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The 30th Legislature
Second Session

Alberta Hansard

Thursday morning, June 3, 2021

Day 109

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta
The 30th Legislature
Second Session

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New Democrat: 24

Independent: 3

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Legislative Assembly of Alberta

9 a.m.

Thursday, June 3, 2021

[The Speaker in the chair]

Prayers

The Speaker: Lord, the God of righteousness and truth, grant to our Queen and to her government, to Members of the Legislative Assembly, and to all in positions of responsibility the guidance of Your spirit. May they never lead the province wrongly through love of power, desire to please, or unworthy ideas but, laying aside all private interest and prejudice, keep in mind their responsibility to seek to improve the condition of all.

Ordres du jour.

Orders of the Day

Government Bills and Orders Second Reading

Bill 72

Preserving Canada's Economic Prosperity Act

[Debate adjourned June 1: Ms Renaud speaking]

The Speaker: The hon. Member for St. Albert has seven minutes remaining should she choose to use it.

Seeing not, is there anyone else wishing to join in debate on Bill 72? The hon. Member for Edmonton-Ellerslie has caught my eye.

Member Loyola: Thank you very much, Mr. Speaker. I appreciate the opportunity to interject on this particular bill and remind the House that this is a very similar bill to the one that we passed while we were in government to protect our resources. Luckily, this bill wasn't even needed when we were in government because the Trans Mountain expansion project moved forward and is now fully under construction, as we all know.

But despite the progress on TMX, the government went ahead and proclaimed this legislation as one of their first acts while they were in government, and they proclaimed the legislation despite advice, including from us, not to do so because it could open them up for a legal challenge. Here we are again, yet another example of the fact that this government solely focuses on their own agenda. Even though we were here as an opposition and in good faith expressed to them, "Look, there's going to be an issue with this" – and this is not first time that we're here. We actually saw it with other bills that we saw before us in the House, where we told them: "Look, there's going to be a constitutional challenge on this. You need to listen to us. Please go back to the drawing board and take another chance at this; look at it again." But, no, this government is just focused on moving forward and refuses to even listen to the opposition even when we're here trying to do what's good for Albertans, for all of us, trying to just provide a little bit of information.

Here we have another example of this. Rather than think strategically about how best to promote Alberta's interests and those of workers across the province and country, the UCP went ahead and proclaimed this piece of legislation regardless, and then, worse, they let the bill expire. Well, now they've introduced a bill that is much, much weaker. The ability to restrict the flow of refined fuels was always supposed to be used as a deterrent, and this bill takes out the section on refined fuels. This was actually the

strongest tool we had to protect our industry and put pressure on jurisdictions from blocking our resources from getting to market.

So let's recap. The government proclaimed the bill, opened it up to a legal challenge, only to let it expire, and then they reintroduce a much weaker piece of legislation. We have to ask ourselves: what's going on here? This is the weak and ineffective leadership that Albertans have come to expect from the Premier and his government. This Premier's self-proclaimed fight-back strategy has now turned into a whimper. We need to protect jobs as our energy industry continues to struggle. That's why we passed the turn-off-the-taps legislation that was vital in getting TMX under construction in the first place. Their so-called fight-back strategy has been one embarrassment after another. From their failed war room to their overdue and overbudget inquiry, the UCP has failed to deliver on their promises. What do we see but no jobs, no economic growth, and no pipelines? Now they even risk having an operational pipeline shut down. We need a government that can restore our credibility as an energy leader and get Albertans back to work. Leave the rhetoric aside.

What's most troubling about the rhetoric that comes from the other side is that somehow we on this side don't care about Alberta or Alberta's petroleum sector, when they know very well that we did our very best while we were in government to bring all stakeholders to the table. All stakeholders to the table. One of the very first acts that, under our government, the Premier at the time along with other cabinet members did was to bring the indigenous community together, the environmentalists, CEOs of big corporations, all to the same table, and say: what's it going to take to get these projects done? It's called co-operation, and this is the only way that we can move forward, co-operation. Rather than putting one group's interests over another, why not figure out the path where everybody wins, where it's a win-win situation for everybody involved?

With that, Mr. Speaker, I'll end my remarks.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or a comment.

Seeing none, I am prepared to call the question. The hon. the Minister of Jobs, Economy and Innovation.

Mr. Schweitzer: Mr. Speaker, I move that we adjourn debate.

[Motion to adjourn debate carried]

Government Bills and Orders Third Reading

Bill 57

Metis Settlements Amendment Act, 2021

The Speaker: The hon. the Minister of Indigenous Relations.

Mr. Wilson: Well, thank you, Mr. Speaker. It's a privilege for me to rise today and move third reading of Bill 57, Metis Settlements Amendment Act, 2021.

I'm confident we will share a desire to see the Métis settlements succeed long into the future. This bill was meant from the start to make sure that the Métis settlement members have greater control of their governance and their financial structures. Because of Bill 57, settlements will finally have greater control over local decisions. Promise made, promise kept.

Over the course of the last year or so that my ministry staff and I have engaged with settlement leadership, no fewer than 19 times have we listened to what members needed. It was up to leadership to engage with their community members, their next-door

neighbours, as the hon. member said the other day. I know that COVID-19 created some challenges, and settlement leaders asked me to postpone this legislation from moving forward last fall, as was proposed, in 2020. Mr. Speaker, I did that. I waited specifically so leaders could engage with their members, which they said they would.

Now, I've been accused time and again of not listening and have been accused of failing to fulfill the duty to consult. Mr. Speaker, the court-tested process, the legal duty to consult, is not triggered by legislation. That formal process specifically applies to adverse impacts on treaty and aboriginal rights. This is a matter of engaging, listening, and acting.

While developing and debating this bill, I've continued to listen to the settlements and their need for self-governance and democracy. This is why I tabled an amendment to Bill 57 restoring section 10 from the Metis Settlements Act. This section makes sure that settlements that want to establish a bylaw for members to elect the chair can do so. These are the moves that lead to the kind of financial sustainability that will keep settlements viable for generations to come by moving away from dependency to reinvesting in their own success and becoming partners in prosperity. Settlements will have the flexibility to develop bylaws that help to cover the costs for essential services. That is accountability, and it is the only way to move forward to a sustainable future.

9:10

The previous government and the previous Minister of Indigenous Relations knew that the MSA needed to be changed and knew the future fund was running out and knew their calls for changes to financial transparency and accountability but failed to act. This government will not do that. It will not shirk its responsibility and will not turn its back on the Métis settlements or its members. I have met and talked with many hard-working settlement residents who are proud of their traditions and culture, who told me that they want strong, accountable, and transparent leadership and sustainable finances. Mr. Speaker, we have listened to the people in the Métis settlements and know this government needs to step out of their way so that they can preserve places for Métis culture and self-governance can thrive. Passing Bill 57 is the right next step.

Thank you.

The Speaker: Hon. members, the Minister of Indigenous Relations has moved third reading of Bill 57, the Metis Settlements Amendment Act, 2021. Is there anyone else wishing to join in debate for third reading? The hon. Member for Edmonton-Rutherford has the call.

Mr. Feehan: Thank you, Mr. Speaker. I'm happy to have an opportunity to speak to Bill 57 again in the final stage of its passing in this House. Again I'm going to spend my time talking about the sort of abject failure of this particular bill to do what it purports to do in an appropriate way. I know that members of the government side have sort of spent time trying to take jabs at me over the last little while because of my previous role as Minister of Indigenous Relations in this province and suggesting that I could have done something when I was minister that I did not do. Since they took the time to take jabs about that, I'll take a few moments to tell them again how wrong they are, because fundamentally the ignorance of what happened in the previous government is not an excuse for ridiculous comments.

I think that if we go back and look at the record, we certainly can see that under the previous government a considerable amount was

done in working with the Métis settlements to ensure their long-term stability. What the government is actually saying when they say that we didn't do anything about it is that they're trying to say that we didn't kill the Métis settlements like they're trying to do, and therefore we didn't do anything. It's a fact that what we did when we were government is that we actually worked with the Métis settlement people to actually try to build the structures necessary for their continued success and ongoing work here in the province of Alberta whereas this minister has come in and made the decision that he doesn't like the Métis settlements and therefore wants to do what he can to lead to their destruction.

Ultimately, I know that many of the Métis settlements are concerned that this government's intention is simply to turn the Métis settlements into some kind of a unique municipality with the same level of governance structure as the municipalities, which is, of course, completely against the desires of the Métis people. What this is all about is the government trying to get out of any kind of financial responsibility for the Métis settlements, and they wish that we had done that. They wish that we had somehow extracted the government from the relationship with the Métis settlements so that they didn't have to do the nefarious work that they're presently engaged in. But because we saw things very differently and sought to build the Métis settlements, they now have no cover for their actions. That's where we're at here in third reading of Bill 57. We have a bill where the whole intent of the government is to do nothing for the Métis settlements and, in fact, to withdraw the support that has been there for the Métis settlements for the last 80 years and then pretend somehow it's good for the settlements. Somehow that increases transparency. Somehow that helps the settlements set them up for being successful on their own.

It's essentially like, you know, taking some family member and kicking them out of the family and saying: this is good for you; you'll have to learn to survive on your own. I think that kind of, well, 1930s kind of mentality about relationships within families is pretty classic of this government. That they take "I'm going to put you in the worst possible situation, and if you survive it, well, then you're going to be better off for having done it" is pretty classic of a government that certainly hasn't read anything since the 1950s and is constantly trying to return us to some bizarre *Leave It to Beaver* kind of scenario that they have in their mind about how to run government and how to conduct themselves in society.

Let me talk again about what some of the major problems are with the legislation quickly before we go away, and that is that the primary issue is that the Métis people have asked for an opportunity to engage in a fulsome consultation with their members, and because of COVID they were unable to do so, largely because many of their members do not have the wealth to actually even have the technical wherewithal to attend meetings online, and therefore these meetings must be done in person. The minister was quite aware of this. He gave them a few extra months. Somewhere between wave 2 and wave 3 of coronavirus they were supposed to gather together all of their people, against public health orders, which apparently is okay because apparently the Conservatives do that all the time, and they were supposed to engage in their consultation. Of course, they did not, because they actually obey public health orders.

We're simply asking for an opportunity to properly consult on this. Now, I know that the critic for Indigenous Relations when I was the minister rose in the House – he's now the Member for Bonnyville-Cold Lake-St. Paul – and said that he had talked to a few people and they said that everybody was in favour of all these things, demonstrating again the absurdity of the basis of the judgments on which the Conservatives make their decisions. "I talked to one member who said that everybody is in favour, so therefore the fact that he said that everybody is in favour of it means

it must be true that everybody is in favour of it.” A completely ridiculous kind of research technology, suggesting that he sat down around the fire with people to talk about these things so therefore he had a truth I didn’t have.

You know, this level of debate and dialogue is absolutely absurd. Clearly, we have eight councils that have been duly elected across eight settlements, constituting 40 members of representation for the people who live on Métis settlements, and they unanimously voted, one of the first times they’ve ever unanimously voted for anything at the Metis Settlements General Council, to reject this bill and its implementations. Yet this critic stands up and says: I sat by the fire with one guy who tells me everybody else is wrong, and I’m right so therefore he must be right. That level of consultation is absolutely absurd, and he should be embarrassed to be in the House making that kind of statement.

So here we are. We’re in this situation where, essentially, the government had a choice. They could have renewed the process of relationship between the government of Alberta and the Métis settlements. Instead, they have decided to extract themselves from that relationship, and then they act surprised when we say that you are literally overturning 80 years of relationship between the governments of Alberta – largely conservative governments. This is not some left-wing, right-wing argument here. It’s conservative governments for all but four of those 80 years that have established this type of relationship and have worked with the communities, and this is the very first government that has refused to work with the Métis settlements and instead has sought to extract themselves from the relationship with the Métis settlements. This is, you know, frankly, just appalling.

9:20

Now we’re in a position where instead of renewing the relationship and finding a way to build and to move forward, the government is sort of saying: we’re going to drop you, hope that you fail, and then we can pick up the pieces, turn you into a bunch of municipalities, and, effectively, administratively get rid of the Métis settlements in this province. I think that’s a real shame, and I think the Métis people know it.

