



Province of Alberta

The 30th Legislature
Second Session

Alberta Hansard

Wednesday evening, November 24, 2021

Day 131

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta The 30th Legislature

Second Session

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United Conservative: 20

New Democrat: 24

Independent: 2

Vacant: 1

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Legislative Assembly of Alberta

7:30 p.m.

Wednesday, November 24, 2021

Government Bills and Orders Committee of the Whole

[Mr. Milliken in the chair]

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

Bill 83 Environmental Protection and Enhancement Amendment Act, 2021

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

Mr. Schmidt: Thank you, Mr. Chair. I'm pleased to rise and offer some comments on Bill 83 here at Committee of the Whole stage. It's a real pleasure to be able to offer additional comments because I will say that, you know, my speech on this particular piece of legislation in second reading was so wildly popular that I had a never-ending stream of phone calls and e-mails asking me to say even more about this legislation. Certainly, you know, in the lead-up to tonight my friend from Edmonton-Highlands-Norwood really expressed her desire that my speech surpass the quality and content that I provided in second reading.

Mr. Nielsen: Perhaps you could recycle some of it.

Mr. Schmidt: Yes. Thank you to my friend from Edmonton-Decore for suggesting that I recycle my talking points, an excellent heckle that's on point, I think, and, in fact, desperately needed because, Mr. Chair, what can you really say about a bill that is absolutely unnecessary and does nothing?

As I mentioned in my comments in second reading and as I'm sure that a lot of my colleagues here have echoed in their comments on this piece of legislation, this is a piece of legislation that is entirely unnecessary. It consists of four sections, all of which clarify the language in the Environmental Protection and Enhancement Act that says that the government can do the things that it can already do. I can't for the life of me figure out why the Executive Council has decided to use precious legislative time to fill it up with this kind of legislation, that's clarifying.

In fact, you know, it's particularly odd, Mr. Chair, given this government's track record of using omnibus legislation to deal with a whole bunch of different things, why it wouldn't stick something like this into a red tape reduction bill, for example, or any other piece of omnibus – a miscellaneous statutes amendment act, even. That could have fit in here. There's absolutely nothing offensive or controversial or, in my view, even necessary in this legislation, but if the government's lawyers are particularly concerned that they need to clean up the language just so that they can sleep better at night, then put this in a miscellaneous statutes amendment act. Don't spend so much time in the Legislature, that needs to be spent dealing with the significant problems that face the province of Alberta, with something that is completely unnecessary.

I will say that I've had a chance to chat with some of the stakeholders who had contacted me in the lead-up to the introduction of this bill, and I'm pleased to say that everybody who will be impacted by this piece of legislation is generally happy with the concept of extended producer responsibility. Not that this piece

of legislation moves the province any further towards that goal, but in addition to this legislation the government introduced a plan to make a plan and has promised the people of Alberta that they will come up with extended producer responsibility regulations sometime in the spring of 2022.

Now, I certainly hope that that promise doesn't meet the same fate of the other promises that the environment minister has made to the people of Alberta. I'm thinking in particular about the introduction of OHV fees, for one. I remember just a few months ago the minister promising the people of Alberta not to worry, that hikers and OHV users will be treated the same and expected to pay fees that will be used to maintain the trails and promote conservation objectives of the people of Alberta, but that promise quickly disappeared. I certainly hope that that's not the case with the extended producer responsibility regulations that this minister has promised to deliver to the people in spring of 2022.

In particular, I'm pleased that the government has committed in writing to not mucking around with the bottle depot and bottle recycling system in the province of Alberta. It's a system that is working well. I think that other jurisdictions in Canada should look to the bottle recycling system that we have here in Alberta if they want to improve the bottle recycling systems that they have in their own provinces because, from the numbers that I've seen, we certainly put other provinces to shame when it comes to achieving bottle recycling objectives.

I will underline the point that I made in debate in second reading, that our bottle depots can be excellent partners with the province of Alberta when it comes to recycling and that if the government chooses to, they could use bottle depots as partners in other aspects of the extended producer responsibility programs that they want to roll out. I certainly hope the government gives full consideration to what it can do to expand the role of bottle depots and build on their success to make sure that the expansion of the extended producer responsibility programs in this province is successful.

I will say that tire recyclers are still left a little bit uneasy, Mr. Chair. I heard from a couple of tire recyclers here in the province of Alberta who are also worried that this extended producer responsibility framework was going to muck with their programs, programs that are also really successful. Now, there's nothing in the plan to make a plan that the government released along with this legislation that suggests that tire recycling will be subject to any changes, but when we asked the department officials whether or not they will be making changes to the tire recycling program, they couldn't say definitively one way or the other. I certainly hope that this government clarifies its intent as soon as possible about what it sees the future of the tire recycling programs in this province will be.

My friend from Edmonton-Manning, of course, has raised the issue of the government's refusal to include agricultural plastics in the extended producer responsibility program. This is something that agricultural producers have been keen to see included in extended producer responsibility programs for a long time, and when I raised the question in second reading, we certainly didn't hear any definitive answers from the government about what it intends to do, if anything, with agricultural plastics. Certainly, the environment minister didn't address it in any of his remarks. The Member for Spruce Grove-Stony Plain, who has been, at least in the public statements, involved with this program, didn't provide any further insight into what the government intends to do with agricultural plastics.

I would certainly like somebody from the government caucus who knows what's going on, if there is such a person, to explain to us why agricultural plastics haven't been included in this plan to make a plan to develop an extended producer responsibility program here in Alberta. Agricultural plastics are a significant

waste stream. It doesn't make sense to me and it doesn't make sense to our agricultural producers that that would be explicitly excluded from this framework that the government says it's building, and we haven't yet heard a clear explanation as to why that's the case.

Now, Mr. Chair, I would also like to raise a related issue to waste management in this province, and that is the fate of the Swan Hills Treatment Centre. Now, I have heard – and I raised this when we debated the motion that the Member for Spruce Grove-Stony Plain brought forward urging the government to adopt an extended producer responsibility framework, and we didn't receive any answers at the time. We're now – what? – a year and a half down the track, and we still don't have any further answers as to what the fate of the Swan Hills Treatment Centre is. We know that some of the funding commitments are going to run out, apparently, and we don't know what's going to happen to that plant or the workers in that plant. Where are they going to go to work if the government decides not to continue the operation of the plant?

7:40

Now, I raise this, Mr. Chair, because the government in its plan to make a plan has stated its intent to deal with household hazardous wastes. I certainly hope that when that plan comes to light, we have a clear understanding of how household hazardous wastes will be treated in this province and whether or not the Swan Hills Treatment Centre will play a role in disposing of those wastes or what other plans the government has for both household hazardous wastes and the Swan Hills Treatment Centre.

The people of Swan Hills really need to know. That is an incredibly important facility to that town. It's not fair to those people to have so much uncertainty hanging over their head about their future when it, on the face of it, makes sense to continue operating the plant and perhaps expand the scope of work to include other hazardous materials that can't be treated anywhere else and need to be disposed of in such a facility. You know, perhaps the Minister of Infrastructure, who has the responsibility for the Swan Hills Treatment Centre, could provide the House tonight with an update on what he sees the future of the Swan Hills Treatment Centre will be. I know that that would provide great comfort, if he has anything comforting to say, to the people of Swan Hills. So I urge the minister, if he can, to rise in debate and at least provide an update. I think that that would be welcome.

Now, Mr. Chair, it is incredibly, incredibly hard to fill 20 minutes on a bill that does nothing, you know, so let me take this opportunity to air some grievances that I have with the city of Edmonton's waste management systems, and let me express my hope that this extended producer responsibility program addresses some of those issues, because that seems to be the stated intent, right? The Member for Spruce Grove-Stony Plain, who I will say is much more knowledgeable and much better spoken on this issue than the minister of the environment is, has said that municipalities stand to save a whole bunch of money, that their ratepayers will no longer have to foot the bill for their recycling programs and that those costs will be shifted to the producers of the waste stream.

Now, here is my desire. My desired outcome from that, if anybody from the city of Edmonton chooses to listen – it is extremely frustrating to me that the city of Edmonton has shifted its waste collection program so that my garbage is only collected every other week, and in the wintertime food scraps are only collected every other week. I'm limited to a bin that's about this high to fill with garbage for a household of four people. [interjections] Now I hear my friends from my own side taking shots at me, Mr. Chair, for this.

Mr. Jeremy Nixon: Reduce and reuse.

Mr. Schmidt: And the Member for Calgary-Klein is saying to reduce. Well, I invite him or any of my, you know, big-mouthed colleagues here in the NDP opposition to come and tell that to my teenagers.

Mr. Yao: You're saving the environment for them.

