially what the Member for Calgary-McCall and the NDP have put forward.

Yesterday before the floor of this particular Assembly I was clear that I as Justice minister and Solicitor General would not do anything that would undermine our law and the capabilities of law enforcement to be able to prevent the occurrence of crime, the investigation of crime, or the intelligence capabilities to ensure that we get to them before they occur. I was clear. The bill before you, in subsection (4), for the benefit of viewers who are watching from home, to contrast it with the amendment put forward by the Member for Calgary-McCall: I leave it to you to ask yourselves whether or not the members opposite believe that we as a Legislature, as a government must not undermine the intelligence capabilities of our law enforcement and the tools that they need to legitimately prevent crimes before they occur. There are all kinds of threats that we deal with as a society – it is not just criminal activities; as a lawyer the Member for Calgary-McCall knows that – things that keep us, all of us in government, awake every single day to ensure that we protect our fellow citizens and our province from all threat.

3:10

The amendment put forward by the Member for Calgary-McCall is asking us to delete, to strike out subsection (4)(a) to (e), would almost guarantee that. For the benefit of our viewers back home, subsection (4) in Bill 63 reads:

A police officer may only collect, record, retain, store, use or disclose information, including personal information, voluntarily provided by a member of the public, obtained as a result of a non-detention, non-arrest interaction with a police officer, under this section if that information is obtained during the course of one or more of the following activities:

These are the things that the Member for Calgary-McCall and the NDP would want us to delete.

- (a) crime prevention activities;
- (b) gathering information for the purpose of intelligence related to individuals known or reasonably suspected to be engaged in illegal activities;
- (c) inquiring into offences that may have been or might be committed;
- (d) inquiring into suspicious activities that may lead to detecting illegal activities;
- (e) another lawful law enforcement activity.

Those are the provisions that the Member for Calgary-McCall would want us to delete and in its place to replace it with:

- (a) inquiring into offences that have been committed;

And I want to underline the word “offences.” You can see how many times it appears in all of these subsections.

- (b) gathering information for intelligence purposes related to individuals known or reasonably suspect to be engaged in offences;

Instead of “illegal activities.”

- (c) inquiring into offences;
- (d) another lawful law enforcement activity,

which is (e) in Bill 63. Then they propose that we add an additional subsection that reads:

- (4.1) For the purpose of subsection (4), “offence” means an offence under an Act of the Parliament of Canada or the Legislature of Alberta.

So here you have it, the difference between the proposed amendment A3 to Bill 63 and the actual content of Bill 63, and then you ask yourself: what really are the members opposite trying to get at?

In the end, it comes down to their attempt to weaken our law enforcement powers. It has nothing to do with carding, absolutely nothing to do with carding. I am not surprised because we have spent a good chunk of time in the last one year debating whether or not the police should be defunded, whether or not the police should be, you know, weakened. We have had folks from all kinds of communities aligned with the NDP calling for the defunding of the police, calling for the eradication of the police, the weakening of the abilities of our law enforcement to keep every single community and Alberta safe.

At every opportunity that the NDP gets on matters like these, their true colour begins to show itself. Disappointing. I actually thought that the Member for Calgary-McCall would, you know, stand up before the floor of this Assembly and commend this bill. That was my expectation because for four years the Member for Calgary-McCall was part of a government that were called upon by members from different cultural minorities and business communities to end the practice of carding. Which is it right now? Is it that they didn't believe that carding was a thing then, and all of a sudden they've realized that it is a thing now? The Member for Edmonton-City Centre in 2017 said with respect to the question of whether or not he believes carding should be banned, and I quote – I wasn't ready to say whether he supports banning street checks as Ontario has done. He wasn't ready.

In 2016, at the height of the protest on the steps of the Legislature by cultural communities calling upon the previous NDP government to ban carding, the then Minister of Justice and MLA for Calgary-Mountain View said:

Not only do police have a need to ensure that they're able to talk to members of the community, but people have rights to ensure that they know that that's not going to be based on irrelevant factors.

She added:

We're moving forward with that plan to make sure that everyone feels [protected].

That was in 2016. Three years after, before they were defeated, it was all crickets; nothing happened. Nothing happened.

Instead, at every opportunity they have, they want to draw our attention to how our institutions and all of us are, you know, being ravaged by racism and discrimination. They want Albertans to know that we are a racist people, that their racism and discrimination exists everywhere, which no one – all of us can agree that racism and discrimination are awful. They are not to be tolerated by anyone in this Assembly, by any responsible Albertan, in any society that wants to ensure that their citizens achieve their full potential. Nothing demoralizes a human soul than an act of racism and discrimination. Nothing keeps you down, prevents you from being confident in your ability to be yourself, to achieve your full potential than being discriminated against or being regarded as a subhuman or being treated unequally under the legal system that

is meant to protect each and every one of us, something all of us can agree on.

But my profound disappointment – and I watched from the sidelines. I was not in this Assembly between 2015 and 2019, before the UCP government was elected. I wasn't here, but I was an objective onlooker. I watched from the sidelines the events that took place in this Assembly. I saw all of those protests. Sometimes I saw some of the write-ins by some cultural communities before they even made it to this Assembly. The then minister, the Member for Edmonton–City Centre, had they had access to many of those individuals that begged him, that called upon him – I don't think that the Member for Calgary-McCall was on record on this particular issue. It was crickets for three years, something that has devastated members of cultural minority communities. One of the reasons why we have so many of them, our young people, overrepresented in our correctional facilities and our justice system is this practice called carding. For three years, despite all of that outcry, the members opposite did nothing. They did nothing.

Here we have an amendment that would undermine the ability of law enforcement, and folks from those communities do not want to undermine the powers of law enforcement to be able to do their work. They just don't want to be carded. They just don't want to be stopped by a police officer simply because they look like me, simply because of what they look like or where they come from or their socioeconomic standing in society. That's what they want. That's what I have been hearing from them since this debate started. That's what I heard from them long before I came to this Assembly, and that is what I have tried to capture by the announcement on November 20, 2020, and through Bill 63.

3:20

We must have the political courage to confront the problems that keep our people down. It requires political courage. I want to submit to you that the NDP did not have the political courage for four years to tackle that. They didn't believe that carding was a thing. You can see that from *Hansard*. You can see that from the *Sun* newspaper, CBC, or the commentary by the then Justice minister and the MLA for Edmonton–City Centre. Indeed, it was crickets from the rest of the members of that particular caucus in this Assembly. As we sit here every single day, you would think that that would have been, given that we have been lectured by the NDP on racism and discrimination and how they are going to be the saviour of the minority, cultural, indigenous people and communities, a no-brainer, that that would have been one of their first acts in this Assembly. No, it did not happen.

If I see an amendment from the members opposite that would strengthen Bill 63, I would go for it. If I see a loophole that needs to be closed, I would go for it. I am committed to making sure that carding is banned, and that is why I have taken the time to consult. I have taken the time to consult with all of the police chiefs and stakeholders in this province, and I have made it clear to them that I intend to absolutely ban carding. That is what Bill 63 has sought to do.