I follow on Facebook the Métis settlements Facebook group, and I can tell you that recently, even this week, they asked for a quick poll of people who were in favour of these amendments, and the answer that came back was zero. One hundred per cent of the people that responded to the survey on Facebook indicated that they were against these amendments.

We certainly know that this is not something that is supported within the Métis community, that there was a better way, that if they had simply fulfilled the processes that were initiated when I was the minister in asking the settlements to create a number of bylaws in order to constitute strong governance practices so that they could enhance their governance and take over the governance – all of which were initiated in my term, but of course because my term was shorter, it was not able to be completed by the Métis settlements but could have been in the four years afforded this minister.

Instead of choosing to do that and instead of choosing to provide some supplemental funding in the interim to the Métis settlements, as I had done in my time as the minister, in order to maintain things and keep things going until resolution could be completed, this minister decided to abandon all that work that had been done and accuse us of not doing anything at all merely because he didn’t understand the work, perhaps, or didn’t appreciate the work or actually maybe had an intent to withdraw from the relationship with the Métis people right from the beginning anyway, so it didn’t really matter what happened before he came.

Now we’re in this position where we have a bill that is going to change the lives of a group of people who have, through their representatives, unanimously rejected these amendments, at least the process that’s happened, who have expressed a desire to come back to the table and to actually design a process to move forward in a positive, relational kind of way and have been rejected. And now we have a situation where the council is likely to be undermined in the fact that the only change with this government amendment, that this government has brought into the House, is one that will actually likely lead to some conflict because now we will have councils with different numbers of people at the general council.

Some settlements will have three members at the Metis Settlements General Council, and some will have five. We do understand that it’s still only one vote per settlement. We get that. The vote is the same. But because this is classic for these kinds of councils and particularly true in indigenous communities, everybody has a chance to speak to every amendment, which means there will be a different number of people speaking to amendments from different councils. In some areas there will be five people speaking pro or against a particular action, and in others there’ll be three. Therefore, the conversation, the dialogue will become imbalanced after having all these many 80 years of balance in these councils.

I just, you know, must say that this government has clearly had an agenda, has run headlong through their agenda, and we know what that agenda is, to get this all passed before the elections happen in the fall in the Metis Settlements General Council. It has nothing to do with what’s right for the councils. It has to do with trying to get it in before their ability to act in this really atrocious way is limited by the fact that a new council has already been elected. They could of course allow the elections to go ahead and meet with the new council and then use that new council process to develop a relationship to work out what’s going to be happening with the future fund and the long-term agreement and to make resolutions that actually have the support of the Métis communities.

They have certainly come forward and said that they’re willing to do that. They certainly have come forward and said that they, you know, would like to see some changes, and I agree with both the minister in this case and the Metis Settlements General Council that it is time for some changes, and it’s quite appropriate that some work be done. But to impose them unilaterally is what’s ridiculous here. Instead of going to the community members and saying, “Let’s talk about the struggles that you have and let’s talk about what things may actually lead to greater transparency, to greater self-sufficiency, and so on” and actually building a program to do that, this government has just simply decided to withdraw themselves from the historical relationship of support for the Métis settlements and moved into a situation where they’re essentially telling the Métis settlements, “You are now, essentially, effectively a municipality, and if you want to survive, you need to tax your members in order to pay for services because the provincial government is not going to do that anymore,” which, of course, really undermines the nature of section 35 rights and the respect of the Métis settlements as indigenous communities that should in fact have a benefit from a relationship with the Crown that would lead to the Crown contributing to the well-being of the settlements.

Of course, all that’s gone now. Instead, what we have is a desire to just turn them into municipalities that are, essentially, likely to be unsuccessful because taxation of the Métis people is not likely to derive a very high level of funding for these communities given the high level of unemployment and poverty in many of these communities. In fact, as I said, they couldn’t even have their meetings online because they couldn’t be assured that enough of

their people had access to online mechanisms to attend these kinds of meetings.

Certainly, they're giving them the right to tax their own people, but there's obviously been no financial assessment as to how much money is likely to actually be derived from these financial assessments, and it isn't like we haven't got some evidence that this is going to be difficult. In fact, there was a service fee that was implemented some number of years ago and existed even during the time that I was minister, and it was quite clear that a number of the settlements were unable to even bring in the level of the service fees that was expected of them at that time. That was just asking for some money for utilities, but many of the settlements were simply unable to do it because they did not have people who had enough money to pay those kinds of fees, so we had to make some changes in how the calculation of the service fees was done.

So we have actual evidence that taxing the people on the settlements is not likely to lead to a significant amount of money, yet this government has ignored that evidence and simply said: "You're on your own now. It doesn't matter what the state of your relationship has been like. As a result, you know, good luck. We'll come in later when things start to fall apart, and then we'll claim it's all your fault, and then we will turn you into these specialized municipalities and, essentially, destroy the indigenous nature of your governance."

That's the situation we're at. I'm very concerned about how we got to this place, very concerned that I continuously hear from the members of the Métis settlement communities about how betrayed they feel about this. You know, we certainly have had members from the Metis Settlements General Council come forward to speak to the press and talk with great passion about their outrage about this process and ask the government to come back to the table, and of course the government has failed to do so because their agenda was set long before they even began to have conversations with the Métis communities.

I know that the minister says: well, I met on some 19 occasions with people. But people will tell you that what happened is that it was not a meeting. It was not sitting down and having a discussion about how we will move forward and how we will consider changes and amendments to the LTA or to the future fund or anything of that nature. Rather, it was a telling of the government, who had already made the decision about where they were going, and simply trying to cherry-pick an individual or two who had enough anger at their local representatives to then use them as tokens to say that something needed to change. Having identified those token situations and using them to somehow represent everybody on the Métis settlements, as the Member for Bonnyville-Cold Lake-St. Paul did in his last speech, they can now claim somehow that they have some validation for what they're doing when, in fact, it's quite clear to me that they do not have that.

9:30

They have a unanimous vote from the Metis Settlements General Council rejecting them. We have online voting that has been done on Facebook, that I have been following, that has unanimously, again, rejected them. You know, other than finding those few people who just happened to have a particular anger toward a particular settlement council to represent somehow the voice of the government is, you know, really unacceptable.

I mean, I could certainly go out in the province of Alberta and find people that are unhappy with this government and say: well, you shouldn't be government anymore because I found this one guy who really dislikes the UCP government. I wouldn't have to walk very far to find somebody to do that, in fact. I bet that if I were given three minutes, I could walk outside this building and find someone

who would say that, given the polls that we see in this province. Yet that's exactly the basis on which this government has made their decisions and the way they're taking action, and I find it appalling.

I wish that the government would withdraw this bill at this time. Thank you.

The Speaker: Hon. members, is there anyone else wishing to join in the debate for third reading? Unfortunately, after the second speaker there is no Standing Order 29(2)(a) available, but following that there will be. It looks like the minister might be inclined to provide some comments.

The hon. Member for Calgary-Mountain View.

Ms Ganley: Thank you very much, Mr. Speaker. I am pleased to rise and speak to this bill, the Metis Settlements Amendment Act, 2021. I'm well aware that there's a fairly long history to this thing. Certainly, it's the case that the act was brought in a long time ago, then there was an agreement, and the agreement was meant to end and transition to something else. I think it's well agreed that some steps needed to be taken. I think the disagreement is over whether these are the correct steps.

I think the first thing worth noting: the minister, when he was speaking, referred to being accused of not listening. Well, I mean, I think the problem is that the accusation is legitimate, or at least we understand it to be legitimate. I don't know if that's him disputing what the Métis people have to say about this.

I think it's also worth noting that the language used is important. We often speak in here, and everyone chooses their own language. That's fine, but the minister repeatedly said that he had fulfilled the legal duty to consult. I mean, that's, certainly, offering a legal opinion. I don't know on what basis he offers that legal opinion, but maybe he did. But I think it's worth keeping something in mind: the purpose of laws is generally to be a minimum standard. For instance, there are laws in the Criminal Code that require you not to do certain things. Those are minimum standards. You don't walk around saying, "I'm a great person; I didn't murder anyone," because, again, it's a minimum standard. I think it's worth noting that, you know, saying that I did the bare minimum that the law required of me – I mean, okay. That may be virtuous, but it may not be.

To be clear, I am not conceding the point that the legal duty to consult was, in fact, respected here. I am simply pointing out that to say, "Well, it's not fair to criticize me because I did the absolute bare minimum that I was required to do" isn't actually the very best argument. That's fine. I mean, everybody chooses to comport themselves as they choose to comport themselves. I think the point is that when we look at this, we shouldn't look at our relationship to indigenous peoples as a bare minimum; we should look at it as an opportunity, an opportunity for reconciliation, an opportunity to make right that which was done wrong in the past. I think that I may have just inadvertently quoted an old science fiction show. The point is that we should see it as an opportunity because we can't ignore the historical context. When we talk about these things and we talk about essentially turning the Métis settlements into a specialized municipality, I feel that that ignores the historical context, and the historical context is one in which, whether intentionally or unintentionally, we all standing here today are the beneficiaries of very real crimes committed against indigenous people.

I hear a lot of people say: well, I didn't do it; I didn't do anything; it was a long time ago. But it wasn't that long ago. Whether we did it, we who stand here today, or not, it was done, and we presently benefit from it. What was done has had horrendous impacts on the lives of people throughout the province, and Métis people are

included in that. You know, I think, in many ways, what this bill fails to acknowledge is that the rights and wishes of those people are relevant to their self-governance going forward.

You know, there was a time when Alberta was actually incredibly proud of our history with the Métis settlements. This is unlike anything that exists elsewhere. I actually had the opportunity to read some *Hansard* from when the Métis settlements were initially created, and people were proud. Even back then they were very proud. They were proud that they were doing something that no one else was doing. They were proud that we in Alberta were doing it better than anywhere else in the country. I don't want us to lose that. I think that was an important thing.

I think, you know, even though those prior Legislatures may have been imperfect, they were doing something good. They were trying to move the situation forward. I think we should very much look to their example, reflect on that, and follow that example, try to move forward with something that is better. When I say "better," I don't mean that we think it's better; I mean something that the people governed by the act, the Métis people, feel is better as they are moving forward. I think that that's a big deal.

I think this represented a real opportunity, and it represents a lost opportunity. Now, this government doesn't have a long history of saying, "Oh, we've made a mistake; perhaps we should correct it," but I'm hopeful that in this instance they will do this. Well, I mean, I'm hopeful in a lot of instances. In a lot of instances I'm hopeful that this government will look at what they're doing and choose a different course, but in this instance, in particular, I think there really is an opportunity to go back and to have those conversations. I do know that a change has been made to this, and I understand that that's at least a small move in the right direction. But my understanding is that this bill is still entirely rejected by the people it governs, that it continues to be upsetting to them.

I think that when we talk about essentially moving the Métis settlements into a specialized municipality, what we lose, again, is that very same thing, that uniqueness of the Métis people. Why should they have something different than what everyone else has? Well, because they have a unique culture and history, and that unique culture and history is unique here, to Alberta. A lot of the destruction of that unique culture and history was done by settlers to this land, and we should recognize that. We should recognize that that history exists, that it occurred, and we should do what we can to set right that which was done that was wrong in the past. I think, overall, that that is my concern with this bill, that it really does ignore the unique history, that it ignores the unique opportunity that we have moving forward.

9:40

I mean, in some ways it's a bit typical, right? It's a bit typical of this government to just sort of move forward with a certain ideological bent. We certainly see it with their emphasis on abstinence-only treatment in addictions in spite of the overwhelming evidence that that is definitely not the best treatment. Like, that evidence existed – well, it existed when I graduated with a psychology degree, which was a long, long time ago.

You know, it's not that there are no other errors that this government has made, no other instances in which they are affecting people's lives without talking to people, that there are no other instances in which it has been pointed out to them that the thing they are doing is wrong and they have refused to backpedal on that thing. I mean, look at the AISH payment date changes. All that did was, essentially, make it appear that a payment had moved into the next year. Look at the pain it caused, but they won't reverse that either.

The reason that this is worse is because the Crown has a unique duty to indigenous people. That's what makes this different than those other bills. I mean, it's a legal status but, I would argue, also a moral one. You know, sometimes the law is just the law and it has no moral component to it, but I think that in recognizing the uniqueness of indigenous people – and in that I include the Métis people – there is a moral component to that law. I think that the government should be listening. I think that they should, at the very least, be pausing this bill to take it back to the drawing board and have further consultation. I don't think it would be the first time that sort of an interim agreement on this matter was signed.