Mr. Schmidt: I hear the Member for Fort McMurray-Wood Buffalo say that they're saving the environment for them. Well, I wish that they treated the environment with the same regard that I wish that they treated the environment with. It is amazing to me that so much garbage comes out of their rooms and into the bins, because when I open their doors, there's nothing but a pile of garbage that comes out of them. Now, because of the waste collection system that the city of Edmonton has created, it only gives them further incentive to continue to store the garbage in their rooms, because the city of Edmonton only comes around every two weeks to pick it up, and it only picks up a bin that's this big.

Maybe you're asking yourself: how does this relate to extended producer responsibility? The answer to that question is that I'm not even sure myself, Mr. Chair. But my hope is that it will create a system that saves the city of Edmonton money so that it can use those savings to collect my garbage more often. I will say, from just a cursory glance down the alley that I live on on any given garbage collection day, that I'm not the only one who has this problem. Certainly, a lot of my neighbours seem to be unable to confine their waste streams to the content of one black garbage bin every two weeks, because the amount of garbage that's spreading down my alley seems to increase. Now, it's not entirely negative. The coyotes in my neighbourhood love it. I think this will probably be their best winter ever.

Mr. Schow: Don't forget about the raccoons.

Mr. Schmidt: We don't have raccoons here in the city of Edmonton yet, but perhaps they're beginning a migration because they can smell the garbage piling up in the alleys in the far-flung reaches of our province.

At any rate, Mr. Chair, it is my sincere hope that this extended producer responsibility framework does save municipalities money. Like I said, some of the moves that the city of Edmonton has made to save money on garbage collection have been very challenging for people in my household and in my neighbourhood to adapt to, and I would certainly like the city to be able to effectively manage its waste streams.

With that, Mr. Chair, I think I've said enough on the matter. I'm pleased to support this legislation even though it doesn't really do anything. I'm looking forward to what the government has in store when it comes to putting the rubber to the road, as it were, on developing an extended producer responsibility framework. Certainly, when the government releases those details, we'll have more to say about it then. In the meantime I urge all of my colleagues here in the House to pass this piece of legislation and get on to the more important business that faces the province of Alberta right now.

Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any members wishing to join debate?

If there are none, I am happy to ask the question.

[The clauses of Bill 83 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? Carried.

**Bill 85
Education Statutes (Students First)
Amendment Act, 2021**

The Deputy Chair: I see the hon. Minister of Education has risen to debate.

Member LaGrange: Thank you, Mr. Chair. It is my honour to rise and speak again to Bill 85, the Education Statutes (Students First) Amendment Act, 2021. As I have said before, this is a first step that will begin an important conversation within our education system and across the province, one that is about putting students first.

7:50

Mr. Chair, we have brought forward this bill to improve the process of how teachers and teacher leaders are disciplined in this province. This important legislation would ensure safety for students, confidence for parents, and accountability for teachers. It would do so by shining a light on those very rare instances when a teacher or teacher leader such as a principal or a superintendent is disciplined for professional misconduct.

Mr. Chair, I am a mother of seven and a grandmother of seven. Because of that, I take this piece of legislation very, very seriously. It means a lot to me. Every time a case crosses my desk, every parent letter or e-mail that I receive about a case is deeply impactful.

Many of the hon. members in this Assembly are parents, so I believe we have to consider this legislation through that lens. Mr. Chair, what if you had to go through this process with your child? What if it's your grandchild? What safeguards do you want in place? Do you want to leave the safety of your child or your grandchild to: probably it works? Do you want to leave something the way it is just because it's been done this way all along? My answer is that we always need to try to improve, and we need to strive to leave our children and our grandchildren with something better, and this process is no different.

We need to better serve students, parents, teachers, and teacher leaders and the teaching profession itself by making these changes. Mr. Chair, we believe parents who put their faith in Alberta's education system should have confidence that their children are safe when they go to school. I cannot stress enough that the vast majority of Alberta's teachers are just amazing, amazing individuals. These teachers and teacher leaders are dedicated, resilient, and incredible professionals who go above and beyond every day for their students and care deeply for them, many of whom, I am certain, would share my concerns about the gaps which have been identified in the current process.

I am incredibly thankful for the amazing and inspiring teachers we have across this province. Mr. Chair, I want to be perfectly clear, as I've been every time I've spoken on Bill 85, that this proposed legislation is not about teachers; it is about students. It's about ensuring our education system puts students first. Albertans have shared their concerns about a lack of transparency around discipline matters that result in suspending or cancelling a teacher's or teacher leader's certificate. I have heard from and spoken to countless parents who have experienced this process first-hand. Every one has a story, and most of them are heartbreaking and frustrating. I can tell you that I have cried on numerous occasions as a result of reading these stories and listening to these parents.

The bottom line is that this process often takes years, and parents feel helpless. This legislation is the first step in opening up this conversation. I hope it leads to a larger discussion and potentially more changes down the road, but today we are focused on immediate changes that can move the dial.

An important part of considering changes in the process was engagement with key stakeholders, including the Alberta Teachers' Association, the College of Alberta School of Superintendents, the Alberta School Boards Association, and the Association of Independent Schools and Colleges in Alberta. These education stakeholders always provide our ministry with valuable input, and I want to acknowledge and thank them for their partnership. Mr. Chair, I will repeat that we have engaged with the ATA on the proposed changes. They gave us some valuable feedback, which we used to improve the legislation, and that collaboration was appreciated.

Mr. Chair, I also want to be very clear, though, that contrary to what the ATA president has said publicly, Alberta's government approached them with this legislation, not the other way around. They did not ask to streamline their disciplinary committee structure to align with the CASS Act. They have never asked to mandate the criminal record and vulnerable sector checks to be required by legislation, nor asked for them to be required every five years. They did not ask to shorten the judicial review period from six months to 60 days, and they did not ask for an expedited process for certificate cancellation of a teacher or teacher leader if convicted by an indictment under the Criminal Code of Canada for a serious offence that threatens student safety and public interest. Finally, they did not ask to increase the oversight by requiring notification of all complaints filed under the Teaching Profession Act to be through the registrar. No. In all my meetings since I became minister, none of this was requested.

What has been consistently offered by them is that the ATA could take over the entire process and the office of the registrar. Well, Mr. Chair, I can be extremely clear today. That will never happen. The role of the registrar and its independence from the union is critical to provide public assurance in this process.

Mr. Chair, I believe the ATA can acknowledge that this proposed legislation would have minimal impact on the large majority of Alberta's 55,000 certificated teachers and teacher leaders who are currently working in our schools. However, these changes are necessary because, like other professions, there are times when a teacher or teacher leader does not conduct themselves in the way that Albertans and other members of the profession expect or deserve.

The students first act would improve the teacher discipline process to make it more transparent when disciplinary matters arise and do so in a much more timely manner. It will also bring the teaching profession in Alberta in line with other Canadian jurisdictions and other regulated professions in this very province.

Mr. Chair, I have had a chance to review the debate on this bill from last night and wanted to address some of the feedback that was raised. I note that one of the members opposite highlighted that in their previous profession as a social worker criminal record checks and vulnerable sector checks were a requirement for employment. They then went on to indicate that the ATA has been requiring this for some time.

I just want to provide some clarity to the member. It is the registrar who requires it, and they only require this for initial certification. What Bill 85 is doing is ensuring that school authorities are all informed of potential concerns that may exist regarding teachers and teacher leaders that they may wish to employ. It would set a requirement in legislation where employing school authorities must – not may but must – obtain a criminal record check and vulnerable sector check when hiring a teacher or

teacher leader. This will also be required every five years onward while the individual continues to be employed. This is a change from the current processes.

Since I tabled this legislation, I know that many Albertans, especially parents, have been shocked to learn that there is no existing legislation requiring criminal record checks upon hiring or throughout employment. This legislation would change that. While another member opposite said that most school divisions do this when hiring, Bill 85 would ensure consistency in practice among all employing school authorities across all of Alberta and would extend to early childhood services established under the Education Act that require a certificated teacher.

Let me reiterate so the members opposite are very clear. Currently many school divisions but potentially not all do this for initial hires. Mr. Chair, we know that just because someone may do something does not mean that they will do it, and we also know that this is simply not something that should be done; it must be done. Again, as a parent – and I'm sure many of you in this Chamber would agree – you want to be absolutely certain when it comes to the safety of your children.

Mr. Chair, I would also note that several of the members opposite who rose to speak to the bill spent the majority of their time, in fact, not talking about the content of the bill. Rather, they spent their time talking about issues related to budget, the curriculum, and teaching pensions. I am happy to engage in discussion and debate on these items. I will continue to do so moving forward but not at the expense of this critical discussion. [interjections]

Mr. Chair, I hear the heckling. I'm not sure what it's about. The members opposite have said that this bill is a distraction, housekeeping, and duplication of services. What could be more important than the safety of our students, the safety of our children? As I said, we should always be looking to improve these processes. The reason we are falling behind other jurisdictions in this area is perhaps because it wasn't a priority for previous ministers or the opposition while they were in government. Let me be clear. As Minister of Education the safety of students will always be the top priority. In fact, as legislators this should be the priority of all of us, worth every minute of discussion.