I would welcome the Member for Calgary-McCall standing before the floor of this Assembly to commend Bill 63. That's how we work together. That's how we solve problems. Law enforcement needs interaction with members of our community. There's a lot that we as a society have asked them to do to protect us and to keep us safe. We must not do anything to undermine those sacred responsibilities that we owe to fellow Albertans.

On that particular basis, hon. members, I do not support amendment A3, and I urge that we vote it down. Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. minister.

Are there any members to join, again, on A3? I see the hon. Member for Calgary-McCall has risen.

Mr. Sabir: Thank you, Mr. Chair. I would like to respond briefly. There are many things in the minister's remarks that I can respond to, but again I think the issue that we have before us is really important, and I do want to stay focused on that one. Through you, Mr. Chair: Minister, you say that you intend to ban carding, and if your bill in any way, shape, or manner achieves that, then the pride is rightfully yours and I would be cheering for you, but the problem with the bill is that it's regulating carding.

The government's own release in November said – and I'm pretty much quoting – that carding has been and continues to remain illegal. That was in a government release. If something is already illegal, then there's nothing to ban. The problem was that we knew that those practices of stopping people based on their colour, creed, ethnicity were offside Canadian laws, the Canadian Charter of Rights and Freedoms, Alberta human rights, and generally they were offside individuals' dignity, but somehow that practice was happening, hence the reports on street checks and carding out of Ontario, out of Nova Scotia and hence the need for you to look into this matter and do something about it. To the extent that you want to ban carding, I'm in full support of that. Every member on this side of the House is in full support of banning carding. The disagreement here is that this bill is regulating carding; it's not banning carding.

With respect to street checks, we recognize that police need to interact with citizens to carry out their duties, but there need to be enough safeguards in place that citizens are protected. No one on this side is asking or has done anything to defund the police. In four years, when we were in government, we worked with law enforcement. We increased their numbers, we increased their funds, and we came up with a rural crime strategy. We worked with the federal government in 2017 to have justice positions in our courts filled. That was the last time Alberta made requests. Even this government has missed the deadline to apply for judges this year.

In 2019, when Calgary saw a huge spike in crimes and in particular in northeast communities we saw gang-related activity, in this House I asked for more supports. And what we got in return? Thirteen million dollars were cut from the Calgary police budget. Not by the NDP, by this UCP government. Since then this UCP government has defunded police in every single budget. The most recent budget has a \$65 million cut to the Justice department.

So, through you, Mr. Chair: please stop this rhetoric. We are not here to undermine law enforcement. We are here to make sure that Alberta remains a democracy where everything and everyone is ruled by the rule of law. It doesn't matter what you look like, where you come from; you're treated with respect.

We do know that more often than not targets of these street checks are people from black communities, indigenous communities, brown communities, person of colour communities. These are the people who are targeted. Since we left government, things have changed as well. George Floyd was lynched in broad daylight, and the world around us has changed significantly since then. There were protests across Canada, across the globe led by the Black Lives Matter movement. The way that we look at policing, the way we look at these historical injustices, the way we look at systemic racism is different now. The way Chief Allan Adam was arrested: I don't think that those are the kinds of things that should be happening in a fair, democratic society where we have the rule of law.

3:30

I have heard members of this UCP caucus defending the rights of those who are marching in our streets with tiki torches and hate symbols. I've heard this government defending their Charter rights. In here, when we want to talk about people's Charter rights, they are using the dog whistle that somehow we are undermining law enforcement. That's not the case, Minister. These are very reasonable amendments that would make sure that the right balance is struck between the police's need to do their job and citizens' right to be free from any kind of discrimination.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to join debate? I see the hon. Member for Calgary-East has risen.

Mr. Singh: Thank you, Mr. Chair. I stand to oppose the proposed amendment to Bill 63. The bill has been prudently crafted through the hard work and dedication of the minister and all the staff of the ministry. Thereby, I cannot agree with the amendment as proposed to change and defeat the purpose of the bill.

Having said that, Mr. Chair, let me begin by providing my appreciation to the minister for introducing this bill with the goal of reforming and modernizing policing standards in addressing the problem of systemic racism within law enforcement. As we have seen south of the border, people were outraged by the conduct of arresting officers that led to the death of the person being arrested for allegedly using counterfeit bills. This situation also captured the interest of many people around the world as they shared that similar scenarios have happened in the past in their jurisdictions.

Allegations of the existence of systemic racism within the law enforcement agencies grew, even the discussions here in our country, in our province. We have heard about the happening of carding, or racial profiling, which is the illegitimate seeking by law enforcers of one's personal circumstances without any justifiable reason other than by the appearance, colour, or race of that person.

As these acts are inherently illegal, the government issued a ban on carding in November 2020. Bill 63 goes one step further, Mr. Chair. This bill will ensure that the practice of carding by law enforcers, which is inherently a discriminatory and arbitrary act, is not only discouraged but formally banned by amending the Police Act to provide clear legislative definitions of carding and street checks.

There have been various testimonies or expressions of experiences from the public before on being stopped by law enforcers without justifiable cause or reasonable grounds, and personal information was taken. Many of these were conducted against racialized or persons of colour, who had often no option but to submit to the commands of the law enforcer. Mr. Chair, many Albertans will be protected by this bill, and the constituency of Calgary-East will definitely benefit through this bill as it is composed of Albertans of different backgrounds and races.

Let me just restate it. This bill will formally ban carding. Alberta and Canada have been standing up against discrimination, racism, and all similar acts that cause prejudice to any person. As set out in Bill 63, Mr. Chair, carding occurs when officers randomly request personal information from a member of the public without reasonable grounds. This would mean that carding exists with

any attempt to collect information, including personal information, from a member of the public [when]

- (i) any part of the reason for the attempted collection of the information is based on a prohibited ground of discrimination, the person's socio-economic status, or the police officer's perception that the member of the

public has a characteristic associated with a prohibited ground of discrimination or a person's socio-economic status.

The attempt to collect information is also considered carding if it is done in an arbitrary way.

Mr. Chair, Bill 63 defines prohibited grounds of discrimination as:

a person's race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation.

In contrast, street checks are interactions or observations that result in an officer collecting personal or identifying information and entering it into a database for future use in accordance with the activities as identified in Bill 63; in particular,

- (a) crime prevention activities;
- (b) gathering information for the purpose of intelligence related to individuals known or reasonably suspected to be engaged in illegal activities;
- (c) inquiring into offences that may have been or might be committed;
- (d) inquiring into suspicious activities that may lead to detecting illegal activities;
- (e) another lawful law enforcement activity.

Although the practice of carding has unfairly and unacceptably targeted racialized communities, street checks, when used properly, can be a valuable and legitimate investigative and crime prevention tool for police. This bill does not and will not interrupt lawful police work. These changes will improve the public trust and confidence in our law enforcement agencies, who have been working tirelessly to maintain peace and order in our province, especially in this time of pandemic.