I don't suggest that the government didn't need to do something. Of course they needed to do something. The previous – "contract" isn't the right word – agreement is expiring, so, yes, the government does need to do something, but I think very rarely has a bill been so entirely rejected by the people that it affects. I think that this is a good opportunity to think twice, that this government can go back and reconsider this and can go back and humbly approach the Métis people of this province and have those conversations, because it is a bill that ignores the history of this situation. I like to believe that the government went back and looked at what existed before and looked at the pride that the people who brought in the Métis settlements initially in Alberta had and, I guess, consider emulating that.

With that, I think that those were the comments I wanted to make with respect to this bill. To sum up, I suppose, the government could have done a much better job of listening. They could have done a much better job of consulting. The bill has been rejected by those who live on the Métis settlements. The government should, as a result of that, reconsider. I postulate no opinion on whether or not the duty to consult legally has in fact been fulfilled or not, but even if it has, I don't think that necessarily means that, from an ethical standpoint, that is sufficient. I don't know. I have my suspicions, but I'll leave that there. I also think that it ignores the unique history of the Métis people. To make them into just a specialized municipality in some ways ignores who they are and why that is special here in Alberta.

With that, I will take my seat, and I sincerely hope that this government reconsiders.

The Speaker: Standing Order 29(2)(a) is available. I see the hon. the Minister of Indigenous Relations.

Mr. Wilson: Well, thank you, Mr. Speaker. Let me just correct the members opposite on what I really did say. It's a court-tested process, the legal duty to consult, and it's not triggered by legislation. The formal process specifically applies to adverse impacts on treaty and aboriginal rights. This was a matter of engaging, listening, and acting, and that's what we did.

I'm not sure how the members opposite find empowering the settlements to be in charge of their own destiny to be a bad thing, Mr. Speaker. I know the members opposite feel that the answer to everything is just to throw money at it. Pride means caring about the future and not sitting on a status quo that will harm it. There's nothing – nothing – in Bill 57 that diminishes the Métis settlements' culture, their history, or their land. This government is proud – proud – to have the only Métis settlements in Canada. That's why we want to help them be financially sustainable so that they're going to be successful 100 years from now.

We have put in place mechanisms to help them apply for grants to improve their infrastructure. They have a lot of failing infrastructure, and I hear that all the time. That's why we're working very closely with them. The Minister of Infrastructure is helping them as much as he can. By the way, some settlements are

getting some very large grants this year to help with some road construction.

Now let's talk about housing. This government, with the help of our Minister of Seniors and Housing, has provided 10 new houses in Elizabeth settlement last year – 10 – 10 new four-bedroom houses. They were so proud when I was there. They were just starting to move into them. We created a whole subdivision. We built the roads, we put in the sewer, we put in the water, and we put in the power. The people came out just to greet us, and they were just so happy that they were able to move into these new houses. Housing is a huge issue, as you know, Mr. Speaker, with indigenous people. They get multifamilies living under one house, and now to give them the opportunity to have that pride of ownership: it was just awesome to be there.

Let's talk about some other things that we're doing. You hear me talk a lot about the AIOC, the Alberta Indigenous Opportunities Corporation. I made sure that the Métis settlements were included in that. This is a game changer for the indigenous people, Mr. Speaker. This allows them to participate in huge projects, something they could never have done before. We're working with them right now on a couple of very large projects. I'm hopeful that these will go forward. This will give them sustainability in the future. You don't need government handouts. They'll be able to create their own income and create employment.

Just doing the housing development we did: that created, I believe, 21 jobs up there; plus, we've got our employment program. Working with other ministries, I believe we helped out somewhere around 500 students to start working in the trades and other things. You've heard the Premier say that a trade certificate is just as important as a university degree, and moving into the future, as Alberta comes out of the COVID and things get busier, that's going to be so important. I want to see those young people be successful. I was up there, and there was a group that was doing some logging, and one young fellow stopped his truck just to talk to us. He was so proud to have bought his own truck and to be providing for his family. That's what we want, Mr. Speaker. We want to see that pride. We want to help the people, and that's what this government is all about, helping them.

We've also got our aboriginal business investment fund program, Mr. Speaker, a great program. We helped out one of the settlements last year with their campground operation. They've got a great operation going there. It provides a lot of employment for a lot of people just getting ready for it. They run a campground. They've got a lot of people coming there, so we've been able to help them out with that as well.

We're working on a tourism program right now with the ministry of jobs and economy, an indigenous tourism program. Never happened before, Mr. Speaker. We're investing in that, and we want to create a whole tourism corridor right across Alberta. There are so many great cultural things that the indigenous people are involved with, and the Métis settlements are a very large part of it. They've got some of the most pristine lakes. I've stood on the shore of a pristine lake up there. Actually, the president has his own campground right on this amazing, beautiful lake. When people find out about this type of thing, they'll flock to it, and they'll just love the culture that goes along with it.

We're really happy to be doing all of that, Mr. Speaker. They always talk about a hand up, not a handout. What we're doing is a real hand up.

Thank you.

9:50

The Speaker: Hon. members, there are approximately 10 seconds remaining in Standing Order 29(2)(a).

Are there others wishing to join in the debate? The hon. Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Mr. Speaker, for the opportunity to address Bill 57, Metis Settlements Amendment Act, 2021. I want to continue on where my colleague from Edmonton-Rutherford, the former Minister of Indigenous Relations, and my colleague from Calgary-Mountain View left off with regard to debate on this issue.

You know, reflecting on what the minister just said, I want to kind of underscore that I kind of hear that he's trying to set up the Métis settlements and the 5,000 souls that live across those settlements for success, but I wonder about the sustainability of the plan that is in the bill with regard to creating special municipalities. There's a different term for it, but that's what I want to call them. That's an issue that I know a little bit about, not special but municipalities in general, and I can tell you that there are many things that are needed to make a sustainable municipality go forward for the benefit of the people who live there. They need a tax base that is not only residential in nature but commercial-industrial because, in the case of Calgary, the residential tax base only covers a fraction of the total amount of monies needed to be collected to run all the program services and run the city for its population. We don't see that in the eight Métis settlements.

[Ms Goodridge in the chair]

The reason I say that is just looking at some of the media that was brought forward after the initial – I think it was in early March that the first reading of this act was brought into the House. The vice-chair of the Buffalo Lake Métis settlement – I think you pronounce it Harold Blyan – was calling out the proposed amendments that are in this bill, saying that basically he wasn't sure how the settlements were going to be financially stable because there are very, very poor people taxed. To set up an essential services bylaw, you'll see some very poor people taxed beyond what they're capable of paying. They want us to do what other municipalities, towns, and cities do. The difference, though, is that the larger municipalities and towns have a huge tax base and lots of people, lots of business, lots of infrastructure that you can tax. We don't have that here, Madam Speaker. I don't see how the Métis settlements are going to be sustainable with that kind of feedback from one of the vice-chairs of one of the settlements kind of indicating what's on the ground in their community.

I see the bill as kind of like a tough-love approach. My colleague talked about it as an ideological bill in the sense that you're going to get this, whether you want it or not. Certainly, we've seen significant push-back from the representatives of those settlements, saying: "This is not the bill that we signed up for. Yes, we do want to be sustainable, but we don't want it shoved down our throats." I think those were some of the comments I was reading as well from one of the individuals. Madam Speaker, I think my colleagues and I are sort of saying: take a pause; step back; look at this again. Yes, everyone wants communities to be sustainable, to go forward in the future in ways that they want to go forward.

[The Speaker in the chair]

But it looks like the money running out of the future fund in as little as two years is what's driving this coming into the House now. My colleague from Calgary-Mountain View talked about an interim agreement. Why isn't an interim agreement the topic of discussion between the Metis Settlements General Council and the government of the day? Why is it, like, going forward even though people who represent the Métis in this province are saying, "This is not working"? They also talk about, if this goes through the way it

is and without any amendments – and I know the minister brought forward an amendment that changed the representation from a mandatory three to three to five. But that's too little too late in terms of – and it doesn't address the real issues that people have identified. So I would say that what I am concerned about is that this government will get into being sued again by another group of people who believe that their interests are being steamrolled by this government. The future fund running out in as little as two years should not be the only reason for going forward.

I'm glad some of those other things that the minister just talked about are going on, but that's not sustainability either. Those are grants. Those are nonrecurring kinds of ways of ensuring that there are finances for specific projects. That does not give you sustainability, Mr. Speaker, so I would just urge this government to step back.

I think the reason the future fund, the kind of running down or the running out of the future fund, is driving this issue and preventing the minister from taking this bill back and actually working with the Métis people is because the UCP has really exhausted great sources of revenue. They gave up revenue, \$4.7 billion, by reducing corporate taxes and giving tax handouts to wealthy corporations. They expensed monies and received absolutely nothing back from the KXL, \$1.7 billion. So that's what's driving this as opposed to good legislation on this bill.

I think, with those comments, Mr. Speaker, I'll take my chair.

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

Seeing none, the hon. the Deputy Government House Leader has risen.

Mr. Schweitzer: Thank you, Mr. Speaker. We've made a lot of progress here. I'd move that we adjourn debate.

[Motion to adjourn debate carried]

Bill 68 Election Statutes Amendment Act, 2021

The Speaker: The hon. the Minister of Jobs, Economy and Innovation on behalf of the Minister of Justice and Solicitor General.

Mr. Schweitzer: Thank you, Mr. Speaker. It's my pleasure today to rise on behalf of the Minister of Justice to speak to third reading of Bill 68, Election Statutes Amendment Act, 2021.

As everybody here knows, democracy is very important, Mr. Speaker, and this bill is very critical for us, as we move forward, to enable the empowerment of democratic tools in the province of Alberta. I'm going to keep my speech very simple. I want to make sure that we pass this bill. It's important for the future of our province to continue to engage with democratic principles and empower citizens to have their voices heard. I would encourage everyone in this House to support this bill.

The Speaker: Hon. members, the Minister of Jobs, Economy and Innovation has moved third reading of the Election Statutes Amendment Act, 2021, on behalf of the Minister of Justice and Solicitor General. Is there anyone else that would like to provide comment? The hon. Member for Edmonton-Glenora has risen.

10:00

Ms Hoffman: Thank you very much, Mr. Speaker. Well, I think I took two minutes to speak to this yesterday in committee. I'm here to speak to it in third today and will probably take longer than two minutes this time because I think that there is certainly more to unpack. Yesterday we tried to propose an amendment to bring us to

a place where we could support this bill, and in that amendment we proposed a change to the piece that the government wrote around election spending provisions.

A few years ago, when folks were considering whether or not it was appropriate to spend public money on elections, the then Wildrose and PC caucuses were very vocal in opposition, and they certainly put forward many, very compelling arguments as to why public money shouldn't be spent on partisan or overt political interference in a democratic process, that the money people pay for their taxes and that Albertans acquire through the disposition of our natural resources, that wealth that is owed to all of us, should serve all of us. It shouldn't serve political purposes, and it shouldn't be used to try to convince Albertans that elected officials are of the dominant opinion on an issue and try to sway the vote through that when it comes to campaigning, specifically around election issues.

Absolutely, the current government has created a situation where referendums are intended to be political tools around mobilizing the vote, encouraging people to come out to the ballots for elections that the current governing party would like to see more of their supporters participate in, specifically local elections, municipal and school board elections. I understand why the government wants to encourage people to come out and vote in those elections, and having served as a school board member, I very confidently agree that voter turnout should be high for all orders of government in all elections. I think that getting people out to vote is a good thing.

One of the things I was proud of in my first election run for school board was how much we increased voter turnout for municipal elections and, specifically, for school board elections in our ward and in other wards around the city. What mobilized people wasn't the government spending money on a ballot question. Rather, it was the government refusing to spend money to keep schools open, and a board full of trustees that refused to actually call that out or fight to keep their schools open. They had a track record, had a history, a documented history, of voting for many school closures. I remember reviewing up to 70 others at the same time. So the issues motivated people to get out and vote.