8:00

If passed, this legislation would support the creation of a public online teacher registry that would share information about the professional status of Alberta certificated teachers and teacher leaders as well as information about the suspension and cancellation of certificates. This database would publicly list the professional standing of Alberta teachers and teacher leaders dating back to 1954, the oldest information on certificates available in Alberta records, as well as the status of their certificates.

Every parent and any member of the public would be able to view both a summary and a full copy of disciplinary decisions for suspended and cancelled teaching certificates dating back to 1990, which represents a 30-year teaching career. This is similar to B.C.'s online teacher registry, which also dates back to 1990 for disciplinary information. There's a listing maintained by the Ontario College of Teachers as well as the public registry associated with Saskatchewan's professional teachers regulatory body. As I've said, other provinces have led the way. We are outliers.

If Bill 85 is passed, Alberta would join other Canadian jurisdictions in sharing this level of detail. Mr. Chair, this registry is not a distraction; in fact, it is surprising that it took until 2021 to establish this online registry.

Mr. Chair, teachers and teacher leaders are entrusted with the safety and well-being of children in the K to 12 system each and every day, over 700,000 children, and I'm confident that every

member of this Legislature can agree that there is public interest in knowing the certificate status of these professionals, just as we do with other professionals such as nurses and lawyers.

To get even more specific, publicly disclosed information would include the names of all Alberta certificated teachers and teacher leaders who hold a certificate and their certification status, the type of certificate a teacher or teacher leader holds and the date it was issued, the names of teachers or teacher leaders whose certificates have been suspended or cancelled for unprofessional conduct and professional incompetence dating back to 1990 and the type of certificates these individuals held as well as information about when suspension and cancellations took place, a summary of the matters and copies of decisions leading to the cancellation or suspension, and the names of all teachers and teacher leaders whose certificates are expired but who also engaged in unprofessional conduct or were deemed to be professionally incompetent at the time that they held a valid certificate.

Mr. Chair, I would also like to share with this House that as Minister of Education I have also advocated at CMEC, the Council of Ministers of Education, Canada, for the creation of a national registry of teacher certification status. This is something that I brought forward a while ago, well over a year ago. While registrars across the country do try to co-ordinate and share information, sometimes things are missed, and I've seen cases of people who have lost a certificate in one province and have still gone on to get one in another province. By listing this information in a central location, it allows every potential employer in any jurisdiction to be able to confirm the status right across Canada. CMEC is in the process of reviewing this recommendation, and I look forward to continuing this work.

Bur that's not all, Mr. Chair. Alberta's government is also speeding up the disciplinary process for serious criminal offences. As I shared during second reading, Bill 85, the students first act, would introduce an expedited process to cancel a certificate of a teacher or teacher leader convicted by indictment under the Criminal Code of Canada for a serious offence that threatens student safety and public interest. I'm sure we can all agree that the moment someone is convicted in a court of law of committing a serious crime, they have no business teaching in a classroom with our children.

Currently a hearing is required regardless of the outcome of a criminal case. This process for victims is an unnecessary additional burden and can retraumatize victims if they are involved in the matter. This would also save committees time and resources so they can focus on other important disciplinary hearings, which may have less certain outcomes. I've seen these hearings drag on, Mr. Chair, even when the convicted criminal is sitting behind bars. This is unacceptable.

For example, Mr. Chair, CTV Edmonton reported on November 12 that Crown prosecutors are seeking a sentence of between four to five years for an Edmonton music teacher who was convicted of sex crimes against a 15-year-old former male student. She was found guilty in July of sexual assault and sexual interference. Just saying that out loud is absolutely horrifying as a parent.

This is where Bill 85 comes in. If this legislation was enforced, following her July conviction the executive secretary of the ATA would have forwarded a recommendation for certificate cancellation, and within 60 days it could be cancelled. Mr. Chair, if this legislation were already in place today, her certificate would already be cancelled. And if we had a registry, her name would be listed on it.

However, under current legislation that is not the case. In fact, a hearing still needs to take place. In the report from CTV they highlighted a statement from the victim's mother describing how her son lost his love of music and struggled in school and saying,

and I quote: my son was a victim and a survivor. It is insensitive to ask this family to participate in another hearing or wait for this process to conclude before knowing that this criminal will never teach again.

Mr. Chair, there are several other changes introduced in this bill, and I will discuss them during third reading. In closing, I want to remind the House of the purpose of this legislation. The majority of these changes are aimed at a few, the very small number – and I want to repeat: a very small number – of teachers or teacher leaders who do not conduct themselves in the way that Albertans and other members of the profession expect and deserve. Bill 85 is about one thing: it's about students. It's about the Legislature doing everything we can to assure the public and parents that we have the best people possible in front of our children, in front of our students.

Mr. Chair, I now turn that over for further questions. I look forward to the questions that will come our way.

Thank you.

The Deputy Chair: Thank you, hon. minister.

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

Ms Pancholi: Thank you, Mr. Chair. It's a pleasure to rise in Committee of the Whole to speak to Bill 85, the Education Statutes (Students First) Amendment Act, 2021. I will be coming back in my discussion this evening, in my comments, to the title of the bill because I think that that is significant.

Now, the minister just provided an overview, albeit, you know, taking unnecessary potshots at various stakeholders and opposition members. She should probably spend a little less time, I would suggest, reading the opposition's words on this bill and spend a little bit more time listening to parents who have significant concerns about education. That being as it is, we are here to debate the bill before us. We've heard some details, and I think the members of this House, on both sides, have actually indicated that overall there's no disagreement about what's put forward in this bill.

You know, the bill does provide the ability for that online registry. I understand that it does happen in other provinces when a teacher has had their certificate suspended or cancelled. I know as a member of a profession myself, the legal profession, that is a common occurrence there. If you are registered with the Law Society of Alberta and for whatever reason your membership in the Law Society is suspended or revoked, that is publicly available information. I don't see that we have any issue with that. That seems like an appropriate step to take.

As well, we have heard, of course, that there will be legal requirements for all school authorities to obtain a criminal record and vulnerable sector check. Again, this is something that actually is already happening in practice, and I can say this having worked for many, multiple school boards in this province, that school boards are requiring this. Many are also requiring the five-year renewal of that information. It's actually a pretty common employment practice. It certainly is something that I know I have worked with school boards on, to implement that kind of a policy.

Putting it in legislation: that's a good thing although, again, it is something that's already happening. But that's something we can certainly support. You know, I can't help but feel that this was intended to sort of raise an alarm with parents, as if school boards are not already acting in the best interests of their students, by making sure that this information is there and that they're collecting criminal record checks.

8:10

It is, for the most part, already happening. I can't say with a hundred per cent certainty because I haven't worked with every single school board, but I would be deeply surprised if there are school boards that are not collecting this information. Albeit, if we need to put it in legislation, then, by all means, go right ahead.

Certainly, an expedited disciplinary process and the ability to have a roster to pull from on these appeal panels, on the disciplinary committee structure: again, those are procedural elements that are probably good to have. I haven't read in great detail all of the comments from my colleagues in the Official Opposition on this bill. I know that the minister clearly has, or at least her staff have. But I can say that I know that my colleagues have pretty much – we've discussed this bill, and, you know, we're in general agreement that these are good changes.

[Mr. Reid in the chair]

I'm sorry that the minister is not going to want to hear this, but the decision by this government and this minister to introduce a piece of legislation in this House two and a half years into their term – so we've got a significant record to draw upon from this government when it comes to their record on education – and to call this bill students first, well, I apologize to the minister that she may not want to hear about it, but I think that we need to get into that. Is this really a minister and a ministry and a government that is actually putting students first?

I thought it was quite remarkable that in the minister's opening comments in committee she just opened her comments by saying, quote: Bill 85 is going to start an important conversation about putting students first. I think that's a remarkable statement from a Minister of Education who has been in place for over two years, that she suddenly woke up with Bill 85 and decided to put students first. She's going to start the conversation now about putting students first.

Well, in some respects, I have to say, Mr. Chair, that that actually makes sense because the evidence to date from this minister, from this government has actually been that, clearly, students have not been put first. In fact, students have fallen far behind their political ideology, their austerity budgets, their refusal to accept science when it comes to COVID, when it comes to vaccines. All of those things have come far before students. So I am happy to hear that today, November 24, 2021, the Minister of Education of the UCP government has finally decided that she's going to put students first. I think that if that's the case, there is a whole bunch of work that she needs to do, and much of that begins with undoing a lot of the work she's already done.