Let me take this moment to give my appreciation to law enforcement agencies, Mr. Chair. I see them out there on the streets of Calgary-East as well as everywhere in Alberta. They continue to work tirelessly no matter what conditions they face out there, sworn to maintain peace and order and many times risking their safety, their health, and their lives to keep others safe and secure. Their dedication and courage as they perform their duties are just so outstanding. I believe their extensive training and preparation play a significant role in it. Day to day they face different situations, from flagging traffic speed violators, responding to and investigating break-ins, to catching or entrapping illegal drug dealers and other serious crime offenders. Their service and commitment are greatly needed in our communities throughout Alberta, and I appreciate all their hard work and their efforts in responsibly maintaining our security and preserving the peace.

In this time of pandemic they are bravely out there to provide continuous hard work to make Albertans safe. For that, I respect their courage while they preserve the balance in our community and as they enforce health measures and spread information and awareness to maintain the safety and good health of everyone.

3:40

Our law enforcement agencies welcome this reform to the Police Act. The RCMP's federal mandate does not allow carding. According to Edmonton Police Service data, officers reported conducting 3,591 street checks in the first six months of 2020. That is about a 48 per cent reduction from the same period in 2019, which saw 6,889 street checks. On the other hand, Calgary's chief of police estimated that there are about 8,700 street checks conducted yearly by his officers, and half of those occur while on dispatch calls when officers investigate a complaint.

This is the reason why the bill is important, Mr. Chair. It lays out the definition of carding and street checks so that the clarity in their

defence is provided through legislation to restrict the arbitrary means of collecting information. This bill also provides that data collected through street checks must be provided voluntarily; that is without undue force or threat on the part of the law enforcers. When conducting a street check, law enforcement is required to first notify citizens of their rights prior to going further, including notification that any information provided will be offered voluntarily.

Mr. Chair, Bill 63 outlines the circumstances in which a street check may be conducted. It also outlines circumstances where a prohibited ground of discrimination or socioeconomic status may form part of the justification of a street check as well as circumstances where the collection of information would be considered arbitrary. These changes to the act only apply to situations “where a police officer has no other authority, responsibility or duty to collect, record, retain, store, use or disclose information from a member of the public.” It doesn’t apply to every interaction between the public and the police that is not principally related to law enforcement; for instance, participating in parades, giving talks at community meetings, or coaching a sports team. It does not apply to situations where another provincial or federal act already covers the procedure of enforcement, including the enforcement of the transportation safety act, the Criminal Code, or the Emergency Management Act.

Mr. Chair, Bill 63 will also enable the Lieutenant Governor in Council to make regulations pertaining to street checks. Such regulations would provide clear guidelines regarding, among other matters, the circumstances in which street checks may be conducted and how information obtained through street checks may be used and retained during police officer training and public education. Bill 63 will also permit information to be disclosed to a public body like the government to monitor the practice of street checks for review and reporting requirements.

The Freedom of Information and Protection of Privacy Act, FOIP, does not currently cover the practice of street checks as there is currently no statutory authority for the practice. As we all know, the FOIP Act provides individuals with the right to request access to information in the custody or control of public bodies while providing public bodies with a framework for conducting the collection, use, and disclosure of personal information. If this bill is passed, such information would be subject to FOIP requests, Mr. Chair. The changes that Bill 63 carries will improve interactions between racialized communities and law enforcement while maintaining critical investigating tools for police. Our law enforcers have committed to protect and serve Albertans. Bill 63 will also provide legal clarity on these types of interactions between citizens and law enforcement and, at the same time, enhance the trust and confidence in law enforcement and protect the rights of all Albertans. By improving our Police Act, we will see more harmonious connections in our communities between law enforcers and the general public.

I again applaud the minister for introducing these changes to enhance and modernize law enforcement in our province, and I encourage every member of this House to support this bill, that enhances the protection of Albertans while improving our trust and confidence in our police.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

We are on amendment A3. Are there any members wishing to join debate?

[Motion on amendment A3 lost]

The Deputy Chair: Moving back to the main bill, Bill 63, Police (Street Checks and Carding) Amendment Act, 2021, are there any members wishing to join debate? I see the hon. Member for Calgary-McCall has risen.

Mr. Sabir: Thank you, Mr. Chair. The deputy whip is in a little bit of a rush, but we have some amendments again. It’s unfortunate that the previous amendment was defeated, but I have another amendment, and I do have the requisite number of copies for distribution.

The Deputy Chair: Thank you, hon. member.

As is the case, feel free to put up your hands, and an amendment will be delivered to you by the pages. There will also be copies on each table close to the entrances. I expect that the hon. member already has somebody perhaps e-mailing the table, similar to the way the last one went. For everybody’s benefit, this one will be referred to as amendment A4.

If the hon. member could please read it in for the record and then continue with his comments, should he so choose.

Mr. Sabir: The Member for Calgary-McCall to move that Bill 63, police amendment act, 2021, be amended in section 2, in the proposed section 38.1, by adding the following immediately after subsection (8):

(8.1) Each commission and policing committee must, with respect to carding,

- (a) ensure that training on bias, discrimination and racism is provided to all police officers for which they are responsible,
- (b) establish a public education program and outreach strategy regarding community policing,
- (c) retain and store all information, including personal information, collected under subsection (8), and
- (d) report on an annual basis to the Minister on compliance or non-compliance, as the case may be, with each requirement of this section in respect of the police officers for which they are responsible.

I think this amendment is a critical one, and considering that government has turned down including grounds for discrimination in the legislation, government has turned down any safeguard to protect citizens’ rights, those amendments, then this amendment becomes even more important.

3:50

I do understand that when it comes to disclosure, when it comes to sharing information publicly, this government has a hard time doing that. As soon as they became government, they even got an award for code of silence. We have seen transparency go down under this government. Some of those things, through you, Mr. Chair, to me suggest that they were going to do that anyways under regulations or “trust us,” but, no, these things that I’m bringing forward through this amendment are based on consultation with the cultural communities, with diverse communities across this province through the albertasfuture.ca platform, where we have shared a number of proposals relating to the diversification of the economy, and we have invited Albertans to share their proposals through that platform.

We also conducted consultations on racism, with respect to health care, with respect to education, with respect to public safety, with respect to services, with respect to democratic participation. Albertans from diverse communities participated in those consultations, and they weighed in on many issues. I think the things that came up time and again were that the landscape in Alberta is changing; Alberta is far more diverse now than it was 20 years ago. Recommendations coming out of those consultations

were that we should be educating the public service – in this case that would be law enforcement – around the issues of bias, discrimination, and racism. Through this amendment, what we are asking is that where there is a police commission, they should train officers, their employees, on bias, discrimination, and racism. That will help us make sure that our public service understands the diversity of our province, they're aware of systemic issues, and they're actively doing their part to address those issues.

Secondly, we are again asking the commission to establish a public education program regarding community policing. The reason we are asking the commission to do their public education program is because we cannot again ask this government, after their K to 6 curriculum, to ever come close to anything education related. That's why we are asking that each commission should make sure that there is a public education program and an outreach strategy with respect to policing. That will help us to build that trust and confidence between law enforcement and the public and help us protect our communities, individuals in communities.