Absolutely, elected members, unelected members, everyone has a right to use their voice in a way to amplify their message, to compel people through their words, and to demonstrate their desired outcome. I get that. I've been a proud participant in democracy even before I could vote. I was definitely an opinionated child who wanted to make sure that her voice was heard and that people were thinking about their values when they were going to vote. I absolutely expect that all of us in this place care deeply about democracy and have opinions that we want to share about it and hope that people will hear them and that it might sway minds and hearts. That's fair. What's not fair is to take the money from those people – their money, public money – and use it to campaign to them about an issue that's intended to be a partisan motivator and to push the response, with the spending of public dollars, in one direction or another.

We did put forward an amendment with the hopes that the government would agree with us that public money, including taxpayer dollars, shouldn't be used in what many would say are nefarious ways around motivating the vote and pushing partisan questions on the public. We did that because there are pieces in this bill that I really want to support. I think that the step towards increasing opportunities for people to participate on francophone school boards is a good first step. I wish it went further. I wish it was actually in legislation rather than a provision around regulation. I wish that there was some clarity and some certainty. I wish that this had been a priority for the government. I would have been very enthusiastic to support this as a government bill if they actually had gone those few extra steps and made that a focus of this legislation.

It's clear to us, by the government's absolute opposition to our proposal, that the government has changed their opinion on partisan purposes being paid for out of public dollars, taxpayer dollars going towards motivating the partisan vote. That, of course, is yet another demonstrated broken promise made by the once formerly United Conservative caucus.

It is with frustration that we're in this place today, where the government is plowing ahead and refuses to take some restraint when it comes to the use of public dollars. We've seen very recently, demonstrated in a high-rise on top of a building in the middle of the downtown, that the government feels there is one set of rules for them and another set of rules for everybody else in this province. This is another example of the government saying no and making good, compelling arguments – and I understand that most members of the United Conservative caucus weren't here when the parties that ended up being in the merger were here. But the values were supposed to carry on, right? This was supposed to be about uniting values.

When you have two parties that say, "Don't use public dollars for partisan purposes" and they form one party, you would assume that that party would carry that value forward, but clearly this new, formerly United Conservative caucus has different values, has different priorities, and doesn't see the respect for the public dollar or for public resources in the same way that the previous parties professed to have seen it. I'm not saying that they always did. We all know how the sky palace got built in the first place.

But we know where those parties sat on it, specifically the Wildrose Party, through you, Mr. Speaker. The Wildrose Party was very vocal in their opposition to the entitlements that we saw under Alison Redford specifically as well as other leadership, under the time of her Premiership, as well as other leaders who'd been part of other formations of government. We saw the Wildrose very vocally oppose excessive cellphone bills, for example, when PC cabinet ministers were travelling internationally. Fair enough. I, too, was appalled at the idea of public money going towards paying such exorbitant cellphone bills.

This is a whole new level of arrogance, though, Mr. Speaker, because this really is about ramming partisan political questions into elections and using public funds to amplify your voice. When I think back to that opinionated, some people might say mouthy, young girl that I might have been, wanting to make sure that my opinion was heard – and, hopefully, I was able to sway minds – it is not fair to have the Premier, cabinet ministers, MLAs using money that they are entrusted to use for the provisions of their office in a partisan way to drive the political vote. Their voice should have no more authority given to them by taxpayers than a mouthy 17-year-old. They should both have an opportunity to use their voices, to profess their opinions, to amplify their messages, but at the end of the day public dollars should not be used for partisan games.

At one point in time this Assembly was unanimous in that position. It might feel like a long time ago, but it wasn't. It was probably four or five years ago when we were unanimous that public dollars shouldn't be used for partisan political games, but clearly the current Premier has a different mindset on this, and the cabinet, that supported him in drafting this bill and brought it forward, also has a different mindset on it.

10:10

Whether private members agree, I guess, is yet to be determined. I know we're in third reading already, but I do in my heart of hearts imagine that some of those remarks that private members made just a few short years ago about public money being used to serve the public and not to drive partisan questions or partisan decisions – I have to believe that when they were speaking then, they were telling

the truth, which would have me wonder now, when they fail to speak or when they speak and try to defend this, why it is that they've changed their mind so quickly and so significantly. This is an absolute abuse of the value that was articulated not that long ago.

With that, I want to touch again briefly on the piece around francophone trusteeship. I know we're headed into an election this fall, and I'm excited about that. I always appreciate campaign season and election season. I think it's a time for people to really talk about their values and their priorities and where they want to see things as they move forward. As we've already seen, every francophone board in the province has rejected this draft curriculum under the current leadership, and we know that many people who send their children to a francophone school were very relieved by that.

First, some of the loudest groups, of course, were the Métis Nation and Treaty 6 and individual elders, and that grew more significant as time went on. Then a few weeks later francophone representatives, including trustees, were very vocal in saying that the current curriculum doesn't in any way come from a francophone perspective, that it was simply written in English and translated and that francophone people are clearly an afterthought by the current minister and the current government when it comes to the proposed curriculum. Some francophone trustees, I'm sure, were nervous about saying that so publicly, and I get why, especially when you're trying to navigate increased democracy in your own elections and you need the minister and the cabinet to be bringing forward legislation.

This is one of the reasons why I'm so disappointed that this legislation is essentially getting us halfway there. It does enable, through orders in council, additional people to be able to run. Obviously, I want active engagement and active participation in elections, including francophone trustee elections. I am, again, concerned that this was only done through a half measure, and it still relies on the minister and the cabinet keeping their promise. As we've seen in this bill, they made a promise not to use public funds for partisan purposes, and they broke that promise. So when the other part of the bill talks about, "Trust us; we'll address this through an OIC in cabinet at some point between when this bill gets passed and when your election comes up this fall," it gives me pause for consideration. I'm not saying how they feel. The minister, I think, can probably guess – or at least I can guess – that they probably feel like this is at least a partial step in the right direction, and they hope that the minister keeps her word.

This has been a very challenging relationship between Albertans and their government, especially over the last year. Here we see a continuation of the government taking promises they made when they were private members or when they were in opposition and pivoting so significantly on how they demonstrate those values when they actually have a little bit of power. As we can tell, there are some people within the once, formerly united caucus of Conservatives that feel like the values have deviated, that the leadership has deviated from what they signed up for and, in turn, what their electorate signed up for when they trusted them with their vote. We saw this significant dissent, of course, when many members of the governing party signed on to a letter questioning very publicly the leadership of the Premier and his cabinet around the decisions they were making in relation to the public health crisis and the global pandemic that we are still living through.

We've seen opportunities where members of the formerly United Conservative caucus have spoken up about the lack of commitment to values that the now Premier campaigned on, frustration that he hasn't delivered on questions that they raised around everyone paying their fair share and getting a fair deal in Confederation.

I have to say that I wasn't terribly surprised that the Premier hasn't demonstrated himself to be more than speaking points in this regard because, of course, he was in Ottawa for two decades, one of those decades sitting around the cabinet table, and had many opportunities to seek to improve the conditions for all in Alberta and must have failed, especially in terms of what it is that his former caucus mates were expecting to see from him in terms of strength of character, strength of determination, and getting a fair return. Imagine sitting around the table for 10 years and failing to make progress on one of the most foundational issues for many in your party and then coming to this place and pivoting so significantly on so many of the issues that were campaigned for.

I will say that spending time travelling around in a lovely blue pickup – I appreciate having time to be in a pickup as well. Spending this time travelling around, renting a motorhome and pretending that you're an ordinary Albertan travelling around, you know, "Going to be cooking my food in the back of my motorhome while I'm on the road," and then what does it actually come down to? White linen tablecloths on the 11th floor of a high-rise downtown, on display, in breach of public health orders, essentially flaunting it for everyone who works and lives downtown to see, and pulling members of your cabinet, specific members of the cabinet, close members of the cabinet in to that close table on the 11th floor with white linen tablecloths and catering and bottles of – was it Perrier or San Pellegrino? I can't remember.

Member Ceci: Second one.

Ms Hoffman: San Pellegrino. Thank you, Member for Calgary-Buffalo.

Many bottles of wine and a 40 of Jameson and then saying: don't worry; it was a work meeting. Like, imagine that deviation that so many people, probably in this Assembly but definitely Albertans at large, feel from the image that was presented about a guy travelling the province by himself in a truck, doing the work, talking to the grassroots, renting a motorhome the following summer and spending time around Alberta, when we know that there was actually time also spent, maybe instead spent – I'm not sure – at the Fairmont in Banff as opposed to living the values that one was trying to sell.

I have to say that we have seen a significant departure from what was preached by the Wildrose and the PCs. The PC Party certainly had a culture of entitlement tied to their very being after so many years, more than 40 years, a culture of entitlement that resulted in the construction of a luxury condominium on the top floor of a public building. We know the outrage that Albertans expressed when it was so clear that public funds were being used for personal purposes to benefit one person.

In this bill the government is proposing to use partisan funds to benefit their party, to benefit their partisan personal purposes. They want to be able to use the money that is allocated to members of this Assembly and to cabinet ministers to conduct the business required by the government and the opposition and independent members to fulfill their duties, money that should be used on things like communicating with your constituents about what you've accomplished and what you hope to accomplish in the upcoming session, money that should be used to hire staff to help people who are currently experiencing housing insecurity to navigate the supports that could be available to them to be able to get a roof over their head and keep their family safe, money that should be used to support our staff in connecting constituents with employment replacement income opportunities, money that should be spent doing the nonpartisan public service work that should be conducted by individual MLAs through their MSA or by the government

through the provision of their duties related to their ministry. Instead, the current government wants to use this money for partisan purposes, and that's shameful, Mr. Speaker.

10:20

The Speaker: Hon. members, is there anyone else wishing to speak to the bill? The hon. Member for Edmonton-Ellerslie has risen.

Member Loyola: Thank you very much, Mr. Speaker. As I'm sure many in the House already know, this is a topic that I'm pretty passionate about because, of course, the strength of our democracy is paramount when it comes to making sure that everybody has equal access to making sure that their voice is heard. I think that in a democracy we need to be very careful with how we provide that access and, of course, making sure that people feel that the system is legitimately giving them ample space, not only just to speak their voice but to make sure that their issues and concerns are being acted upon.

Now, for many in this House they'll remember that when we came into government, back in 2015, one of the first things that we did as government was to actually ban corporate and union donations. We then set up a select special committee to deal specifically with issues around our democracy, both financial contributions to those processes and then the actual way that people engage with the system. Since this government has come into power, we've seen multiple attempts to circumvent, I would say, the democratic process, and here we have yet another example of that, of them creating a loophole, a loophole whereby they can influence.

This is what it comes down to, Mr. Speaker. I don't deny that every Albertan should have the right to expression, their free expression, and that should not be curtailed in any way unless, of course, we're talking about hate. But then it's a really big difference when you allow for, whether it be private or even public, monies to somehow influence the outcomes of the democratic process. This is what we're seeing with this government. They're creating that loophole so that influence over the people of Alberta can take place.

Now, I remember that when we were in the select special committee for – help me out here, colleagues; was it ethics and . . .

Ms Gray: And accountability.

Member Loyola: Ethics and accountability. Yes. Thank you very much. I knew that was the name, but I wasn't a hundred per cent sure, and I just wanted it confirmed.

That name could not be more true to what we are trying to accomplish, ethics and accountability. We have to be very careful about how we provide opportunity within the democratic process and that we're not influencing unduly, especially those that have the economic might to do so. Elections and our democracy should be about ideas and not about how much money people have in their pockets to actually influence the outcome of political decisions made in this province. This is what true democracy is.

Here, yet again, Mr. Speaker, we have an example of how – and then not only are we in a circumstance here where now it's about money being able to influence the political process, but now it's about actually using Albertans' own taxpayer dollars to actually influence a political process. This is what is concerning.

Now, I'll be honest. I mean, I think that we can explore how public funds can be used to strengthen the democracy. These are two very different things. I know that members on the other side that actually participated in the Select Special Ethics and Accountability Committee will remember that I even made the case for public dollars to be used within the democratic process but not necessarily to influence the outcome of a particular situation. I was

just saying: look, if this is going to be the case, then let's make it fair across the board. If we're going to have public dollars, taxpayer dollars, being used within the democratic process, then at least make it a fair playing field across the board.