Let's talk about how this government to date has failed to put students first, as Bill 85 is called. The Minister of Education also noted in her comments that it is, quote, incredible that it's taken this long to do this work. Well, that's because, again, she's been the minister for two and a half years. Her first action as Minister of Education was actually to lead and introduce and pass in this House legislation that was the first of its kind in Canada to roll back protections for LGBTQ2S-plus students. Yes, clearly not putting students first, and that was this minister's first action.

She didn't bring forward this legislation, which is apparently incredibly critical and is going to start the conversation about putting students first. No. The first action of this government was actually to take the most vulnerable students in our school and roll back their protections. So bravo. This government goes on record now as having that high esteem and regard as being the first government in Canada to do that. While all other provinces seem to

be actually trying to protect children more, this government chose to do the opposite. That was their first action.

Well, then, let's get into so many other pieces that – again, I'm bringing it back to the bill, Mr. Chair, because this bill is titled Students First. Let's talk about what other actions this government has taken that have failed to put students first. We all faced the crisis of the pandemic. It was an opportunity at that moment to really show the true values of who we are. A pandemic hits. A crisis hits. You know, it's a public emergency. We're all floundering for information. We're all trying to figure out what to do. We're all figuring out as parents, as legislators, as leaders in our community what to do. The first thing that this government does and this minister did during a pandemic was to fire 20,000 education workers.

Let's be clear who those education workers primarily were. They're educational assistants, most of them. And what do they do? Educational assistants are put into schools and help students who require additional supports, students who are, again, usually coded, who have disabilities, our most vulnerable students. And this government decided to fire them at the beginning of a pandemic. Not only did they fire them, but those students particularly – and I have to speak about students with disabilities here. If I have to think about some of the things that I've heard from parents over the last year and a half, 18 months, of the pandemic, perhaps some of the statements that stayed with me the longest and showed to me what an epic failure this government's handling of the education system during the pandemic was that I heard repeatedly from parents of children with disabilities who told me that they basically decided that their child just wasn't going to get an education for a year. They simply had no supports.

The school boards were scrambling to try to figure out how to manage a pandemic, how to manage online and in-school learning, regular closures, cases going up. They were of course handling contact tracing for this government for most of last year. So guess what? Guess who got left behind? Not just left behind, because students with disabilities are often left behind, and they often require a lot more than they get. That's a truism across all governments. No doubt about it. But in a pandemic this government cutting those EAs and not putting them back in place, not providing the school boards with the supports meant that those parents actually said: this year is a writeoff for my kids; they're just not getting an education.

[Mr. Milliken in the chair]

When we as a society look at who we should be ensuring get the supports they need most, it's students with disabilities, yet this government was content to simply do nothing to support those students. They were certainly not putting those students first. Those students had no supports. They were struggling, and this government provided them nothing. Students first: certainly not during the pandemic.

Let's talk about COVID safety during the pandemic. Let's talk about how often we heard from this government, both before the second wave and the fourth wave, that school was just going to be fine. School was going to be fine. Zero effort – zero effort – was made by this government to make schools any safer before last school year or before this school year. Oh, I know that the minister will talk about the two leopard print Old Navy masks that were sent out to all the teachers. Thanks very much, Minister. My teacher has really appreciated his leopard print mask. But guess what? That didn't do anything to put students first.

They scoffed. They even scoffed at the mere suggestion of the idea of putting fewer students in a classroom. They mocked that. They didn't even try. They said: well, we've tried absolutely

nothing and we've done all we can, so we're not going to do anything more. They didn't make any efforts, Mr. Chair . . .

Mr. Schow: Point of order.

The Deputy Chair: I see a point of order has been called by the hon. Deputy Government House Leader.

Point of Order Relevance

Mr. Schow: You know, I actually really enjoyed the member opposite's beginning of her speech. I appreciate that she agreed with much of what this bill has to do, but she has spent the last several minutes – I'd probably say at least six or seven minutes – talking about the title, which actually isn't really the content, and using the title of the bill to go off on . . . [interjection] Yeah. Sorry. Standing Order 23(b)(i), "speaks to matters other than the question under discussion."

Now, as much as I could imagine that the member opposite's husband likes to wear leopard print, I can think that – the member was talking about wearing leopard print masks. I think we need to get back to the content of the bill, which is putting students first. Using the title to tee off on things that are completely unrelated to the content I think doesn't actually meet the spirit of what we're trying to do here, so I would suggest the member get back to the topic at hand, which is the content of the bill.

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

Mr. Dang: Thank you, Mr. Chair. I think that if the hon. member opposite is concerned that my colleague for Edmonton-Whitemud is talking about what the Minister of Education has failed to do in relation to this bill, in many cases quoting the minister's exact words from debate earlier today or at other points during debate of this bill, if the Deputy Government House Leader is concerned that he needs to stand up and defend the government's record, then he has every opportunity to do that, but certainly this is a matter of debate. Right now we are in Committee of the Whole. There is certainly a lot of latitude given. When talking about the contents of – frankly, Bill 85 is a large bill – bills like this, there is a lot of latitude given to ensure that we can bring in the full context required. I think my colleague is doing an excellent job of pointing out the failures of this government and the failures specifically of this minister. I would encourage you to rule that it is a matter of debate.

8:20

The Deputy Chair: Thank you, hon. members. I am prepared to rule on this. I think it is fair to say that as – I've listened to both sides. It's true that in committee there's often a wide berth with regard to latitude on what is discussed. That said, obviously, part of the role of the chair is to ensure that we have effective debate through ensuring that the words that are used in here don't go towards causing disorder or anything along those lines. What I would do is that I would just say that in order to ensure that we do have effective debate, which is, again, another role of what we all are here to do, staying at least somewhat within relevance of the bill itself would obviously do a lot of service towards that ultimate goal that we are all here united to do.

If the hon. member could please continue, taking into account those words, that would be very appreciated.

Debate Continued

Ms Pancholi: Thank you, Mr. Chair. With respect to Bill 85, the Education Statutes (Students First) Amendment Act, 2021, because

this bill is proposed to put students first, I note once again that the minister in her comments earlier this evening on debate on this exact bill commented that this bill, Bill 85, the students first act, is going to, quote, start an important conversation about putting students first. End quote. With regard to the quote from the minister in debate on the bill before us today that was just made a few minutes ago, let me again ask the minister why she didn't start that important conversation about putting students first as students returned back to school in September 2020. Why wasn't that conversation about putting students first, words from the minister herself, happen when considering how to invest dollars in making schools safer?

We heard in Public Accounts Committee again just a few weeks ago, Mr. Chair, that the \$250 million that this government budgeted for capital maintenance and renewal that was meant to, quote, keep schools safe – perhaps some would imply that is an intention to put students first – but instead that \$250 million, as we found out in Public Accounts, was actually a job stimulus. It wasn't actually about – it was never intended to really actually be focused on making kids safer in school. In fact, we heard that only 17 per cent of that funding actually went to do what would make kids safer in school, which was to improve ventilation. In fact, we heard that the chief medical officer of health would probably have suggested that given the potential airborne transmission of COVID, that would be a measure that would say “put students first” in terms of safety. But the minister didn't take any of those actions.

No. In fact, we saw a school reopening plan that pretty much said: business as usual; just wear a mask. No efforts to put students first by making efforts to kind of reduce class sizes, to spread them out, to attempt to improve ventilation systems. They did not put students first then.

Similarly, as we got into the beginning of another school year, when apparently putting students first was top of mind for this minister when probably working with her ministry to develop Bill 85, the students first act, the minister said that school would be normal as usual, September 2021, right? Back to a normal school year. Then the minister, who was putting students first, allegedly went on vacation. I don't know that she went on vacation. I don't know where she went. But we certainly didn't hear from her. Parents didn't hear from her. I know. I'm a parent of two school-aged children. We didn't hear anything. It was just going to be a normal school year. Meanwhile the fourth wave came crashing down, which everybody saw coming except for, apparently, the government, that was putting students first.

There were no protections put in place. Contact tracing was lifted. There was discussion even earlier in the summer about removing masking requirements or mandatory isolation. Well, kids still aren't required to isolate if they're exposed to a positive COVID case in class. So what happened, Mr. Chair, while this government was putting students first? Students in record numbers, ages five to 11, were leading the rate of infection with COVID in this province. Parents were breaking down, finding out that they'd done everything they could in the previous school year to keep their kids safe. They chose at-home learning, they took all the measures, they followed all the rules, and then they put their kids back in the class because – guess what? – they didn't want to go another school year with their child not in school. And guess what happened? When this government was putting students first, their kids got COVID.

Mr. Schow: Point of order, Mr. Chair.