What we are saying through this amendment is that we collect and retain race-based data. That's including personal information. We collect that, and the commission, which has the role of public oversight, should retain and store all that information. Then, based on that data, they should be publishing on an annual basis a report of compliance and noncompliance. This provision will make sure that there is transparency and there is an arm's-length body responsible for public oversight of policing doing all these things with respect to training officers around bias, discrimination, and racism, with respect to public education and community policing, with respect to storing race-based data, and with respect to publishing annual reports about the compliance.

These provisions will strengthen the bill, and they are particularly important and should not be left to the regulation. As an MLA, as the representative of one of the most diverse ridings in this province, where people from many different faiths, cultures, and backgrounds live – this is important to all those Albertans, and it shouldn't be decided behind closed doors in cabinet as their representatives and everyone else is tasked to do the same. Those Albertans want us to talk about these important issues that matter to them, that often affect them adversely.

Again, it's my hope that it's a very common-sense amendment. All these things are recommended in Justice Tulloch's report. They are talked about in a report about street checks and carding coming out of Nova Scotia, and they are supported by Albertans, supported by people in black, indigenous, and person of colour communities. I hope that everyone in this House will vote in favour of transparent data, in favour of race-based data because we know that more often than not, individuals from BIPOC communities are targeted in carding and street checks. If that's not true, the government needs to do something to collect that data. That's what we hear in those communities. If it's just a perception, then government should do a favour to law enforcement and collect that race-based data and share it with Albertans. That will correct the perception, or that will show us the real picture, and that will help us to build that trust and confidence among and between law enforcement and Albertans.

I urge all Albertans, all members of this House to support this amendment. Thank you.

4:00

The Deputy Chair: Thank you, hon. member.

I see the hon. Minister of Justice and Solicitor General has risen to take part in debate on A4.

Mr. Madu: Thank you, Mr. Chair. Just let me begin by once again thanking the hon. Member for Calgary-McCall for amendment A4,

that he has put forward. Quite frankly, there is nothing in this proposed amendment that I disagree with. The difficulty, however, is that on November 20, 2020, I announced a ban on carding and a reform on street checks, a four-part process, structured in four parts. In the announcement I said that I would put forward a bill. We now have a bill that bans carding.

I also said that I would put forward a process to reform street checks, because there really is a distinction between carding and street checks. That reform of street checks you will also find in Bill 63. I also said that there would be a two-part educational program, that my department will embark on a robust educational program with law enforcement, with the commissions, with the various police services in our province. The second part: I also said that the various police services in our province would also embark on public education on the differences between carding and street checks. I can confirm that the various police chiefs in our province are working on that as we speak.

I also said that I would put forward a regulation and standard of practice. I can confirm that I am working on a regulation. The question for me, not just as Minister of Justice but as a lawyer, is: how do we structure legislation, understanding that legislation includes statutes, which are bills before they become law, and regulations made pursuant to the primary statute? We have a primary legislation and a secondary legislation, and it is up to me, responsible for this particular file, to determine how I am going to structure this whole component to ensure that there is no question in the minds of anyone in our province that carding has been banned and that street checks have been reformed and that there are going to be educational programs by my department and by the various police services and that there's going to be a regulation that deals with certain matters.

Sadly, you know, what the member opposite proposes to do is to put in a statute an offence that, in my judgment, belongs somewhere else. For the purpose of this Assembly, subsection (9) of the proposed bill, of Bill 63, provides the Lieutenant Governor in Council with the power to make regulations. I'm going to just take some time to read, for the benefit of the members of this Assembly, the content of subsection (9).

The Lieutenant Governor in Council may make regulations respecting the collection, recording, retention, storage, use and disclosure of information, including personal information, voluntarily provided by a member of the public, obtained as a result of a non-detention, non-arrest interaction with a police officer, including

- (a) defining any word or expression for the purposes of a regulation made under this section;
- (b) prescribing and respecting the circumstances in which a police officer is permitted to collect, record, retain, store, use or disclose information, including personal information, or is prohibited from collecting, recording, retaining, storing, using or disclosing information, including personal information;
- (c) respecting the conduct of non-detention, non-arrest interactions between a police officer and a member of the public, including the duties that a police officer must fulfill prior to collecting information, including personal information, from a member of the public, or following the collection or attempted collection of that information from a member of the public;
- (d) respecting the retention, storage, use and disclosure of information, including personal information, including the placement of that information in a police database or report and use of that database or report.

And this is important:

- (e) respecting the establishment, implementation and review of standards regarding

- (i) the collection, recording, retention, storage, use or disclosure of information, including personal information, voluntarily provided by a member of the public, and
- (ii) records or reports that must be kept or made in relation to the collection, recording, retention, storage, use or disclosure of information, including personal information, voluntarily provided by a member of the public;
- (f) respecting the training of any police officer . . .

This is equally particularly important so that we can understand whether or not this amendment A4 is needed. It's a legitimate question. I do believe that the member opposite is within his rights to want to make sure that those contents are covered. One of the items in A4 is education.

- (f) respecting the training of any police officer who may collect, record, retain, store, use or disclose information, including personal information, voluntarily provided by a member of the public, including respecting requirements for police services to establish and implement a training program for police officers with respect to the collection, recording, retention, storage, use or disclosure of that information;
- (g) respecting reviews, reporting or other requirements to ensure compliance with the Act, regulations or standards established by the Minister or Minister's delegate, including . . .

Again, if you recall, earlier on I said it. On November 20 there were certain commitments that I made as Minister of Justice with respect to carding and street checks.

- (i) authorizing and respecting the disclosure and the direct or indirect collection of personal information for the purpose of a review, reporting or other requirement, and
- (ii) respecting actions that shall be taken to remedy any non-compliance with the Act, regulations or standards;
- (h) authorizing the direct or indirect collection of personal information collected under this section for other purposes;
- (i) prescribing additional criteria for the purposes of subsection (7).

You can understand why, whilst amendment A4 is well intentioned, I will urge members of the Assembly to vote it down. In my considered judgment, as the minister that has the care of this particular file, it doesn't belong in the primary legislation. It belongs somewhere else, consistent with the announcement that I made November 20, 2020. What I set out was that a police officer, you know, would have to disclose or explain to a citizen the reason why they have been stopped and the reason why they have been asked for their personal information and an added requirement that they must also explain that that particular citizen is not bound to respond to or answer the police officer. It's a constitutional right. We have made a clear distinction between carding and street checks. Carding is banned, absolutely, in 38.1(5). It's written right there: "A police officer is prohibited from carding."

I would simply ask the hon. Member for Calgary-McCall, you know, to stay tuned. The provincial government has got several pieces of regulation, in the thousands. We have several pieces of regulation, in the thousands, that deal with certain matters. Your concerns, by and large, have been addressed and have been addressed by this particular bill.