Now we're in a position where we only have two political parties within the Legislature. Well, we now have a number of independents with us, right? But remember that in times past there have been several political parties, and making sure that all have equal access and that people feel represented in this House is important. That's why I was making those arguments in the past in that committee, making sure that if public dollars were going to be used, then at least there'd be a fair playing field and it strengthened the democracy process, right? I have no problem with that, but here we have an instance where the public funds are going to be able to actually be used for partisan efforts, to actually influence how people think. People may think: oh, well, what's the difference here? But if you look at it, there is a discrete difference. There is a very real difference, and I think it's important that we get to the bottom of this.

That's why while in Committee of the Whole we actually wanted to separate the two aspects of this particular bill. I want it to be on the record that, without a doubt, we support the bill's provision to expand eligibility for francophone trusteeships and support the francophone community and the eligibility. We tried to separate these two things so that the two aspects of the bill, which was really important – I want to make sure that that's on the record. That's the portion that we do support, but this other portion, of using taxpayer dollars in a way that MLAs could then influence the outcome of a political decision, is something that we need to be very careful about, and I would suggest that this government go back to the discussions that were had within the Select Special Ethics and Accountability Committee and that we look at the arguments made on both sides of using public funds in our democratic system. I think that this application that is being proposed in this particular piece of legislation now before us is problematic, and we need to take a second look at it.

With that, I'll leave my comments there, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. Seeing none, are there others? The Member for Calgary-Buffalo.

Member Ceci: Thank you very much, Mr. Speaker, for the opportunity to address Bill 68, Election Statutes Amendment Act, 2021. Like my colleagues before me, my issue isn't with the one part that deals with francophones. I think I'm okay on that, and I'm supportive of amendments to the Local Authorities Election Act for that purpose, the francophone regional authority. My issue and the problem that just continues with this government is that they continue to act in ways that the people who are the recipients or those who are impacted by the directions of this government aren't in support of what's going on.

10:30

I want to talk about the referendum part of this, that would allow executive members of cabinet who are MLAs the opportunity to express their views as MLAs in referendums, referendums like equalization or wrongly thinking that the Canada pension plan should be changed to the Alberta pension plan or moving in the direction of an Alberta police force, where we have throughout the province the RCMP, and one other, not a referendum but an election, the Senate vote.

I guess I'm raising the objection that I see plastered all over the websites of the associations that represent municipalities and counties in this province, namely AUMA and RMA, and let's talk

about AUMA for a second. Hundreds and hundreds of municipalities belong to AUMA – I think it's over 300 – and they have said through their new leadership, the previous president, going back several years, that they want local elections to stay on local matters. But this bill is putting into place the opportunity to facilitate the speaking out of MLAs on referenda, and those referenda are scheduled to appear during the local elections that are scheduled for municipalities and counties across this province on October 18, 2021. AUMA repeatedly has said: we want to talk about issues at the local level that our local councillors can have some agency over. That is not going to happen. They have no agency over equalization. They cannot do anything about that, Mr. Speaker; nonetheless, they've been steamrolled or overridden – I guess that's not an actual word – into having that.

Now, the government has said: "You know, here is \$10 million. That's going to make everything okay. You're going to be able to run your referendum for us. It's not going to cost you anything, and if it costs you more, well, come back to us, and we'll talk." You know, there's going to necessarily be people hired and stay longer potentially, count more ballots for different issues like a referendum on equalization, which wouldn't have been there if the government would have listened to municipalities and their association that represents them.

What counties and municipalities want to talk about, Mr. Speaker, this government has pushed off for two years. The local government fiscal framework is the issue they want on the table with this government, but this government has said: "No. We're not going to deal with that. We're going to push it out beyond the end of this term so that the 2024-2025 budget year is when the LGFF, the local government fiscal framework, will kick in." It'll kick in at a lower amount than our government, the NDP government, was planning to set with municipalities, and it'll kick in at a lower – what is that? – rate of how fast it'll go up, escalate. Ours was dollar for dollar. If the province became – you know, if the economy grew, then the LGFF would grow at the same rate. This government, the UCP government, has reduced that by 50 per cent, so if the economy grows here in the province of Alberta or contracts further than it is in the province of Alberta, it'll only grow at a rate of 50 per cent.

Mr. Speaker, again, like Bill 57 that was just before us, Metis Settlements Amendment Act, this bill – there are proponents who will be negatively impacted by the actions of the UCP government. They want to go a different direction. They don't want referendums in the case of Bill 68. They want to focus on things that they have agency over in their local community context. Certainly, AUMA and all municipalities and counties would like to get to the table to deal with the local government fiscal framework because that's the revenue-sharing provision that they need to be sustainable around the capital infrastructure that's necessary for this province and the economy in this province.

[Mr. Milliken in the chair]

We see another example with this bill of the government not listening to Albertans, like Bill 57, the Métis Albertans. I just think it's wrong-headed to keep going down this road. It's not unlike my colleague mentioned previously. The whole road around addictions recovery needs a front end to help people continue to survive before they get further along that treatment recovery path, but those folks aren't being listened to, and the people who give treatment to those folks aren't being listened to. Municipalities aren't being listened to. Métis people aren't being listened to. I just wonder who – who – this government is working for anymore. It seems – I think the answer is clear. This government is working for corporations,

wealthy corporations because the \$4.7 billion tax giveaway to wealthy corporations is forcing the hand of this government on so many levels. They'd have more time and more opportunities, certainly more revenue, had they worked to preserve fair taxes for all Albertans, but that's not been done, Mr. Speaker.

I think it would be instrumental if members on the other side went to the AUMA website and read what was on that website. Plastered throughout, it says: local elections should be local. They're asking people who are running across this province to focus on local issues. They say: we know that this UCP government had election promises in their platform about specific things that they wanted to do, but we think that that's the wrong thing to do. It's unfortunate that Albertans and the views of Albertans with regard to major, well, bills that are before us today and the recent days through this legislative session continue to be rammed through without any thought about the views of those people who they will affect.

It's a small bill. Of course, it does one thing that I don't think is in the interests of local governance. It does another thing that I think is helpful, so on balance, you know, 50 per cent. It's probably a failing grade for this act in terms of where it needs to be.

Without too much further, Mr. Speaker, I'll take my seat. Thank you.

The Acting Speaker: Thank you.

Hon. members, are there any members wishing to join debate? I see the hon. member for Calgary – oh, we are first going to see if there is a 29(2)(a) taker.

I am seeing none, so then on the main debate I see the hon. Member for Calgary-Mountain View has risen.

10:40

Ms Ganley: Thank you very much, Mr. Speaker. I will try to keep my comments brief with respect to this particular bill. I mean, with respect to the bill, there are a couple of things going on, but I think my objection actually is the government's rejection of the amendment we brought forward. The reason that's my objection is because I don't think having a disproportionate access to money for one side of a debate is democracy. I just think that sort of fundamentally undercuts democracy.

I've spoken a lot in this place about my opinions on income inequality and how trickle-down economics plays into that and how that's bad for democracy. The reason I think it's bad for democracy is because when you have a situation where the majority have their interests on one side of an issue but a small minority have a massive amount of money to just flood the field with misinformation, that doesn't generate a good democratic debate, and it doesn't generate a good democracy.

That is my objection to this, that the government refused an amendment that would prevent them from using government money, ministerial office money, to support, prop up one side of a debate. I think that's problematic. I think it's fundamentally antidemocratic. I think using the mechanism of a provincial government to influence the view of people on a referendum is highly problematic. I mean, this is supposed to be about democracy. It is supposed to be about people and the grassroots standing up and having their say, but the government's rejection of that amendment, in my view, proves that that is not what it was ever about for them.

It was never about democracy. It was always about their ability to spend money to campaign on collateral issues, and that, in my view, is extremely problematic. That is the reason I am concerned about this bill, because of that ability.

Just to be clear, I think it would be wrong no matter who was in government. Whether it was this current government or whether it was us in government, I don't think that one side of any debate

should have access to government funds to campaign for partisan purposes. There are arguments on some issues. There absolutely are, right? There are arguments on issues like, you know, getting dollars for votes instead of doing fundraising. That way, every person has an equal right to participate in the democracy regardless of what their funding situation is and whether they can donate to a political party. That is a different argument. I think that is arguable, but this? This is specifically not about money for all sides, for all views, for all opinions.

This is not about supporting the opinions of how people are voting. This is about enabling whoever happens to be in government at the time to use a higher level of funding in order to sway opinions, and that – I mean, throughout the world, unfortunately, this has gotten very good. It is – I don't know – something that speaks to perhaps a fundamental flaw in our psychology. It happens with marketing as well, the ability to sort of infiltrate the minds of people and convince them they need things they don't really need. But, you know, campaigners have gotten very good at this. They've gotten very good at shifting hearts and minds, and you can definitely use money to do that and to spread misinformation. I think the spread of misinformation is one of the greatest challenges of our times, so I think the government's rejection of that amendment is highly, highly problematic. I think it suggests that the purpose of this bill is not democracy at all but quite the opposite.

Mr. Speaker, we do have a lot of business to get through this morning, and I think I have expressed my view on this, as have my colleagues, so with that, I would move that we adjourn debate.

[Motion to adjourn debate carried]

Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

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

Bill 62

Red Tape Reduction Implementation Act, 2021

The Deputy Chair: Are there any comments or questions to be offered with respect to this bill? We are currently on amendment A1. I see the hon. Member for Edmonton-Mill Woods has risen. Go ahead, please.

Ms Gray: Thank you so much. It's a pleasure to rise on amendment A1 on Bill 62. If the table would be so kind as to pass a copy of that amendment briefly to my colleague.

The Deputy Chair: Absolutely. It's quite quick, so I'll just take an opportunity as well to read it in. The hon. Member for Edmonton-West Henday moves that Bill 62, Red Tape Reduction Implementation Act, 2021, be amended by striking out section 7.

Ms Gray: Thank you very much, Mr. Chair. It is appreciated to understand that we are currently on an important amendment, moved by my colleague the hon. Member for Edmonton-West Henday, that specifically makes changes to the section of the real estate pieces within Bill 62. Let me just start by saying that Bill 62, the Red Tape Reduction Implementation Act, 2021, is a bill that touches on and changes multiple other statutes. I will say that this bill is another example of why the ministry of red tape reduction should not exist since so many of these changes are substantial, that should have been led by the minister in charge of the areas where the changes are actually being made.

Now, on this particular amendment, the changes in the bill make significant changes to the Real Estate Act. Given all the controversy over the structuring of the Real Estate Council in the past few years these changes should have been done and have to be done in consultation, and the Official Opposition caucus is not convinced that that took place here since these changes are hidden within this omnibus bill led by a different minister. Our consultation process has proven out that many people who are impacted by this change were not aware. For that reason, we've put forward this very reasonable amendment that I hope the government has had time to thoroughly consider and decide that it is a good amendment worth supporting.

With that and having just revisited the subject of the amendment and encouraging all members of this House to support this strong amendment, I will conclude my comments.

Thank you, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

Are there any members wishing to join debate on amendment A1?

[Motion on amendment A1 lost]

The Deputy Chair: We are back on the main bill, Bill 62. I see the hon. Member for Edmonton-Mill Woods has risen.

10:50

Ms Gray: Thank you very much, Mr. Chair. To make life a little bit easier, I am going to start by saying that I have an amendment to introduce.

The Deputy Chair: Thank you very much, hon. member.

For members' benefit, this will be referred to as amendment A2. Also, if you would like a copy, feel free to raise your hand and one will be delivered. There will also be copies at the tables at both entrances, and I know the hon. member has probably already sent a copy digitally to the table.

Again, if the hon. member could please read it into the record for the benefit of all. Please continue with your comments should you choose to do so.

Ms Gray: Thank you so much, Mr. Chair. On behalf of the Member for Edmonton-Decore I move that Bill 62, Red Tape Reduction Implementation Act, 2021, be amended in section 6(2) by striking out the proposed subsection (2) and substituting the following:

- (2) The Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act shall, on completion of the review
- (a) make the result of the review referred to in subsection (1) available to the public by
 - (i) publishing it on the government website, and
 - (ii) any other means the Minister considers appropriate, and
 - (b) inform the Legislative Assembly of the result of the review at the earliest opportunity.

Mr. Chair, I introduce this amendment at the start of my speaking time in the hopes that the government will take a look at this amendment and give it its due consideration because this change is small but important. Right now in the Red Tape Reduction Act it essentially removes informing the Legislative Assembly of the results of the review in place of publishing it online. The change in this amendment is: why not both? I don't know if you've seen that meme, but it's, like, one of the favourites between my husband and I. We often send it back and forth. In this case, I am simply saying: why not both?