Point of Order Relevance

Mr. Schow: Point of order, Mr. Chair, under the same point of order, 23(b)(i). Like, we're talking about this bill and the content of the bill. We're not talking about the title. If the members like the title – I don't know how you can tee off on a speech for 15 minutes. There was a lot of content at the beginning of that member's speech that I appreciated, which contributed to robust debate, but there is nothing in that member's speech about the content of the bill that will edify anyone in this Chamber. We are not talking about COVID. We're talking about a bill regarding education. Somehow we keep going back to COVID, though. Point of order.

The Deputy Chair: I see the hon. Member for Edmonton-South has risen as well.

Mr. Dang: Thank you, Mr. Chair. The Deputy Government House Leader is particularly animated. I can see why. He feels he has to defend his government's abysmal track record in education, and he feels he has to defend the minister's abysmal track record in education. We know that this bill touches on so many aspects of our lives. Certainly, we also know that here in committee one of the things that we do debate and vote on is the title and preamble of bills. We just made a vote on that a few minutes ago here in this place.

Certainly, my colleague continues to quote from the minister's speech earlier tonight, and we will continue to debate. I think that it's very clear that bringing in context around the actions of this government of how they have failed thousands of students across the entire province and how they have failed thousands of parents and families across this entire province is relevant to the speech. I think it's important that we move on with that.

The Deputy Chair: Thank you, hon. members.

I have listened to both sides with regard to this point of order, and if anything, I am going to agree with the hon. Member for Edmonton-South. As we all know, there will be a time where we will, of course – I expect, anyway; I would never presuppose the will of the committee – vote on not only the clauses but also whether or not the bill should be reported. Of course, secondly, we will vote on the title and the preamble. Therefore, I think that it is probably fair to say that the fact that the title is being discussed with regard to perhaps other aspects of the discussion makes sense.

I'm going to ask that the hon. Member for Edmonton-Mill Woods please continue.

Ms Pancholi: Whitemud.

The Deputy Chair: Whitemud. My apologies. But if the hon. Member for Edmonton-Mill Woods would also like to discuss this, that's very, very fine as well.

If the hon. Member for Edmonton-Whitemud would like to continue. At this stage, of course, there are about five and a half minutes remaining, but under committee rules there are lots of opportunities.

Debate Continued

Ms Pancholi: Thank you, Mr. Chair. I appreciate the opportunity. I, too, wish that the Member for Edmonton-Mill Woods will speak. It's always a pleasure to listen to her speak. I also suspect that the Member for Edmonton-Mill Woods does not trigger the Deputy Government House Leader as much as I do.

Given that Bill 85 is titled the students first act and we are once again talking about whether or not this bill really puts students first or what other actions this government should have done to truly put students first – as I mentioned, Mr. Chair, when it came to COVID, when it came to both the 2020 school year and the 2021 school year, this government made minimal to no efforts to actually put students first when it came to making it safe when it comes to COVID.

It's interesting that we are once again in a similar position, where this government is also failing to put students first when it comes to their vaccine rollout for young children. It is absolutely shocking to hear some of the misinformation and the twisting that's going on from this government to try to explain why they are putting up barriers for students to access vaccines. They're actually making it more challenging, Mr. Chair, which would be a surprising turn of events for a government that claims to and a minister who claimed to have a sudden epiphany that she's supposed to put students first, yet when it comes to vaccine rollouts, we're not putting vaccines and making them available where students are, where they are.

Now we're actually asking parents to travel to AHS vaccination clinics, wherever that may be for them. For some of them, it'll be a long distance away. We're hearing that parents will have to of course take time off work. Today we were very disturbed to hear that this government won't even support the idea of allowing parents to have paid time off to go take their children, these students, to get their vaccines. We know that in-school vaccination is effective. It works. We've been doing it for years in this province. There are so many opportunities to do that. Yet even when it comes to vaccine rollout, the thing that parents, that educators, that principals, that school staff, that we should all be eagerly awaiting because it's going to mean that we are going to get to the end of this pandemic sooner, everything that they have been desperately waiting to hear, this government will not put students first, will not put children first by making sure that they can access vaccines easily and where they are.

8:30

I also have to mention, Mr. Chair, because it is something that's near and dear to my heart both in terms of my critic role and as somebody who has been quite passionate about early learning, that this government was also not putting students first when we saw how many young children, young students did not even attend school last year because of this government's – two reasons, actually, from what I heard, in terms of why parents chose not to enrol their children in person for kindergarten last year. We saw enrolment numbers drop by 15,000 students last year. Why is that? For two reasons.

One, I heard from many parents whose children were eligible for PUF funding, which is critical for the youngest children with severe disabilities. The funding model changed last year, Mr. Chair, and those kids entering kindergarten, who were eligible for PUF, were no longer eligible. Instead, they were going to be put into a classroom with all other students, and they would get funding that we know is going to be far less than they would get under PUF. I know parents personally who told me: "Why would I put my PUF child in kindergarten this year if I don't have to, given that they're getting reduced supports this year and that I don't feel safe? My child is not safe." This government failed to put students first and prioritize safety when it came to returning to school.

Not only that, Mr. Chair, but of course there are all these young students. And let's be clear. Young students with disabilities, who are eligible for PUF: the earlier they get those intervention supports, the earlier they get access to qualified teachers who can provide those supports, the more likely those supports are going to be successful. We know how critical those early years are. At least,

people on this side of the House seem to know that, because when it comes to that side of the House, there doesn't seem to be any recognition about what a loss it is to have thousands of children not have access to kindergarten and prekindergarten programming. They just brush that off as: it is parents' choice. Well, those are kids who were expected to be in school.

Every year we know that there are parents who choose not to enrol their kids in kindergarten. Of course, that is a choice. It's not mandatory in Alberta that kids attend kindergarten. But those were kids who were expected to be enrolled and to attend kindergarten, and they didn't because this minister failed to put students first and make it safe for them. Not only did those young kids miss out on a year of school, maybe two years, but they're also now going to be far further behind. And – let's be clear – in Alberta we are already far behind when it comes to early childhood education. Other provinces have full-day kindergarten. Other provinces have full-day junior kindergarten, but not this government. This government at every opportunity has chosen not to put students first.

The Deputy Chair: Thank you, hon. member.

Are there any members wishing to join debate? I see the hon. Member for Edmonton-Riverview has risen.

Ms Sigurdson: Well, thank you very much, Mr. Chair. I'm happy to join the debate on Bill 85, Education Statutes (Students First) Amendment Act, 2021. Certainly, I know that this is a key issue in the riding that I represent here in Edmonton, Edmonton-Riverview. I hear daily – actually, today I asked my constituency assistant: "Can you pull together some letters from people who have reached out regarding any concerns with education? We have a bill before the House, and I'm just wanting you to do that." He said, "I just got one, and we got about five today." I know we've gotten hundreds and hundreds of letters over, well, really, since the UCP was elected, because of the significant concerns in the Ministry of Education and, really, the pretty disturbing decisions made by this UCP government in this area.

This bill, you know, does a few things regarding the regulation of teachers. We know that it creates an online public and searchable registry listing the professional standing of Alberta teachers. It's going to create a legal requirement for school authorities to obtain criminal record and vulnerable sector checks when hiring teachers and then every five years. It's going to create an expedited discipline process for teachers who have a conviction under the Criminal Code.

The ATA must notify the registrar at Alberta Education of any complaints filed against teachers and restructure the ATA's disciplinary committee structure.

These are some of the top-level things that the bill does. I don't think anybody has too much concern with that. I'm not a teacher, of course. I'm a registered social worker in this province. I have a family of teachers, though. My mother was a teacher. Every aunt I had was a teacher. I think that was kind of an acceptable profession for women, you know, certainly in the cohort that my mother came from. I was probably encouraged to be a teacher because that was thought to be a good profession for me, but I, of course, made a different choice. My brother is a teacher, and I certainly have many cousins and a few uncles, too, who are teachers, so I feel like I have some at least close connections with the profession.

My understanding is, of course, that the teaching profession is self-regulating, as is the profession of social work in this province. That means that they are sort of arm's length from the government. They make their own decisions on how their members are disciplined, the continuing competence that they must fulfill, the requirements to enter that profession, all of that. I mean, it is kind

of part of the, I guess, respect of any profession that it is given that authority.

It feels like this bill – you know, I think it’s a bit redundant because, of course, the regulatory body, which in Alberta is the Alberta Teachers’ Association, already does much of this. They regulate their members. Certainly, if a member has committed any kind of offence, there are consequences to that. They have a disciplinary body that would look that over.

Before I was elected into this Chamber in 2015, I worked for 10 years at the Alberta College of Social Workers, which is a much smaller regulatory body than the ATA. But, certainly, that was something we took great pride in. We knew that to be assessed or to be regulated by your own members was so key. We knew that that person who was at the tribunal looking at our record understood our profession and therefore had the understanding of how the profession worked, the values of the profession, all of that. That’s, I know, what the Alberta Teachers’ Association does, too.