4:10

We do have a Constitution. We do have a Charter of Rights and Freedoms. We do have the Alberta Human Rights Act. So I am confident that, at the end of the day, all of your concerns have been addressed or will be addressed and that, unfortunately, your amendment with respect to

- (a) ensure that training on bias, discrimination, and racism is provided to all police officers for which they are responsible,
- (b) establish a public education program and outreach strategy regarding community policing,
- (c) retain and store all information, including personal information, collected under subsection (8), and
- (d) report on an annual basis to the Minister on compliance or noncompliance, as the case may be, with each requirement of this section in respect of the police officers for which they are responsible.

This is duplication that is not needed to be repeated in the legislation. Plus, as the hon. member may know and as I've said repeatedly before the floor because I was given the opportunity, we have embarked on the most comprehensive review of the Police Act in our history, and that will deal with the certain thing that that particular act is well suited to deal with. You are going to see that. We are also looking at how to strengthen all of our systems to make sure that we deal with racism, discrimination, and hate crimes. You are going to see effort in that particular regard being rolled out in the weeks and months to come. We have banned carding.

In Bill 38, now law, the Justice Statutes Amendment Act, 2020, we brought in the First Nation police services and commission in the Police Act. We are making progress. The work to build a more perfect society continues, and that is what Bill 63 is meant to accomplish.

With that, Mr. Chair, I urge all members to vote down amendment A4.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to join debate on A4?

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

[Several members rose calling for a division. The division bell was rung at 4:13 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Mr. Milliken in the chair]

For the motion:

Ceci	Gray	Loyola
Dach	Hoffman	Sabir
Feehan		

4:30

Against the motion:

Allard	Hanson	Rutherford
Amery	Hunter	Sawhney
Armstrong-Homeniuk	LaGrange	Schow
Fir	Luan	Singh
Getson	Madu	Stephan
Glasgo	McIver	Turton
Glubish	Orr	Walker
Goodridge	Pon	Williams
Gotfried	Rosin	Wilson
Guthrie	Rowswell	Yao

Totals:	For – 7	Against – 30
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[Motion on amendment A4 lost]

The Deputy Chair: We are back on the main bill, Bill 63, Police (Street Checks and Carding) Amendment Act, 2021. Are there any members wishing to speak? I'm seeing many people who are wishing to speak, which I will happily call should they – the chair is speaking right now, so if members could please come to order.

The Sergeant-at-Arms: Order!

The Deputy Chair: Are there any members wishing to speak? I see the hon. Member for Calgary-McCall has risen.

Mr. Sabir: Thank you, Mr. Chair. I rise to speak to Bill 63 and will have another amendment. Prior to moving that, let me share a few parts which I've shared before, but I think it's important that I do that again. We on this side of the House are in support of a complete ban on carding. The minister has mentioned that he intends to ban carding, and so far the minister's intentions are a concern for you, Mr. Chair. We applaud that because we support a ban on carding. Unfortunately, I believe that this bill does not ban carding. It's simply regulating carding. Carding has been and continues to be illegal and offside Charter rights. Instead of clarifying that, this bill confuses the definition of carding with street checks and just muddies the water.

I do have a legal background as well, just like the Justice minister. That's my considered opinion, and it would've been nice had my words been taken at face value, but oftentimes that doesn't happen. So I've gone out to talk to my teachers, and last, talk to legal experts, who in no way, shape, or manner are related to me. They're not politically affiliated to me. They're just legal experts, and that's what they have said.

Now my prof: her expertise is in this area, and she was very knowledgeable about these practices, about the work different jurisdictions have done across Canada, in particular around Nova Scotia and Ontario. She said that, one, the government didn't do any consultation on this bill. They did some consultation around the Police Act. But on this particular issue the government of Ontario got a sitting judge from their highest court, the Court of Appeal, for one year, on a one-year leave, and then asked Justice Tulloch to consult with the communities, law enforcement, legal experts, and everyone concerned. Based on those consultations, Justice Tulloch made a report around street checks and carding. It would have been helpful had this government taken the same approach. It was very well researched, very well consulted, and had a number of very useful recommendations in it. But, no, we don't see any of those recommendations reflected in this bill.

Where other jurisdictions are dealing with these issues, I think the number one recommendation, the number one best practised area, is that we put an effort into education around bias, discrimination, and racism, that we collect data that is capable of being stored properly, capable of being accessed and used, in particular race-based data. This bill does not have that.

4:40

Again, the government says – and I believe that – that these are the things that they may address in regulations. The issue is that these issues are too important to be left to regulations. They should be front and centre of this debate. They should be front and centre of the debate around carding, around street checks.

Then Justice Tulloch's report also says that while regulating street checks, we don't need to require the reasonable probable grounds standard from officers before stopping anyone, but we still need more than mere suspicion. We tried to correct that as well, but unfortunately that didn't happen either.

We agree with the minister that carding should be banned, street checks should be regulated, but I strongly disagree that this bill accomplishes any of that. This bill is simply regulating carding,

which otherwise is not permissible. It's illegal and continues to be illegal without this bill, too. With respect to street checks this bill doesn't strike the right balance.

The amendments we are bringing forward are to make this bill better. They're based on research. They're based on individuals' and communities' real-life experiences. They are based on the work that other jurisdictions have done around carding and street checks.

One last time I'm moving another amendment, and I do have the requisite number of copies of that amendment.

The Deputy Chair: Hon. members, as is the usual course of action, feel free to put up your hand, and a copy of this amendment will be delivered to you. There will also be copies on the tables at both entrances. I know the hon. member is probably having somebody e-mail a copy of this amendment to the table as we speak. For the benefit of all those here and watching, this amendment will be referred to as amendment A5.

If the hon. member could please read it in for the record and continue with his comments should he so choose.

Mr. Sabir: Thank you, Mr. Chair. The Member for Calgary-McCall to move that Bill 63, the Police (Street Checks and Carding) Amendment Act, 2021, be amended in section 2 in the proposed section 38.1(7) by striking out clause (a) and substituting the following:

- (a) The reason includes details, recorded in writing by the police officer in a manner that is capable of being stored and accessed later, about the member of the public and the particular circumstances that caused the police officer to reasonably suspect that collecting the information, including personal information, from the person may contribute to or assist with one of the activities referred to in subsection (4).

Section (a) as drafted in 63 is fairly similar. For the most part, this amendment is of a clarifying nature. It shouldn't be a contentious issue. But this amendment creates a legal requirement for record keeping.

The second thing that this amendment does is that it requires officers to record why they stopped some individual, some reason which is a bit more than mere suspicion but still not the standard of reasonable and probable grounds. That's exactly what is also recommended in Justice Tulloch's report out of Ontario. The police don't need to have the reasonable and probable grounds standard to stop and interact with a citizen, but when they are recording data, when they are doing it in carrying out their professional responsibilities, they need something which is more than mere suspicion. This legal requirement for records is needed for oversight of street checks.

In order to make sure that street checks are free from bias, that street checks are nondiscriminatory, that they are not arbitrary, we must have clear rights. We must keep clear records. It's unfortunate that the amendment around collection of race-based data was defeated, but at least this amendment will put that obligation on the officer to record clear information about why and in what circumstances they have stopped an individual. What was the reason for that stop? It's reasonable to expect from a law enforcement officer, a police officer, that if their checks are not based on any bias or prejudice, they should be able to explain why they stopped somebody. This will create an objective standard. This will help officers turn their mind to the reasons why they are stopping an individual.