The reason I'm suggesting we keep this being sent to inform the Legislative Assembly is because the routine review of the financial amounts to bereavement damages no longer being tabled could have the implication that the Assembly doesn't get that indication that the report is done. Instead of the House being informed – there is a report and the table being copied and the Official Opposition being provided a copy – now it will only be online. That could lead to these reports being completed not getting the attention that they need. This amendment quite simply is saying: "Love it. Publish it online. Great. But could you also, please, Minister, print five copies and table them?"

We don't believe that this adds additional red tape in any way. It's the process that happens now and, I believe, an important piece of informing the Assembly when there has been a fatal accident. We cannot diminish the importance of learning from the death of a worker and learning from these reports. In Bill 62, obviously, the minister understands the importance of these reports. He's put forward a change that publishes them online, and this is a very good thing. This amendment simply asks that they continue to also be tabled in the Legislature when they are prepared so that all members of the Assembly can be aware when they have been completed and can take the time to follow up.

I appreciate the work the minister has done on this, and I hope that this amendment will be considered. Thank you very much, Mr. Chair.

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Cardston-Siksika has risen.

Mr. Schow: Thank you, Mr. Chair. I appreciate the opportunity to rise, as I always do in this Chamber, and speak on behalf of the fine people of Cardston-Siksika. I appreciate the Member for Edmonton-Mill Woods for bringing forth this amendment. However, at the outset of my remarks, which I expect will be brief, I will say that I will not be supporting this amendment, and I encourage members of this Chamber to also not support this amendment for what I think is an obvious reason.

We are talking about a bill meant to reduce red tape, which is government waste and things that would get in the way of productivity. Albertans expected our government to come here and create an opportunity, create an environment wherein businesses are attracted to come here, set up shop, hire employees, do great things, things that Albertans have been doing for generations now, things that my ancestors have done here and many others in this Chamber.

However, this amendment has asked to take a review and on completion of the review, make it available to the public by "publishing it on the government website, and . . . inform the Legislative Assembly of the result of the review at the earliest opportunity." Mr. Chair, this amendment appears to be adding levels of red tape and unnecessary work when the purpose of the bill is to cut red tape. Now, the hon. Member for Taber-Warner and Associate Minister of Red Tape Reduction, a member that I have a tremendous amount of respect for and I have worked with for a long time both in this Chamber and even prior to being elected, I know is committed sincerely to reducing red tape in this province and making it a viable place to set up shop and do business. He was a businessman himself prior to coming to this Chamber. I just don't see how this amendment, moved by the hon. Member for Edmonton-Mill Woods, makes any sense in the context of reducing red tape. It actually is effectively asking the government to create more busywork, featherbedding.

I don't want to be long-winded in my remarks, but I will say, in closing, that I encourage other members of this Chamber to not

support this amendment. I do suspect that I may hear from the minister of red tape reduction on this or may not. I will conclude my remarks at that.

The Deputy Chair: Thank you.

On amendment A2, I see the hon. Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Mr. Chair. I appreciate the opportunity to speak to this. After listening to the last speech, that apparently was designed to fill some time because it had nothing to say, I want to take an opportunity to talk about the nature of this whole bill altogether, this Bill 62, the Red Tape Reduction Implementation Act, 2021, and then speak specifically to the amendment here. You know, the previous speaker was apparently attempting to say that this bill is about red tape reduction and therefore we shouldn't add anything. Kind of a simplistic comment, I would think.

It's really clear, as we look through this bill, that the vast majority of these sections have absolutely nothing to do with red tape reduction. There isn't actually a decrease in government activities. It does not actually – you know, savings in terms of government practices or government finances. Most of it is filling in little bits and gaps that have been made by various previous bills and ministers over time and gives a chance for all those ministers to have their errors repaired without actually having to show up in the House and defend the fact that they made the errors and that they need to be repaired at this time. Instead, we give it to this omnibus bill that has little relevance one thing to the other, and we end up here in this situation.

You know, I think that to argue that somehow this amendment is not useful because it doesn't reduce red tape belies the truth of most of the other actions within this bill, which, in fact, are not reducing red tape in any way whatsoever. They are simply the government instituting their own particular preferences on various aspects of legislation and fixing problems that they realized that they had created themselves, in some cases, in other bills or things they neglected to do. So here we are in this situation, where the government is using a pretend title to articulate what it is that they want to have happen in this bill.

In this particular case, the argument seems to be that, well, we're going to put things online and we're not going to table the fatality accident reports here in the House. The simple request from this side of the House is just that we do both things, and there is a reason for doing both things. It's information. It's information that will be used by people who have relevant cause to try to understand this information and need to have ready access to it because it will help them to make decisions as they move ahead.

11:00

We all know that right now we live in an information world where there are a lot of things going on, and sometimes it's very hard to be able to cut through all that and find the information you need. If the information is only in one place, then sometimes it's hard to zero in and find that particular place for the information. We should have the information available to us in multiple ways because people have different approaches to how they do research and have different habits and practices about how they inform themselves about the facts that will make their decisions possible in the future.

We have a process in this House of tabling; tablings happen in this House every single day by both members of the government and members of the opposition. You know, this is simply a request to continue to do what we're always doing. If we don't do this tabling, that will effectively save approximately 30 seconds once or

twice a year in terms of government business within this House. I just don't think that that's an effective use of legislation. I think the government should just – if they want to add online, sure. Great. Do that. But there is no overwhelming need to reduce tablings. If they, in fact, thought there was a need to reduce tablings, why aren't they just eliminating tablings altogether in the House? If one small bit is red tape, then obviously all of it is red tape. Clearly, that's not what they're trying to do.

I would certainly appreciate support for this amendment. Thank you.

The Deputy Chair: Thank you, hon. member.

I see the hon. Associate Minister of Red Tape Reduction has risen on amendment A2.

Mr. Hunter: Thank you, Mr. Chair. I won't take long. I think that the Member for Cardston-Siksika clearly articulated the reason why we're doing this. This is a commitment that we made to Albertans. We are in the 21st century. Digitization is something that every government in the world is doing right now. It's strange that the NDP, who purport to be, you know – and I remember the member that actually brought this forward quoting 1980s songs and talking about how it was important to make sure that we get up into the 21st century. I remember that because – actually, they were great speeches, by the way. I thought they were quite brilliant. But I just remember thinking, as the hon. member was putting this forward, that this countered her arguments before. I know that she is not the presenter of this. Edmonton-Decore is the one who actually brought this forward.

I have to say that this is a bit of a reach in that, you know, this is actually something that I think should be nonpartisan. Really, in reality, this is something that we should all be able to be okay with. Digitization is going to be able to help in so many ways. Being able to post this online, where people can print it off if they want to, if that's their preference – I think that that certainly is an option for them as well.

Mr. Chair, I would recommend that we don't accept this amendment and that we move on with the orders of the day.

The Deputy Chair: Thank you.

Are there any members wishing to join debate on A2?

[Motion on amendment A2 lost]

The Deputy Chair: We are back on the main bill, Bill 62. I see the hon. Member for Edmonton-Ellerslie has risen.

Member Loyola: Thank you very much, Mr. Chair. As has been stated by several colleagues on my side of the House, there are a number of issues with this particular piece of legislation. One of them, in fact, is the changes that they want to implement with the Employment Standards Code. We have not had any rationale on why the government has decided that an employer no longer needs to record hours of work daily, but they are still responsible to track them. I'm not too sure what problem the government is trying to fix with this. In debate they have not addressed this issue once, like many of the aspects of this bill.

I mean, we've gotten up to speak specifically about certain aspects, yet the government has yet to address any of the questions that we have brought forward. Regarding this particular topic, we just don't understand what the logic is. We don't know if there was any consultation with employees. What were the concerns? Then, of course, what will be done to ensure that the hours are indeed tracked regularly?

With that being said, I do have an amendment that I would like to introduce, Mr. Chair. I'll await your direction.

The Deputy Chair: Thank you, hon. member.

As always, please raise your hand if you would like a copy. There will also be copies at the tables beside the entrances.

This will be referred to as amendment A3. I assume that a copy has already been sent or is being sent to the table.

If the hon. member could please read it into the record and continue with any comments should he so choose.

Member Loyola: I'd be happy to, Mr. Chair. Thank you very much. I move on behalf of the Member for Edmonton-Decore that Bill 62, Red Tape Reduction Implementation Act, 2021, be amended by striking out section 4.

Now, as I stated, this amendment will strike out Bill 62's changes to the Employment Standards Code. Again, I reiterate that we worry about the proposed changes of an employer no longer needing to track the working hours of an employee daily. The UCP have not clearly explained why these changes are even necessary. I don't understand. What is the end goal? What is the problem that they are trying to fix? Indeed, they have not articulated that within the debate. They have not addressed the potential of this change creating more room for error for Albertans getting paid, and that is essentially the immediate worry that we have on this side of the House. Given the fact that we're in the middle of this global pandemic, there have been issues with people not getting paid on time. We just want to make sure that this doesn't add to complications with any of those types of scenarios.

I encourage all members of the House to please vote in favour of this amendment.

The Deputy Chair: Thank you, hon. member.

I see the hon. Associate Minister of Red Tape Reduction has risen.

Mr. Hunter: Thank you, Mr. Chair. First of all, I would recommend that the hon. members not accept this amendment. The rationale has been clearly stated many times in this House. I'm not sure if the member is not listening, or maybe he wasn't in the House at the time; it's possible. The rationale is simple. If you have not been a small-business owner where you've had to sign the front of cheques, you do not understand how difficult it is for our job creators, our small businesses specifically, that are disproportionately affected by red tape. They don't have the ability, the luxury of being able to hire compliance officers to be able to jump through all the hoops that governments make them jump through. I will remind the member that there are over 670,000 hoops that Albertans have to jump through.

Reducing red tape is common sense. We're not against regulation; we're against overregulation. This is why, when we go to specifically our small businesses, who are hurting right now, especially because of the pandemic, anything we can do that will help them – actually, I know that the member opposite is a good person and has the best intentions. He wants to have our job creators and specifically our small businesses not just survive but thrive going forward. The ability for them to be able to not have to record every day and to calculate every day when they have – and just so you know, hon. member, I get communicated with by lots of small businesses, lots of people, obviously, in our office.

11:10

And one very interesting communication with a small business was a lady that was in central Alberta, who said that she's excited about this part because she does not like to have to every day –

because of a rule, an antiquated rule that says that she has to calculate even though the calculation is the exact same thing, but the rule says that she has to do that. So this allows her – obviously, if there was ever an audit, she would have to go forward and provide records so that if there was an issue with employment standards, she would be able to provide her side of the story. So that still has to be recorded, and that has to be done.

But the actual approach that we're taking here is that if it is not needed, why do you have to do it? This is what red tape is all about. Take a look at what is needed and what isn't needed and get rid of the things that aren't needed. We still want to be able to have proper safety, proper employment standards. We want to make sure that our environment is safe. These are the things that we have always committed to and that we'll continue to try to work on.

In this situation this section is going to help our small businesses in just a little way, but it's going to help them. When we try to get out of this pandemic, I want you to remember that in any robust economy, 2 out of every 3 new hires are going to come from small businesses. We have to help them; we've got to do something to help these small businesses in Alberta. And this is just one of the small ways that we can do that. It still will not hurt our employees, but it will be a real help to our small businesses.

Thank you, Mr. Chair. I would recommend that we do not vote for this.

The Deputy Chair: Thank you, hon. member.

Member Loyola: I want to thank the hon. member. Thank you for your comments; I appreciate them. Please remember that I have also been a small-business owner myself. Regardless, I understand the intention of what you're saying, that it's repetitive work, but please remember that, for me, it's really important that employees be respected. What happens when there's a discrepancy around what the employee felt they have worked, but the employer now has no record to actually demonstrate that this is indeed what the employee has worked? For me, this is what my true issue and concern are, right?

It's happened to me. I've had several people working with me while I was running my own small business. When there's a discrepancy, we need to have a record to actually demonstrate to the employee that, in fact, this is what we have recorded. I would make sure that people would actually sign off on that because I didn't want any arguments at the end of the day. Try to get these out of the way; there should be no need for that. So this is my concern here.