So the long arm of the government coming in and mucking around with that in this bill certainly shows disrespect, I think, to the teaching profession in this province because it’s suggesting that they’re not doing a good enough job, you know, that they aren’t self-regulating, actually, and that the government must tell them how to run, how to make sure that their teaching professionals are accountable. I mean, certainly, if I was a teacher, that would be part of my concern about this bill.

So just off the top, that’s what I will say about that, but I also want to talk about what I started to talk about at the outset, which is just how many letters and how many phone calls and how much concern I have received from constituents of Edmonton-Riverview. You know, it’s COVID time, so part of the way I have connection with my constituents is to call them. I call my constituents and introduce myself and tell them: “Is there anything you’re concerned about right now with the government or anything you want to share with your MLA? I’m here to support you and listen to your concerns. That’s my responsibility as your representative.” People say things like: “Where should I start? I’m a teacher.” I sort of encourage them because, of course, I want to hear explicitly their concerns. I hear a significant amount of upset and deep concern for the decisions of this government regarding the decisions for our school system.

8:40

Of course, when I had talked to my constituency assistant earlier today, I asked him to make sure to get permission that I can share things in a public forum regarding that, and he said: “Okay. We’ll check in.” So I want to share one letter that I received a few days ago. He was happy to share his name, and he is a constituent of Edmonton-Riverview. His name is Sid Dwernychuk. He said to me – and I’m just going to read it. I’m happy to table this tomorrow, Mr. Chair, because it is something that I would like to read in to the record.

I’m a voter in your riding and I’m writing to urge you to stand up for Alberta’s public education system. The changes being made are dangerous and are impacting the future of our children. The funding cuts, removal of class size tracking, and changes to the curriculum should never have been made.

The new curriculum is Eurocentric, not age-appropriate, and has major gaps in history, math, geography, wellness and science. Francophone perspectives, residential schools, and important women in history have been left out. What’s more, the overload of irrelevant and overwhelming information, especially for younger grades, is inappropriate and will be a detriment to children’s education in the long term.

Growing class sizes mean students lack individual time with teachers, and these deep cuts mean the loss of special education support and access to enriched programs. Think of children with

special needs who no longer have support workers. You need to stand up for them.

He’s talking to me.

If we want Alberta to continue to be diverse and innovative, then we need a diverse and innovative education for our children.

Will you raise this issue on behalf of your constituents in caucus and in the Legislature?

We need you to step up – we need you to stand for education.

Thank you for taking the time to read this. I look forward to hearing your response.

Well, I want to say thank you to my constituent Sid Dwernychuk, who took the time to write to me and to express to me his deep concerns about the decisions that have been made by this government that are not helping Alberta students and are not giving them the proper curriculum, the proper support so that they can be successful in the school system.

This bill before us, you know, Bill 85, Education Statutes (Students First) Amendment Act, 2021, really, I see it as a redundant piece of legislation where the government feels they have to – I don’t know, really – kind of put the screws to the ATA, give them a hard time, that they’re obviously not doing their job. This government has shown repeatedly that they like to pick fights with professionals in our province. They picked fights with doctors and nurses, wanting to cut their pay during the pandemic, alienating a lot of workers in this province. I think this bill is just another example of a really misguided policy that is not going to help our education system and is going to make matters worse. Frankly, it’s not needed.

Getting back to this letter from my constituent, I just want to say that the big things that he’s identifying are sort of funding cuts. Again, this is something that the government has said repeatedly: “No, no, no. You know, they’re getting the same amount of money.” Yet school board after school board crunches the numbers and says: “No. We’re not getting more.” We know that 20,000 educational assistants have been fired. That’s a serious concern because oftentimes educational assistants support the students that may be struggling. We know that, especially in a time of COVID, where kids may be learning online, even if they are in the classroom, as they are now, they need that extra assistance, and the teacher can rely on them to give that more individual, one-on-one work. Sadly, so many students cannot be supported in that manner, and that is deeply disturbing.

With that, Mr. Chair, I will stop speaking. Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members wishing to join debate on Bill 85?

Seeing none, I am prepared to ask the question.

I see the hon. Minister of Education has risen.

Member LaGrange: Well, I’m just going to respond that it’s disappointing to continue to see the members of the opposition pick on the name rather than the content. The content is about disciplinary actions, about streamlining the process, about making it more accountable by making it more public facing, and it is about putting students first. I’m really proud to bring forward this piece of legislation because it is doing everything I said it would do.

Thank you.

The Deputy Chair: Thank you, hon member.

Are there any other members wishing to join debate?

Seeing none, I am prepared to ask the question.

[The clauses of Bill 85 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? Carried.

I'm wondering if we might consider something along the lines of reporting. I see the hon. Deputy Government House Leader.

Mr. Schow: Well, Mr. Chair, line upon line, precept upon precept, all things in due course. I do move that the committee rise and report bills 83 and 85.

[Motion carried]

[Mr. Milliken in the chair]

The Acting Speaker: I see the hon. Member for Calgary-East has risen.

Mr. Singh: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 83 and Bill 85.

The Acting Speaker: Thank you.

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.

Government Bills and Orders Second Reading

Bill 81

Election Statutes Amendment Act, 2021 (No. 2)

Mr. Nielsen moved that the motion for second reading of Bill 81, Election Statutes Amendment Act, 2021 (No. 2), be amended by deleting all of the words after "that" and substituting the following:

Bill 81, Election Statutes Amendment Act, 2021 (No. 2), be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

[Adjourned debate on the amendment November 23: Ms Hoffman]

The Acting Speaker: I see, rising to debate, the hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Speaker. It's a pleasure to rise and debate the referral amendment to Bill 81, the Election Statutes Amendment Act, 2021 (No. 2). Let me be very clear. This is a very bad bill. It is, frankly, ridiculous the loopholes that are being put into this bill by the government. It's clear that even when we look at the work that was done in advance of this by the Democratic Accountability Committee, a significant number of changes – perhaps, for me, the most alarming change has no roots to the work that was done by committee.

Mr. Speaker, that's very concerning to me, right? It's concerning that we had an entire process in place to do this review. We had an entire process in place, an entire committee struck, a multipartisan committee that was struck, to actually go and say: what are reasonable recommendations to bring forward when we look at our election system and then our democracy? Then the government would come in and bring forward these massive loopholes that basically allow unlimited donations into nomination meetings, that

can then be transferred over to the party system without any consideration to whether that was something people were asking for or people were interested in. It is very concerning.

8:50

I think it is important that we go to a committee and we review this bill, that we slow down and we say: "Are we getting the correct clauses put in? Are we doing the right work?" I think it's important that we stop and say: what impacts will this have? Mr. Speaker, to be very clear, we need more input from Albertans, we need more input from MLAs, and we need more input from political parties and third-party advertisers and stakeholders. We need to talk to more people because it's very clear that this is going to have a loophole that you could drive a truck through, and in fact it's going to be a truck full of \$100 bills. That's what's going to happen here.

When we look at the people that will be most impacted by this massive loophole, I think, Mr. Speaker, in some cases, it's going to be government members – right? – members of the government backbench, the UCP backbench. If we're looking at a big nomination loophole, where potentially tens if not hundreds of thousands of dollars can be donated by an individual against nominations, we're looking at the opportunity to essentially rig nomination races and then take that money into the parties. That is something that I don't think is fair. That is something that I would be particularly concerned about if I was a UCP backbencher, particularly if I was a UCP backbencher who might have a contested nomination, who might not be the preferred candidate for the leader.

I think that this is a key loophole that the Premier's office and the Justice minister have put in for a reason. This is something that exists for a reason. That's why I think we need to slow down. We need to pump the brakes, and we need to say: "Wait. Is this something that actually makes sense for Alberta? Is this something that actually makes sense for our democracy?"

I think it's very clear that this government has a track record of bringing in these types of loopholes, right? This government has a track record of trying to take advantage of the systems where they can. We know that there's an ongoing RCMP investigation into the Premier's leadership campaign. We know that there have been charges, and Elections Alberta has found cases of voter fraud and has fined UCP members over \$30,000 in relation to this. Mr. Speaker, if this loophole is brought in, that won't mean anything because one wealthy donor could then go in and try to pay that off with one big donation through a nomination contest and then put in the candidate of their choice by spending hundreds of thousands of dollars. We're talking about a system that unfairly biases and unfairly prejudices our nomination systems and the party processes.

Mr. Speaker, for a party that has had so much scandal, a party that has had so many problems with the impartiality of their leadership race system, the impartiality even at the AGM, where there were very clear allegations made that third parties were purchasing memberships to vote on behalf of the Premier's office, where the Premier's office was directing delegates on how to vote on resolutions and prioritization, I think it's very concerning that we are now seeing a situation where you are essentially giving wealthy third parties more influence over nomination processes, more influence against candidates who may not be the preferred leader, right?