4:50

If we collect this data, if we retain this data, if we have those reasons written somewhere, that can help us in many different ways.

That can help us assure the public that these interactions are not based on any bias or prejudice. They can be helpful to build that trust and confidence between law enforcement and the public. They can be used for research and planning purposes to help train officers on what is a good reason to stop somebody and what is not a good reason to stop somebody.

We know that there is a lot of work that needs to be done around systemic racism. We have heard this loud and clear from black communities, from indigenous communities, from persons of colour communities, from the Black Lives Matter movement, from the indigenous lives matter movement. If we are serious about addressing those concerns, we need to start documenting these interactions in a way that can be stored properly and that can be accessed and used. It's a very straightforward amendment, a slight change in what the minister has included in section (a), and I hope that the minister and all members of this House will be able to support this amendment. This amendment will make sure that those interactions between law enforcement and the public are properly recorded and are available to address concerns of bias, prejudice, and discrimination.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any members wishing to speak on amendment A5? I see the hon. Minister of Justice and Solicitor General has risen.

Mr. Madu: Thank you, Mr. Chair. I am, no doubt, opposed to this amendment and for a very simple reason. In Ontario all of their provisions on this particular matter are contained in regulation, all of it. Alberta will have the most comprehensive and complete ban on carding. The Member for Calgary-McCall is proposing that we include in the bill a provision that is in a regulation in Ontario. We have, again, as I have reminded the Member for Calgary-McCall, subsection (9), which provides, for example, in subsection (9)(e)(ii):

respecting the establishment, implementation, and review of standards regarding . . .

(ii) records or reports that must be kept or made in relation to the collection, recording, retention, storage, use or disclosure of information, including personal information, voluntarily provided by a member of the public.

The information that he's asking for will be kept under this legislation and will be recorded under this legislation. The regulation that is going to be put in place, that has been enabled by this particular bill, will address all of the concerns that the member has. The enabling provisions, the teeth that are required to cover all of those concerns, are there. I have confirmed before this Assembly that that particular regulation is near completion. It will be rolled out.

We must be disciplined. I think that sometimes it can be intellectual dishonesty on our part to pretend that we don't know how our system or these things work. There is a difference between a statute and a regulation, sometimes codes, and sometimes standards of operations or practices. The Member for Calgary-McCall quite well knows all of this. I would prefer that we focus this debate on the actual provisions of Bill 63.

You will note, for the benefit of viewers back home, that the NDP opposition have not focused on any single provision of this particular bill. Instead, they have proposed amendments, either amendments that have been dealt with in the bill itself or something that has been enabled by the regulation-making power that will be in the regulation and that they know quite well are matters well suited to be in the regulation because the members opposite have been in government before, unfortunately.

Sadly, there was a time in this province where the NDP were elected because we allowed ourselves to be divided. That would not have happened . . .

Mr. Sabir: That was the democratic decision of Albertans.

Mr. Madu: . . . if we had not divided ourselves. The NDP would not have had the opportunity to govern this province.

Member Ceci: You weren't here.

Mr. Madu: But this is a matter that we – I can understand why they are heckling right now. They don't like to hear that. The Member for Calgary-Buffalo and the Member for Calgary-McCall are heckling me. They don't like to hear that, but that is the blunt truth of what happened in 2015. That is why I have committed my time to making sure that that doesn't happen again. Oh, yes, I am confident. I trust the people of Alberta. I am confident about that, that the people of Alberta will not entrust their government to a government that would pursue interests that are against their own interests. It won't happen.

I want to focus on this amendment because, quite frankly, I thought every single member of the NDP, including the Member for Edmonton-Mill Woods and the Member for Edmonton-Glenora, would stand up and praise this bill. These are some of the things that they have been reminding us about, lest they forget. The Member for Edmonton-Ellerslie always wants to remind us about how we build a perfect union, a perfect society. You can tell that it's all talk. You can tell that it's all talk.

Let us debate the substance of this bill. Pick up one section. Let's talk about what it will do. Let's not confuse the public. I know that oftentimes you guys play to the gallery, but let's focus on the actual content of this bill. Pick out a section or a subsection. Let's focus on what it would do or what it would not do. Let us debate the merit or otherwise. Don't put forward amendments that you know will never pass because they are either redundant or don't belong in the bill.

The bill is a statute. It's not a regulation. It's not a standard of operation. It's not a code. We know the differences. The Member for Calgary-McCall knows the differences. You know, in law school elementary teachings in law will tell you the things that properly belong to primary legislation and things that are better suited in the regulation or in a code. The Member for Edmonton-Mill Woods would know because she was the former Minister of Labour and Immigration. She would know. In that ministry they have got a lot of primary and secondary legislation. They've got the code, they've got the act, they've got the regulation, you know, and they've got all kinds of stuff. So she would know. She would know when something is better suited. In fact, as Minister of Labour and Immigration she took advantage of that so well. Despite my philosophical disagreement with her, she took advantage of all of those.

5:00

I would rather spend the time of this Assembly that has been dedicated to the debate on Bill 63 on the substance of the bill. Does it ban carding? The answer is yes. Subsection (5) says it quite clearly. "A police officer is prohibited from carding." I challenge the Member for Calgary-McCall or any other NDP member on whether they have come across that particular phrase in any legislation in this country, in any province. They have referred to Nova Scotia. They have referred to Ontario. I challenge them. I challenge them.

You know, there are very strict circumstances that have been laid down under which a police officer may interact with a private

citizen on the street. This amendment, again, talks about something that is already covered. If all of these amendments are necessary or required, I would suggest that there was a time in our province when there was a heightened request by cultural communities, those who have been mostly impacted by this horrible practice, a time in our province when there was a heightened demand to bring it to an end. The Member for Calgary-McCall and the members opposite, who are now putting forward this redundant amendment, never lifted a finger. In fact, there were people in this gallery from those communities who came here to ask them to ban the practice. They did not lift a finger for four years.

[Mrs. Pitt in the chair]

You know, Madam Chair, it's also similar to something that the minority communities are dealing with right now. I think many of us may have read recently about a noose that was pasted in a hospital in Grande Prairie where two black doctors worked. That noose was pasted on the operating room where a black surgical assistant worked. Guess what? That was in 2016. In 2016 guess which political party was in charge of our province? The NDP. They did nothing, the NDP. The Member for Edmonton-Glenora was the Minister of Health at the time, didn't lift a finger.

So, again, Madam Chair, I would urge all members of this Assembly to vote down this amendment because it is redundant.

Thank you.

The Chair: Any other members wishing to join debate on amendment A5?

Seeing none, I will call the question.