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Edmonton-Mill Woods has risen.

Ms Gray: Thank you very much. I'm really pleased to join in the debate on this amendment because, having heard the discussion, I really want to test and talk to the minister. I appreciate very much the minister being here during Committee of the Whole and discussing these amendments, so thank you for that. The minister has stated as fact that this is not needed, this kind of daily calculation. I would suggest that trying to make sure that employee records are accurate and kept up to date in a timely way – I know from personal experience, and others will know, that when there's something as detailed as this, if you are waiting until a later point in time to go back and calculate, it seems to me that it's more likely to introduce errors. Not all small businesses have the same systems. I'm specifically thinking also about the fact that this doesn't just impact small businesses; this also impacts large businesses and potentially opens up avenues for inequity for workers.

I'm curious about the knock-on impact of perhaps more employment standards complaints if this introduces more errors, if employers are no longer making sure this is correct on a daily basis. One of the things we've seen through this pandemic, through the hardship that has been imposed on employers and workers: a huge increase in the volume of employment standards complaints. If this change is going to add to that increase in employment standards complaints, if this change is going to make it even a little bit harder for a worker to get their fair and just and adequate compensation – these are concerns that we feel very, very strongly. We do understand that there are different impacts on small employers to large employers. As you've just heard, we have small employers in our caucus. We have in our caucus people who've worked for large employers.

Really, I think it's important, particularly during a pandemic, when we know there has been so much hardship on workers and employers alike – and this caucus has consistently called for more support for small employers through this pandemic, but we won't go down that rabbit hole at this moment. Is the minister a hundred per cent confident that this is completely not needed and this will not impact any worker's ability to get pay and having them to then go to employment standards? Right now, reading this, the Official Opposition has strong concerns about this. Increasing the volume of work that the employment standards office is having to deal with right now would be a very negative knock-on impact of this potential change.

The Deputy Chair: Thank you, hon. member.

I see the hon. Associate Minister of Red Tape Reduction has risen.

Mr. Hunter: Sure. I appreciate the comments. You know, I have no doubt that you're concerned about employees, as we are. I can assure the hon. members that the law is still there, that they have to keep those records, because if there is an audit or something that employment standards needs to take a look at, those records are there. This is actually just saying that if you have a regular schedule, that most people have – you know, 9 to 5 is what we usually hear about – you do not have to calculate that every single day. That's what the law says right now, that you have to calculate that every single day, whether it's the same or not. This is a redundancy and an antiquated system that does not have to be there anymore.

The question is valid, whether or not this is going to affect, you know, proper outcomes if there is an audit. I can tell you that the employer is still required by law to keep those records and to provide those if an audit is done. This is just allowing the business owner, the small-business owner, which is what red tape is disproportionately affecting, as I've stated before, the ability to not have to calculate that every single day but especially if they've got a regular schedule, a 9 to 5 schedule. This is what it's affecting.

Honestly, I get that you're concerned about this, but this is really a benign issue that is not worth the amendment, because we're just not going to see any of that sort of thing happening in the future.

The Deputy Chair: Thank you, hon. member.

I see the hon. Member for Edmonton-Mill Woods.

Ms Gray: Thank you very much, and thank you to the minister for the response. I will say that some worker advocate groups have raised potential concerns with this.

I will just add a final comment, which is that the change in employment standards doesn't have any distinction between workers who have regular schedules or those who have irregular schedules. The case that the minister has put forward is: somebody always works 9 to 5, five days a week, and that's a regular schedule,

so recording daily doesn't make sense in that scenario. I can see the logic behind that, but the change in the bill isn't cordoned off to just that kind of a scenario. This is all employers, all employment scenarios: regular work, irregular work, part-time, casual. Like, it's all encompassed. Certainly, your example makes sense, but this change isn't limited to just when somebody has a regular schedule.

Given the concerns I've heard from worker advocates, at this point I'm going to recommend that all members of the Assembly accept this fine amendment. Perhaps we could do further work talking to employers and worker advocates to reassure all that employees will still continue to be paid fairly, that their rights will be upheld, while at the same time assisting those small-business owners and making sure that they get the help and the support that they need, particularly during a pandemic.

Those are my final thoughts, I think, on this particular amendment. Thank you, Mr. Chair.

11:20

The Deputy Chair: Thank you, hon. member.

We are on amendment A3. Any members?

[Motion on amendment A3 lost]

The Deputy Chair: We are back on the main bill, Bill 62. I see the hon. Member for Calgary-Mountain View has risen.

Ms Ganley: Thank you very much, Mr. Chair. I have an amendment to introduce, so I will do that right up top. Did you want me to read it into the record or wait until it arrives?

The Deputy Chair: I'll just see it.

As is always the case, members who wish to receive a copy can put up their hands. There will also be copies at the tables by the doors. I assume a copy has probably already been sent digitally to the table. This will be referred to as amendment A4.

If the hon. Member for Calgary-Mountain View would like to continue and also read it into the record, please, for everybody's benefit. Thank you.

Ms Ganley: Thank you, Mr. Chair. I move that Bill 62, Red Tape Reduction Implementation Act, 2021, be amended in section 1(2), in the proposed section 17.1, by adding the following after subsection (1):

(1.1) Despite sections 75(1)(e) and 76(1)(e), if an application for a review of a decision or order is made in accordance with the rules established under section 10(2), the Commission must begin the review within 90 days of the date the application for the review is received.

You will be forgiven if, on hearing that, you think to yourself: I have no idea what that says. What this is designed to do – and admittedly it isn't done in a direct mirroring fashion because, unlike the government, as a private member I have access only to legislation and not, in fact, to regulation by way of cabinet. What this is intended to do is essentially to bring in some equality.

What the government is doing here in the section dealing with the Alberta Utilities Commission is that essentially they're saying to the Alberta Utilities Commission: please bring in timelines, rules, that sort of thing. Then the Alberta Utilities Commission will presumably do that. Those timelines apply to an application. An application is typically though not always made by an energy company. It's for wires, or it's for hydro or gas, various other and sundry things that it might be for. This is saying that there should be sort of timelines to hear that application. I have spoken to some lawyer colleagues about this, and mostly it seems to be fine. It doesn't seem to impact anything adversely, so that makes sense. There will be timelines for that.

What this amendment is designed to do is to suggest that a review should be started within 90 days. What a review is: in an instance where the Utilities Commission has made a decision, a review can be sought of that decision, and a review is generally sought by someone who is, quote, unquote, directly and adversely affected. Now, there is, of course, a whole host of concerns in terms of who gets caught because often people are ruled out of order as being directly and adversely affected who feel that they are in fact directly and adversely affected. In both the case of the AUC and the AER, if those determinations are made, the Surface Rights Board will then not hear your appeal. So that is the concern.

What this is designed to protect are those, essentially, surface rights holders, so landholders, because what we have heard from them is that there is some level of frustration about the fact that if they make an application for review – so this is an instance in which the project has already been granted, and it is my understanding that sometimes this application for review can come as a result of the landowner being fine with the decision that was made in terms of the access being granted to the land, but they don't feel like the access to the land is being pursued in accordance with the agreement. They feel like there's something unreasonable about the way in which it's actually been implemented, so they can apply for a review.

Now, in most cases the AUC rules require that a review be filed within 30 days; however, the AUC can hear appeals. Section 10 of the act, not the bill before us, Bill 62, but the act which governs the AUC, talks about reviews. A review is essentially something for a decision that has already been made. The commission can make rules about the review, including criteria, eligibility, what information is required to be provided, and a time period within which they can request it. The frustration that this is intended to deal with is a frustration that has been raised to my colleague for Edmonton-Manning by landowners, which is to say that if they file for a review, sometimes they don't get a particularly timely response.

Essentially, what we are trying to do with this is not in all cases but in some cases create a bit more of an equity. The government is saying: we need to have timelines for people who are applying for projects. That seems fine. Let's also have timelines for landowners who are applying for a review, because, you know, if we're going to speed up the process, we should speed up the process for all people involved. Everyone should have the same rights. I think, in my opinion, it is reasonable to say that these landowners should have the same rights. Now, the government is likely to respond that they are giving themselves the ability to make these timelines by way of regulation, and we are asking to put it in the legislation. Well, again, that is because that is the tool which is available to us.

I also think that when you're talking about a power company versus a landowner, you have to recognize that in many cases an inequality in power, an imbalance in power exists. The landowner may not have the same money or resources, because they're often an individual, to sort of pursue these sorts of things, so having it in the legislation, I think, is arguably fair in these instances.

I think this amendment is hopefully – and we'll see what the government has to say about it. Hopefully, it is intended in the spirit of an improvement of the bill because, again, if you're having timelines on the one side, it seems reasonable to be having timelines on the other side. I'm open to a discussion about – we've picked 90 days because it doesn't seem unreasonable. In many cases people are required to file things within 30 days, so saying that, you know, the response back from the AUC to sort of start the process should occur within 90 days, I think, is not unreasonable.

It's worth also sort of running through – rule 16 from the AUC is the one which deals with these sorts of review applications. I mean,

again, we can't fix everything in this because when you're amending a piece of legislation, you can only touch on those sections which the government has opened. I think there are some other problems with this process.

I'm certainly not suggesting that this will solve all of the problems, because certainly my hon. colleague from Edmonton-Manning has heard multiple concerns about how this process works from multiple different individuals, both landowners and those who represent them. This will not solve all the problems, but it's at least an attempt to solve one small problem, and I think it generates a certain amount of equity, again, because it's sort of creating the same thing on the other side.

If rules are going to be made to ensure that when the applicant brings forward their application, it goes through in a timely manner, I don't think we object to that. Rules should be made such that if a landowner is making an application for review, that also goes through in a timely manner. I don't think that that's unreasonable either. There can potentially be a debate over whether 90 days is the appropriate sort of timeliness.

11:30

But I think, you know, for people who are frustrated by what they feel is a process that doesn't always take their concerns duly into account, I'm hoping that at least this will give them a position where they can get a response back to that application for review within a reasonable time because I think it is fair to protect both those rights. Ultimately, that is what this sort of legislation does, right? It balances both those rights.

It is a bit of awkward timing because this is obviously – these changes here will impact not the direct rights of landowners, like, not their specific rights but their procedural rights anyway, potentially, in terms of the sort of timelines being imposed by the AUC. Of course, we presently have a committee also considering those things or, well, considering some of those things. They have ruled out of order surface rights and coal and water and all sorts of things, which is a bit weird to me, because, in my view, those things quite clearly go along with the other things we're discussing, but there it is. It is considering at least some of these things, though not, again, these specific things.

I bring forward this amendment in the hopes that the government will consider it. I think it's a fairly minor amendment. It only affects the timelines with respect to – and, again, a review is just something that's sort of dealing with a decision that was made already by the AUC, so somebody's coming forward and saying, "For whatever reason I couldn't present this evidence" or "There's been a change in circumstances," sometimes that being "I'm not thrilled with the way the access to the land is being exercised," or various other things. I'm hopeful that this will just get those people a little bit of relief in terms of being able to get their applications addressed also in a timely manner, so arguably we're all kind of on the same side here.

Thank you very much, Mr. Chair, for the opportunity to bring this forward. I hope we will hear a response about it.

Thank you very much.

The Deputy Chair: We are on amendment A4. I see the hon. Associate Minister of Red Tape Reduction has risen.

Mr. Hunter: Thank you, Mr. Chair. I appreciate the spirit in which the hon. Member for Calgary-Mountain View has brought forward this amendment. You know, I think that with the committee work on property rights, that probably could be brought up there, and they could probably address this issue there.

The other thing to think about and the reason why I would recommend the hon. members in the Assembly to reject this

amendment is, first of all, in terms of when we did our counts, when you do counts in terms of legislation, you count shalls and musts. So those counts actually have – when you see a “must” or a “shall” in there, that actually is what increases that number to 670,000 of these pinch points. This one has one of those in there. This is actually going to increase the regulatory count. I would recommend, just for that reason, not to do this.

Perhaps this could have been presented – had it been presented, maybe, before this so we could take a look at it, perhaps it would have been something that we could look at. But due to the fact that this is the first we’ve seen of this and that it will actually increase the count and also the fact that this is something that probably could be addressed in regulation and even in policy, to tell you the truth – I would imagine that that would be better than putting it actually into legislation.