I think it is incumbent on all of us to reflect on whether this is actually good for democracy, whether this is something that will actually allow us to have more debate, to have more rigorous work in this place, or if it's something that will muzzle the voices of people who disagree with the Premier, if it's something that will muzzle the voices of people who aren't on the Premier's side.

Mr. Speaker, to be very clear – to be very clear – this is not something that was recommended by the Democratic Accountability Committee, this is not something that was recommended by Elections Alberta, and this is not something that was recommended anywhere that I can find, right? What does that mean? It means that somebody intentionally went in – and I believe it would have to be either the minister or the Premier’s office – and decided to bring in this massive loophole to try and control and exert more influence over their own members and over their own nomination processes. That’s the only thing that makes sense to me.

When we look at this, it clearly is a way to allow big donors, third parties to sneak massive amounts of money into party coffers. It doesn’t make any sense. Mr. Speaker, we look at this, and we realize that it is something that is dangerous, right? We know that the nomination processes often have much fewer voters than a general election, well, often, in some cases, only a few hundred voters or even fewer, and large pockets of money. If you’re spending hundreds of thousands of dollars or even tens of thousands of dollars, that would be very dangerous. You would have the opportunity to make a big difference with relatively large donations, I guess.

Mr. Speaker, it is not the only thing that I’m concerned about in this bill. It’s not the only reason we have to go to committee on this, right? When we look at this bill, as well, it now brings in another glaring loophole. It allows people to purchase memberships on behalf of other members, and it explicitly allows third parties to purchase memberships on behalf of other people. With a party which just recently had their AGM and had delegate fees paid for by third parties, who then explicitly put it in writing that they were interested in using it as a tool to bribe or curry favour from the Premier, I think it’s pretty concerning that we’re now seeing another loophole come in, that we’re now seeing another loophole that would allow more of this to happen, to allow more of this illicit conduct, which really has no place in a western liberal democracy, which really has no place in our democratic system here in Alberta.

It’s becoming very clear to me, Mr. Speaker, that some of these changes brought in, particularly the ones that were not dealt with through the committee process, have been put in for political interests – right? – have been put in to try and preserve the power and the grip of this Premier, and I’m very concerned about that.

[Mr. Reid in the chair]

I think that we all have a better democracy when we have a system that is fair to all, when we have a system that does not have these glaring loopholes, when we have a system that puts everybody on a level playing field. I think that’s what is the most fair. I think that’s what brings the best members into this place, that’s what brings the best debate into this place, and that’s what allows us to have the best democracy that we possibly could in Alberta. Instead, what we’re seeing is, I think, basically two processes being introduced through this legislation, specifically the nomination donation loophole and then the third parties purchasing memberships on behalf of others. These two combined mean that wealthy donors, people who have the money and the willpower to turn it into influence, will have influence in caucuses, right? They will have influence on MLAs.

Mr. Speaker, that’s not a hypothetical. We saw in the article that was published last week in the *Calgary Herald* that this is happening right now, that this is something that is going on right now. Indeed, this is something that companies are publicly saying, that they are trying to use these loopholes, the loopholes that will be introduced to get influence from the Premier’s office, to get decisions and favours from the Premier’s office. That’s something which I think is completely beyond the pale, and it’s something that

we should not allow and we should not tolerate in this place. When we’re talking about our democratic systems and we’re talking about having a functioning democracy and indeed a functioning Legislature, these are things that should not exist in Alberta.

Instead, Mr. Speaker, of focusing on the work that was done by the bipartisan committee, instead of focusing on the work that was recommended by Elections Alberta, instead of focusing on the work in terms of things that actually would improve transparency and improve our accountability in this province, we see these loopholes being brought in. We see that the priority of this government continues to be on trying to control their own internal affairs, continues to be on trying to bring in loopholes for their internal affairs. It continues to be that this government is focused on making sure that the Premier has the strongest grip possible on nomination contests, on the AGM process, on all of the internal party matters. Albertans suffer as a result.

Mr. Speaker, it is disappointing. We know it’s not something new. We know it’s not unique. We know that we’ve seen, like I said already, that the RCMP has an ongoing investigation into the UCP leadership campaign. We know that over \$30,000 in fines was levied out to UCP members in relation to voter fraud. We know that there are serious allegations around misuse of voting booths and PIN numbers in the UCP leadership race. We know that there are serious claims, just last week, that the Premier is being essentially bribed by corporations who are assigning delegates and paying for delegates to attend party matters.

9:00

Mr. Ellis: Point of order.

The Acting Speaker: The hon. associate minister.

Point of Order Allegations against a Member

Mr. Ellis: Thank you very much. Under 23(h), (i), and (j), certainly making allegations against another member. To insinuate in any way that the Premier is being bribed: I mean, that is completely ridiculous and certainly uncalled for and certainly not becoming of the member opposite. So I’m going to ask that that member withdraw, apologize, that we move on, and that he gets to the content of the bill that is currently at hand.

The Acting Speaker: The hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Speaker. I think, certainly, this is a matter of debate. I’m simply referring to media articles that have been widely published over the last two weeks. Certainly, I think that I have not made an allegation that any member in this place has either accepted or conducted any activity in this way but simply about what is being reported that corporations are doing and trying to do and trying to influence the process. I know it would be unparliamentary for me to comment on allegations against a member in this place, but I am simply commenting on what others outside of this place are trying to do to members. In this case, it appears that there are attempts to curry favour and political favours and policy favours from this government.

The Acting Speaker: Hon. members, I would hesitate to call a point of order on this at this point. However, I would like to caution all members that we do want lively debate in this House – I encourage that – but we do want to do it with a certain measure of decorum, so I would encourage the hon. member to just exercise some caution in this debate this evening.

Thank you.

Debate Continued

Mr. Dang: Thank you, Mr. Speaker. I think I only have a few minutes left here. Certainly, I think that when we look at this process, when we look at what's going on, when we look at the bill being brought in, we know that it needs to be reviewed. We know we need to slow down. We know we need to go and look at why these clauses were put in. We need to understand what is happening, and we need to understand who this will affect. It's become very clear to me that we haven't done the work required and this government has failed to do the work required to convince anybody, let alone members of the opposition, that these changes were recommended or that these changes are necessary.

Mr. Speaker, it's something that we know Albertans are concerned about. We've seen in the news, we can see in our e-mails and in our phone calls that we receive in our offices that people are concerned and that this is something that is going to have impacts on our electoral processes. It is going to have impacts on our democracy. When we look at the history of this government, when we look at the record of this government and the context of this government in relation to this bill, we can see that this is a pattern of behaviour. We can see that it's a pattern of behaviour to shy away from accountability, to shy away from the democratic process, and instead try to maintain a grip on power.

So, Mr. Speaker, I think it's very clear that we should refer this bill to a committee. I think it's very clear that we will need to bring in some significant changes to make this legislation good or at least less bad. I think it's very clear that we need to look very closely at why these changes are being brought in, because it's not from the Democratic Accountability Committee. It's not from Elections Alberta. It's not from any source we can find at all, in fact. When we look at this, it becomes clear that somebody is trying to hide something and that somebody is trying to build these loopholes into election law in Alberta and election financing law in Alberta.

As I said, my interest as the democracy and ethics critic here is to ensure we have the best functioning democracy we can. Every single member in this place got here through an election, got here through a fair democratic process, and we need to have faith in our democratic processes. We need to have faith that our processes are fair and are accountable. Mr. Speaker, I think this bill will tear down that faith. It will allow undue influence to be brought into politics in Alberta, and it will allow certain members such as the Premier's office and wealthy donors to exert far more influence than they even have now and to threaten members in a way that would be much more concerning in terms of the nomination process.

Mr. Speaker, I really do encourage all of my colleagues to vote in favour of this referral amendment. We do need to pump the brakes. We do need to have a real conversation about this at the committee stage. I think that it is incumbent upon all of us to protect democracy and protect our democratic principles in this great province.

Thank you.

The Acting Speaker: Any other hon. members wishing to speak to Bill 81, amendment REF1? I see the hon. Member for Lethbridge-East.

Ms Phillips: West.

The Acting Speaker: Lethbridge-West. My apologies.

Ms Phillips: All good. Thank you, Mr. Speaker, and thank you for the opportunity to speak to this bill on referral. One of the reasons I think we should be referring it is because people may not know what the contents of it are given that, first of all, it's quite a large

bill but, second of all, that people are I think focused rightfully on other things this fall.

Parents, in particular, are focused on cleaning up the government's mess when it comes to COVID-19. People who are waiting for surgery are rightfully focused on when those surgeries will be rescheduled, some 15,000 of those or more; if we could ever get any clarity on that, that would be great. Certainly, small-business owners and others are focused on rebuilding their customer base, their lives so may have missed this important conversation, and that is one of the reasons why we refer a piece of legislation to a committee, so that we can ensure that it gets the full public debate, the full big public airing.