[The voice vote indicated that the motion on amendment A5 lost]

[Several members rose calling for a division. The division bell was rung at 5:05 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

Ceci	Gray	Loyola
Dach	Hoffman	Sabir
Feehan		

Against the motion:

Allard	Hunter	Rutherford
Amery	LaGrange	Sawhney
Armstrong-Homeniuk	Luan	Schow
Fir	Madu	Singh
Getson	McIver	Stephan
Glasgo	Milliken	Turton
Glubish	Orr	Walker
Goodridge	Pon	Williams
Gotfried	Rosin	Wilson
Guthrie	Rowswell	Yao
Hanson		

Totals:	For – 7	Against – 31
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[Motion on amendment A5 lost]

The Chair: We are back on the main bill, Bill 63, in Committee of the Whole. Any members who are wishing to join debate . . .

The Sergeant-at-Arms: Order!

The Chair: Hon. minister, I will let you leave, if you like, very quickly because I'm going to call this vote.

[The remaining clauses of Bill 63 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Any opposed? Carried.

Bill 68

Election Statutes Amendment Act, 2021

The Chair: Hon. members, is there a speaker ready to go? Wonderful. The hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much, Madam Chair. As we start in Committee of the Whole on Bill 68, I would like to request that the votes on Bill 68 clauses be severed as follows: clause 1 to be voted on as block A; clause 2 to be voted on as block B.

The Chair: Yep. Granted.

Ms Gray: Thank you.

It's a pleasure to rise to speak to Bill 68 in Committee of the Whole. Now, I know that my colleagues have spoken at length about this bill at second reading, and the bill itself is not very large. It does two things. The bill expands eligibility for francophone trusteeships. This is positive news. We have asked questions through second – and I will repeat them now in Committee of the Whole – just around the timing because, of course, we see through the bill that additional regulations will need to be put in place through order in council, and given that candidates are currently being nominated for fall elections, certainly our caucus is concerned about the timing of that. We do think that the community needs to be involved in regulations in any of these changes given that this legislation will define the boundaries of a linguistic, cultural, and school community. I certainly would also encourage the government to consult with the francophone community in the development of regulations. That piece the Official Opposition fully supports.

Now, the second piece. The bill has something completely unrelated, and that is allowing for MLAs and ministers to engage in referendum. While all members of this House, including members of Executive Council, should be free to express their opinions, the proposed change to the Election Act requires amendments to put in place the necessary boundaries on this partisan activity.

So I would like to, in Committee of the Whole, introduce a first amendment, Madam Chair, but maybe I'm just going to talk a bit longer, and then I will do that.

I'm going to talk a little bit more about the types of changes I would like to see in Bill 68, specifically around the bill inserting this new clause in section 134.1 of the Election Act to allow a Member of the Legislative Assembly or a member of Executive Council in their capacity to express their opinions on the subject of a referendum. That I am fully supportive of.

But the Official Opposition through second reading debate has identified that this could allow MLAs and ministers to campaign for or against a referendum in the House or through their minister's office or through their constituency office. Now, we know that the current Election Act prohibits government advertising through the department or a provincial corporation in the period leading up to a provincial election and limits those allowable communications of

Members of the Legislative Assembly to matters of the Assembly. There's an interaction between the elections, how things have been run, and what's happening in this bill.

I'm going to encourage all members to support what I think is clear the government has said is the intent of their proposed change to the bill, so that ministers may express an opinion, by introducing an amendment now to Bill 68. I will pause.

The Chair: Hon. members, this will be known as amendment A1.
5:30

Ms Gray: Thank you, Madam Chair. To read it into the record, on behalf of the MLA for Edmonton-Manning I move that Bill 68, Election Statutes Amendment Act, 2021, be amended in section 2 by striking out the proposed section 134.1(3.2) and substituting the following:

(3.2) For greater certainty, a reference in subsection (3.1) to a department or Provincial corporation is not to be read as a reference to the Minister responsible for that department or Provincial corporation.

(3.3) During a referendum period, a member of the Legislative Assembly

- (a) may express his or her views on the subject-matter of the referendum subject to the referendum period only if the member provides those views solely in his or her capacity as a member of the Legislative Assembly and not, if applicable, in his or her capacity as a member of the Executive Council, and
- (b) may not, despite any appropriation of public monies authorized under an Appropriation Act or the Legislative Assembly Act, use public monies for the purpose of supporting the member's expression or communication of those views, specifically public monies of the following types:
 - (i) public monies appropriated for the purpose of supporting the office of a Minister, and
 - (ii) public monies appropriated in the form of an allowance established under the Constituency Services Order for the purpose of supporting the establishment and maintenance of the member's constituency office.

Although that was a mouthful, Madam Chair, the amendment itself is actually really straightforward. Understanding the government's goal to make sure that MLAs and ministers can express opinions during a referendum, something that's going to be of intense interest, I think, when they happen in the fall, that makes sense. Having ministerial resources or constituency resources spent to perhaps promote or endorse a position in the referendum would be a misuse, and based on the debate it appears to me that the government doesn't have the intention of using taxpayer dollars through constituency offices or ministers' offices to engage in referendum debate, in which case I hope that this amendment is one that the government is prepared to consider and accept. To not consider and accept this would be to imply fairly strongly that the government intends to use constituency resources and government ministerial office resources when it comes to the promotion of their views when referendums come forward.

I'm just going to double-check my notes, but I think that I have summarized this amendment and its goals, and it simply does that clarification and makes sure that ministers are not subject to the prohibition in section 134.1 of government advertising during a referendum period and then also further clarifies that members and ministers can express their views but not do so with money granted through an appropriation act. It's a common-sense amendment. It protects taxpayer monies while ensuring that a member of the Assembly or a member of Executive Council in their capacity as a

Member of the Legislative Assembly can express their opinion on the subject matter of a referendum.

I hope this is a common-sense amendment that meets the intent of the government as has been expressed and is one that the government will be able to consider accepting at this time.

Thank you very much, Madam Chair.

The Chair: Any members wishing to join debate on amendment A1? The hon. Minister of Justice.

Mr. Madu: Thank you, Madam Chair. You know, while I appreciate the intention behind this amendment, I think this is a misguided amendment. I have not put forward a bill that would enable a cabinet minister to use the resources of their office or their department or a provincial corporation to express their views with respect to a referendum. In fact, the only amendment before the floor of this Assembly deals with making sure that ministers, members of Executive Council, who are MLAs elected by their constituents, have the same right in their capacity as MLAs as every other MLA in this Assembly to be able to express their views in a referendum.

If you take a look at the current law, I have not sought to amend the current law. All I have done is to clarify that cabinet ministers, before they became cabinet ministers, are MLAs, and the fact that they are cabinet ministers does not remove their responsibility as members of the Legislature in representing their constituents. If you take a look at the current law, the current law is very clear on what needs to happen in circumstances under which – you know, members can express themselves with respect to all kinds of issues, beginning with section 134.1. Now, subsection (1)(a) is the current law, that I have not touched, which deals with definitions. Then subsection (2) deals with during an election period. Subsection (3) deals with by-elections, and (3.1) deals with a referendum period.