So I would recommend to the hon. members of the House not to accept this amendment.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to join debate on amendment A4? I see the hon. Member for Calgary-Buffalo has risen.

Member Ceci: Thank you very much for the opportunity to join debate. Just to respond to that last point, landowners probably would appreciate things in statute as opposed to regulation or policy so that they know that there is something they can count on or, in fact, hold the government to account on if it’s not being followed.

You know, I’m going to support the amendment, of course, but I do want to just point out that I was very interested in some of the aspects of the Securities Act, that are later, that start on page 14. I’ll just keep my comments short, but I agree wholeheartedly with people on our side when they say that many of the changes that are in this Red Tape Reduction Implementation Act, 2021, seem like housekeeping measures that are typically handled in a miscellaneous statutes amendment act.

I’ll just give you some really quick examples for the associate minister. On page 15, under “Section 57.1 is amended,” it’s in clause (a) by putting two commas into the statement of “‘Commission staff member’ means the Executive Director, the Secretary and any individual appointed as staff by, or seconded to, the Commission.” Now, I don’t think putting two commas into that clause changes anything in terms of the intent or understanding. I’m not a literature scholar, but I don’t see the difference. I think people who use this every day wouldn’t see a difference, and I wonder why it’s here. It seems like miscellaneous statutes and just doesn’t have to be here.

The next page, on page 16, we’re changing a “for” to an “of.” It reads right now “an independent contractor for that person,” and we’re changing it to “an independent contractor of that person.” Doesn’t that mean the same thing? Seems the same thing to me.

Then the next line, (iii), says, “a full-time employee, a part-time employee or director,” and we’re changing it to “a full-time employee, a part-time employee or a director.” That’s red tape reduction, I guess. It’s not, but it’s here, and it’s talked about as something that’s going to make life better for businesses, for Albertans.

The next section, 57.5(a), is amended by striking out – it’s buried in there – “with a person or company,” and we’re putting a comma after “company”. “With a person or company, or an employee of a person or company.” Again, it doesn’t seem like red tape reduction to me.

Page 18, at the bottom, section 13, which is actually section 92(4.2) is amended by striking out – what you do there is remove two commas from (4.2). I don’t think it changes the meaning at all, but it’s there.

Let me see. On page 20, section 17, we’re changing the word “work” to “working conditions.” Again, how is that red tape reduction?

On page 21, (18), section 211.0964(2) is amended by striking out – it puts a comma in, so it adds a comma to something.

I had one more I wanted to point out that, for the life of me, I could not find the word. Oh, yeah, yeah. Back here on page 16. This really flummoxed me. I’ve read enough of these to kind of know where they should go. You know, this is the old, and this is what you’re changing it to. It says, “(c) in clause (d) by striking out ‘amounts paid’ and substituting ‘payments made.’” For the life of me, I can’t find those words in the old text. Maybe the associate minister can see them. I don’t see where the words “amounts paid” and substituting “payments made” actually occur in (d) on the right side in this act.

11:40

Just quickly, with regard to the issues that were brought up, I think that my colleague has made a good point. Putting something in statutes is far more concrete, far more instructive, far more clear for people who are on either side of this debate with regard to AUC matters, and I would urge members of the Assembly to support not only the amendment but to address this, like, as red tape reduction, not as putting commas into something, that make no change at all in terms of the intent and understanding of what’s here.

I certainly understand that, you know, the Minister of Finance probably was approached by the Securities Commission to address these – I don’t know what you’d call them – small changes to give greater clarity. But I don’t think they’re red tape reduction; I don’t see them as red tape reduction. I don’t see how you can claim that they go in this, when they can go into a miscellaneous statutes act.

The Deputy Chair: Thank you, hon. member.

We are on amendment A4. I see that the hon. Member for Edmonton-Manning has risen.

Ms Sweet: Well, thank you, Mr. Chair. It’s an honour to rise to speak to amendment A4, an amendment that I believe really speaks to some of the concerns that are coming up for rural Albertans when it comes to having surface rights accessed and having potential new projects being approved under the AUC. Now, I appreciate that the minister feels that by putting in timelines to ensure that Albertans have access to appropriate appeal processes or review processes would be considered to be including and increasing red tape, but my counter to that would be: then why would you be putting timelines in for approvals? How does that not create more red tape for the industries that are trying to get these approval processes done? If you’re going to put timelines in around approval processes, I would think that you would want to honour rural Albertans and give them the same sort of timelines to be able to review those very decisions that are being made.

You know what, Mr. Chair? I’d like to remind members in the Chamber about the history of the AUC when it comes to rural Albertans and their property rights. In fact, the hon. Premier Stelmach introduced Bill 50 back in the day. Bill 50 enabled the building of very controversial power lines, specifically the EATL, which is the eastern utility line, and the western utility line as well as the heartland utility line. Those were, of course, specific to electricity. There was a lot of controversy around those decisions and that specific bill. Of course, what we know happened with that

specific Bill 50 was that rural Albertans became very upset that there were these approvals being made by cabinet and by the government to build power lines through most of rural Alberta. In fact, it became so controversial that many rural Albertans asked the government to change that decision, and of course that decision was not changed.

But what did happen was that the hon. Premier Redford decided to call an election. One of the major issues that came up around that election was the very decisions made around the utility corridors. Of course, in hindsight maybe the PC government would have liked to have done something different, but they chose not to, and they chose to go forward with Bill 50.

I would like to quote something – and I can table this later – from the transmissionhub.com, which is from 2012, actually, and I quote: we're very hopeful that when we go to the polls, Albertans are going to realize that the only way to get rid of this massive overhaul of the EATL and the WTL and the heartland line is to get rid of the government that doesn't want to listen to Albertans. She continued: I think there's going to be a dramatic turnaround; the Progressive Conservative Party has taken their power and let it go to their heads; they've forgotten what it means to represent the people and their constituents, and I don't think Albertans will stand for it. Specific to approvals of utility corridors, specific to decisions made by this government using their power within cabinet under Stelmach first, continued through Premier Redford, in 2012 the election was called. The Wildrose Party, as many of you may know, had an ability to substantially increase their seats because of this very issue.

Yet what we see now is the UCP government going back to the good old ways of Stelmach, the good old ways of Premier Redford and deciding that they're going to put timelines in for approval processes via cabinet around utility corridors, right back to 2012. All right. That's fine, government, if that's what you choose to do. You can put this in your Red Tape Reduction Implementation Act, 2021. You can change those rules, and you can decide not to learn from the mistakes of 2012 and continue on and build utility corridors, set timelines for accelerated approvals, do all of those things, but what I will tell you is that rural Albertans will have a voice. If you don't want to put in a timeline for having those voices of rural Albertans heard, they will do what they did in 2012, and they will find a different government, because that's what they have done in the past.

Although the hon. minister may like to say, "Well, this is more red tape," well, I guess my counter to that would be: why don't you want to hear rural Albertans' voices? Why wouldn't this government, learning from 2012, learning from what happened with those utility corridors, hearing what happened in the past, not say: "You know what? Okay. We're going to support industry in making sure that they have appropriate timelines, but we're also going to ensure that rural Albertans have an appropriate right to appeal. We're going to balance out the field. We're going to say: approval over here, timeline set," which, in my opinion, is also red tape, "but we're also going to say: rural Albertans, if you don't like this decision – and we know that historically you haven't liked some of these decisions that the government has made – we will give you the same respect, the same ability to have timelines set to at least initiate a review process?"

Again, the timeline for this amendment is speaking to: once a submission is made by an Albertan, by someone being impacted by one of these decisions, it must be heard within 90 days. It doesn't say that it has to be completed. We know that this is a judicial review. This can take a while. People need to demonstrate their evidence. The industry needs to show why this is important. Now that the government will be involved, the government may have

some input into what they would like to do. So it's not saying that the review must be done and completed within 90 days. All it's saying is that you're ensuring that Albertans get in front of a review panel within 90 days.

We also know, if we look at some of these reviews – and we also know that reviews are ongoing – that Albertans are still waiting to have their voices heard years later. There are many surface rights where people are trying to get in front of the AUC or the AER to appeal a decision that's been made, to get what they rightfully deserve, which is maybe compensation, recognition of a decision, that maybe they don't want it on their land altogether. All of those decisions are being held up because they're not being heard appropriately.

I'd like to encourage all members in this House to go down history lane, look at what happened in 2012, recognize that when government starts to get involved in decisions when it comes to utility corridors, rural Albertans are not impressed, so much so that it actually, for all those in the UCP caucus, split the UCP caucus from the Progressive Conservatives to the Wildrose and created a whole new party. That's a fun fact for the opposition, because, of course, we then saw what happened in 2015, which was also a benefit. You know, if this is what the government would like to do in regard to red tape, all at 'er. I'd love to see what the decisions are going to be and the timelines around some of these decisions and what rural Albertans will have to say about it.

But I would really encourage the government to actually listen to rural Albertans and put in place an equitable decision process, where if timelines are being implemented for the industry, rural Albertans also have the same timelines and the same respect, because they deserve it just as much as industry does.

Thank you very much.

The Deputy Chair: Thank you, hon. member.

I see the hon. Associate Minister of Red Tape Reduction has risen.

11:50

Mr. Hunter: I just want to clarify a couple of things, Mr. Chair. First of all, this issue here, in terms of Bill 50, is going to be addressed through the property rights panel, which our government actually put forward. Just so that anybody who's watching doesn't take the revisionist history that we've just heard here, the reality is that the NDP, when they were in government, had the opportunity to be able to address those issues, and they refused to. Refused to. That's the one thing. We have actually struck a panel to be able to address those issues. This is actually not addressing that point. The point that this is actually addressing is that these amendments will enable cabinet, through regulations, to set formal timelines. I've just stated that you want to put this into legislation whereas I believe this actually works best in regulation.

I will give you the benefit of the doubt and say that you are genuine in your concern for poor rural Albertans when in reality we know full well that back in the last time, when you guys introduced Bill 6, you showed your true colours to rural Albertans. It took our government repealing that bill and fixing it so that our farmers and our ranchers could be able to actually just survive and thrive in this province. Once again, I'll go back to the point. For those who are watching, please remember that this revisionist history is absolutely not correct and that we will make sure that we work this out.

Ms Sweet: Well, it's always nice to hear the associate minister say "Poor rural Albertans." I'm sure they're going to love to be referred to as that.

Okay. Let's talk about the fact that it could be in regulation. There's nothing in this piece of legislation, hon. minister, that says that you're going to regulate and put in regulation the appeal process. It doesn't speak to it. Through the chair, the government, again, is honestly just saying that for industry we will put timelines in place for approval through regulation, through cabinet. Sure. There is nothing in Bill 62 that actually speaks to rural Alberta property rights. There's nothing in here. Yes, you're right; there's a committee that's going to be reviewing this issue. Then why is this in the bill? Why is the government deciding that they're going to pre-emptively decide what the outcome of the Real Property Rights Committee is doing and have this in the House today? Why is the government not waiting until the committee comes back with its final report? Oh, I know why. Because the government has already made up their mind what the outcome is going to be.

Again, here we go. We can talk about this, and we can say that this is going to happen in regulation for industry, but there is nothing in here to help support rural Albertans in regulation around appeal processes. Again, Minister, please explain to Albertans why that is the case.

The Deputy Chair: We are on amendment A4. Are there any members wishing to join debate on A4?

[Motion on amendment A4 lost]

The Deputy Chair: We are back on the main bill, Bill 62. Are you ready for the question on Bill 62, Red Tape Reduction Implementation Act, 2021?

[The remaining clauses of Bill 62 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Any opposed? That is carried and so ordered.
I see the hon. Deputy Government House Leader has risen.

Mr. Schweitzer: Thank you, Mr. Chair. I move that the committee rise and report.

[Motion carried]

[Mr. Milliken in the chair]

The Acting Speaker: I see the hon. Member for Fort McMurray-Lac La Biche has risen.

Ms Goodridge: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 62. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: Thank you, hon. member.

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

Hon. Members: Aye.

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

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

Mr. Schweitzer: Thank you, Mr. Speaker. I move that the Assembly be adjourned until 1:30 p.m.

[Motion carried; the Assembly adjourned at 11:56 a.m.]

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For inquiries contact:

Editor

Alberta Hansard

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875

E-mail: AlbertaHansard@assembly.ab.ca