And then you can go on and take a look at subsections (4) and (5). Those are the current laws. That's the law that governs the nature of advertising, how members of this Assembly may express themselves in an election year, in a by-election, in a referendum. I have not sought to change any of that. If the members opposite are interested in changing that particular law, they are within their right to table a private member's bill for consideration by this Assembly. I in my capacity as Minister of Justice am saying, this government is saying that cabinet ministers, first and foremost, are MLAs, and the voices of their constituents deserve to be heard in a referendum. That is the only matter before us.

The members opposite would want you to believe that because now ministers in their capacity as MLAs can express themselves, somehow they are going to misuse the resources in their ministerial office. That is what they are getting at. It's really unfortunate they did not bring this type of amendment while they were in charge, while they ran offices, had elections. They ran an election in 2019. That law was not amended.

You know, this is again asking for an amendment, and then they are seeking to prohibit members of the Legislature, by implication, from, really, if you carefully read the amendment A1 that they've put before them, seeking to prohibit members of the Legislature, something that is not right now prohibited. There's no prohibition under our current law, and the MLA for Edmonton-Mill Woods knows that quite well. There's nothing in the current law – I repeat; nothing in the current law – that prohibits members of the Legislature from being able to express themselves.

But by implication of the amendment that they have tabled, they will create enormous confusion. There will be litigation after litigation. That is what this amendment would do. They would just

create, you know – listen, maybe they think that if I’m a lawyer, I don’t mind giving jobs to lawyers, but the whole essence of the amendment that the members opposite are trying to accomplish would muddy the water in this particular area.

5:40

It would create so much confusion. You know, everybody would be looking over everybody’s neck to see whether or not a particular commitment on social media was made using ministerial resources or MLA resources. “Where did this money come from? Who is commenting on social media? Let’s begin calling for investigation after investigation.” They would create so much chaos and confusion in our electoral system. I will not allow that. Let me be clear: I won’t allow that. That is what this amendment is meant to do.

It is a simple bill, very straightforward. Members of Executive Council who are cabinet ministers are MLAs. The voices of their constituents should be heard during a referendum. That’s all. There is a distinction between their role as ministers and their role as MLAs. Let me be clear also that there has been insinuation that the ministers are in charge of their ministerial budgets – you heard in the course of debate on Bill 68 that that is the case – but it is not true. Technically speaking, factually speaking, while it may appear so – why wouldn’t a minister be responsible for his ministerial office budget?

Member Ceci: You sign off.

Mr. Madu: Yeah, you sign off.

But, in reality, the department controls that money. The department. There is one line item in the budget for the ministerial office. That one line item is under the department. Go take a look at the budget. It’s under the department. Many of the members opposite were members of Executive Council while they were in office. They know very well that this is true. They know very well that this is the case. As the Minister of Justice I have not seen a penny on that ministerial budget before. I haven’t seen that. Everything goes through the department, my department. Those are the facts – those are the facts – but what the members opposite are trying to get at is to create confusion.

You remember when they accused us of removing the pre-election day disclosure under Bill 29? There were people out there who actually believed that that was the case – you can read them on Twitter, on social media. Whereas at the time no single municipality in this province enacted any – there was no bylaw in place anywhere in this province that required pre-election day disclosure.

And here they go again because they are so – I don’t know why they are so afraid of the people being able to participate in a referendum. There is no better way for citizens to be able to express their democratic right than through the process of a referendum. I have not put forward a bill that says: ministers, Executive Council members, you may use your resources to campaign or express your view with respect to a referendum. None of that is the case. Why this amendment? To create confusion, create jobs for lawyers, begin to, you know, go after one another, wondering where the comment on Twitter is coming from: that’s what this is all about for them, nothing else.

If you have been following the view of the members opposite from the first time this government raised the issue of a referendum on a whole host of issues, including that of equalization, the members opposite have been in a paranoia about that because the idea of the people being able to step out there, to exercise their, you know, inherent right in a referendum is what is at the root of this

amendment, and they are, hopefully – I hope that they don’t vote against this particular bill, but if they do, that is really the driver here.

It’s not concerns about whether or not ministers are going to use their ministerial resources. Our system is so sophisticated, so developed, robust that they know that will not be the case. It won’t happen. It simply will not happen. Maybe they have done so. If they have done so, I would like to know. Provide me with circumstances when that happened. Maybe then I will take it into consideration. Maybe then. If the members opposite had used their resources while they were in Executive Council in a manner that was inappropriate, maybe say so. Then I will go back and take that into consideration. For now, the facts don’t bear out this amendment.

The people of our province, the citizens that sent us here, deserve to be heard. The grassroots, the ordinary citizens of our province deserve to be heard. We will hear them by themselves. We will also hear them through their elected representatives, whether they are, you know, backbenchers or front-benchers. It doesn’t matter. They will be heard. That is what our system demands and requires. If members opposite are afraid of that, they should go out there when the time for a referendum comes to campaign against that. They have the right to participate, the same right that the backbenchers or myself or anyone else on this side of the aisle has. At the end of the day, this is what this amendment is all about. I will not allow our system to be muddled.

With that, Madam Chair, I urge all members to vote against this amendment.

The Chair: Any other members to speak to amendment A1? The hon. Member for Edmonton-Glenora.

Ms Hoffman: Yeah. Thank you very much, Madam Chair. I don’t want to take long, but I do want to make it crystal clear that there is one piece of this bill that I think is a step in the right direction, and that’s the piece around changes around francophone trusteeship. I think that’s positive news. I wish that it was actually in full legislation, not just enabled to be done in regulation, but at least it’s a step in the right direction.

I do have to say that the massive poison pill is what we’re trying to address through this amendment. The amendment very clearly states that it’s for greater clarity, and it talks about the importance of keeping taxpayer dollars, public money, out of attempts to have political interference in a referendum. That’s it. I think that generally Albertans don’t think that public money should be used for partisan purposes when it comes to trying to drive specific outcomes.

Again, I do want to say that I think that the piece around francophone trusteeship is a step in the right direction. I would like to be able to support this bill, but this is a massive bite on democracy, and the government’s failure to provide that greater certainty, which the amendment begins by stating, I think is a disservice to democracy, a disservice to taxpayers, a disservice to every Albertan who could use that money for better purposes than the government choosing to use it to campaign. I think that every individual has a right to their own voice, and the legislation, our amendment, honours individual voice but not to use public funds for partisan purposes.

Thank you.

The Chair: Any other members to speak to amendment A1?

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 5:50 p.m.]

[Fifteen minutes having elapsed, the committee divided]

[Mrs. Pitt in the chair]

For the motion:

Ceci	Feehan	Hoffman
Dach	Gray	Loyola

Against the motion:

Allard	Hunter	Rutherford
Amery	LaGrange	Sawhney
Armstrong-Homeniuk	Luan	Schow
Fir	Madu	Singh
Getson	McIver	Stephan

Glasgo	Neudorf	Turton
Glubish	Orr	Walker
Goodridge	Pon	Williams
Gotfried	Rosin	Wilson
Guthrie	Rowswell	Yao
Hanson		

Totals:	For – 6	Against – 31
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[Motion on amendment A1 lost]

The Chair: Hon. members, the House is recessed until 7:30 p.m.

[The committee adjourned at 6:08 p.m.]

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