This is why opposition parties since time immemorial have said: we don't like it when we subsume everything to regulation because it happens in a cabinet room, and this Chamber is where we have a more fulsome debate, where we, in fact, shed some light – the old sunlight adage, Mr. Speaker – on legislation. That is why even this Committee of the Whole structure is more free-form in terms of its interventions and why some provincial Legislatures require referral of a bill to a standing committee before it comes back for third. I'm thinking here of the province of Manitoba.

You know, part of that is so that the people, if you will, can have their say via that committee structure and more careful study of a bill, because people do care about these issues of election finance disclosure and reporting and the prominence of money in politics.

I am reminded of the period leading up to the 2015 election, when, in fact, there were a number of very, I would say, to use a word that the kids use, sus things happening in PC nomination races. The public didn't like this at all, and I think it's one of the underappreciated reasons why, you know, the PCs so spectacularly lost that election. That is because the internal discord as a result of some very sketchy nomination contests, Mr. Speaker, really soured the party internally and also the public. The public had had enough by this point of the sort of insiders and the view that somebody was driving that particular organization, and it wasn't the people of Alberta. That was a large reason why people rejected that party after 44 years, in 2015.

It's not that this isn't a matter of public interest. It is just that there are ebbs and flows in politics and political life. Despite, you know, the Minister of Education prior to this sort of complaining to the House that the opposition was asking questions about her record in education, these things, that is the job, just to fill her in on that. That's what people are focused on right now. So that's why those issues are being brought up in this Chamber, and it may be that those issues are in fact overshadowing questions of democratic accountability and these changes to the Election Statutes Amendment Act, 2021 (No. 2) that are being proposed in the Chamber currently.

9:10

I know, for myself, Mr. Speaker, I couldn't pay full attention to the remarks of the hon. Member for Edmonton-Whitemud on the education bill because I was in the middle, literally, of receiving an e-mail around the fact that my kid had been identified as a close contact in his classroom just this evening, but it was five days ago. So that's how well the contact tracing and everything is happening, just to update the House on that. That's going really well. That is sarcasm.

I know that *Hansard* doesn't pick it up, and there's no emoji yet in *Hansard*, so I'll just leave that there and specify my tone there and perhaps speak on behalf of so many parents who have not had the time to perhaps listen to the Election Statutes Amendment Act details because we are busy thinking about what our kids just did for the last five days and why it took five days to get that

notification and if, in fact, there was any contact between my unvaccinated 10-year-old and my mother's husband, who has just successfully finished his chemo. That's the kind of thing that is on people's minds right now. It's certainly on mine, Mr. Speaker, and I'm not impressed.

That is why a referral motion is a good idea, because then we can have this conversation about democratic accountability and about the appropriate place of corporate money or any other sorts of money in politics, what the appropriate expense and disclosure framework might be, what our spending limits might be. In particular, I notice that this bill proposes significant changes to nominations. As I indicated, Mr. Speaker, I do have a long memory in politics, and I do remember that nomination contests were a source of some controversy leading up to the 2015 campaign. It was one of the reasons why Albertans were in a bit of a foul mood as concerned the governing party in May 2015.

I mean, why would one go in to make all of these sorts of wholesale changes to the rules governing nomination contestants? That's an interesting motivation that I think a referral to committee might uncover. To my mind, there are sort of three explanations. One, it makes it easier to put one's thumb on the scale when it comes to nomination contests. If one perhaps is a leader with access to political action committees that are highly funded by corporations and maybe there might be some MLAs sitting that got elected in 2019 that have – oh, I don't know – begun to displease a leader, in that case it might be easier to nominate and elect someone that pleases the leader a little bit more, and one could apply some of that unmitigated amount of money to that nomination race and then, you know, help that person out to get elected once they win that nomination race.

So, you know, ensuring that the backbench of one's party, particularly if the backbench might be currently occupied by – I don't know; let's just pull a number out of a hat – 22 people who are not hugely psyched about the leadership at this current time, if there are perhaps, though, 22 such seats, it might be easier to loosen up the nomination rules a little bit and to elect different candidates in those 22 seats.

Another reason why one might want to loosen up some of these rules is because of the way that fundraising is right now, that is to say how, you know, Barack Obama would refer to things as being on the level, that is to say, perhaps the on-the-level fundraising isn't working out so well right now, so one might have to find different ways other than individuals contributing their whatever it is right now – what is it: \$42, \$43? – perhaps that might be a way to get around that. If you can't find enough individuals to want to give you 50 bucks, you know, several quarters in a row, for example – just for example – and find oneself significantly behind in fundraising from ordinary people, perhaps doing it a different way, through a nomination contest, might explain some of these changes. Certainly, on referral we might be able to have that conversation. [interjection] I see my hon. friend from Edmonton-South.

Mr. Dang: Thank you. I guess, of course, my hon. colleague here has a bit of a longer working memory than me in Alberta politics, but I think that when we look at some of these historical cases with nomination contests and the controversy around nomination contests, I would just be wondering if she could elaborate a little bit on how the big money coming into nominations really would have impacts at the ground level. We're talking about contests that in some cases have maybe 100, 150 people voting in them. Relatively small affairs, right? Mr. Speaker, through you, of course, I wonder if perhaps my colleague would want to speculate or elaborate, through experience, on what a donation of \$10,000, \$20,000, \$40,000 might mean to affect and influence a nomination race if

you are, let's say, a UCP backbencher who is not necessarily looking at getting on the front bench any time soon.

Ms Phillips: Well, thank you for that question. I mean, all of these things are well documented, some of these practices, which is why when the election finance rules were overhauled: simply closing this practice of just having a bit of a Wild West around nominations and instead simply imposing the same sort of rules, that once you are seeking a nomination for a party, you are essentially then in that world. You are outside of the world of the party setting its own rules, right? We all understand that internal party processes have their own rules, and parties, as private organizations, are perfectly within their rights to have those rules. Certainly, that goes to – I believe it's section 2, freedom of association – our rights and our right to organize our parties as we see fit, and that is fine.

But what the legislation previously recognized was that as soon as you are seeking to carry the banner of a party, then the money comes in, and you can have practices where funds are furnished to other parties, not parties as in big "p," as in other groups of people or individual people where large sums of funds can sometimes change hands. We have seen this in the past and certainly in the present, bulk buying of memberships. This sort of stuff, too, affects the outcome that is desired by whoever is furnishing that large amount of money. There's always a quid pro quo in the back end. There always is when you've got big money sloshing through. I mean, we saw it in the run-up to the 2019 campaign, when there were promises made to certain groups that had set themselves up political action committees. This was the now governing party making those promises: oh, we will do X, Y, and Z, you know, in return for your support. I believe that was around some changes to AMVIC or some such thing.

The point here is that political scientists or election finance experts will tell you that election finance is always, to keep it on the level, an exercise in, you know, doing the best you can with organizations that are full of people and, probably worse, political people and making sure that the rules are a level playing field and that if it's only individuals voting, then it should only be individuals financing political parties and their ancillary activities as well, of which I would count, in a key way, a nomination contest.

[The Speaker in the chair]

Now, a third reason, though, that one might want to proceed with this piece of legislation, that a referral would in fact be able to have a public conversation about and maybe at some level of better detail, is to avoid things such as – I'll just pull up the 2021 list – the penalty amount of \$8,500 for the Member for Calgary-Falconridge, who as a nomination contestant violated

section 31 of the EFCDA [which meant that a] Person other than [the] CFO, [accepted] contributions. [The member accepted] a prohibited contribution from 2082146 Alberta Ltd. in the form of use of real property [which is] Section 41.4(1) of the EFCDA. [He exceeded] the Nomination Contest expense limit.

Helpfully, this piece of legislation expands that limit, so that's nice for him. He was found to have filed a false nomination contest financial statement from the Chief Electoral Officer. So a loosening of some of these rules would have been convenient maybe before July 27, but, alas, here we are, friends. Here we are.

9:20

Section 14.1 was also a violation: "fail to deposit contributions into the account on record with the Chief Electoral Officer." And there's more. Section 35(1)(a) of the EFCDA: the Member for Calgary-Falconridge as a candidate accepted a prohibited contribution from a numbered company for which he was a director

in the form of use of real property. The candidate exceeded the expense limit, section 46 of the EFCDA, which I believe is one of the sections that is listed as a corrupt practice in the act; I'm quite certain it's section 46. As a candidate the Member for Calgary-Falconridge "filed a false Candidate Campaign Financial Statement with the Chief Electoral Officer." He also was a "Registered Candidate [who borrowed] money from [a] party other than a Financial Institution," which is also a contravention of the act. He also "[failed] to deposit contributions into the account on record with the Chief Electoral Officer," and there's more because his chief financial officer as a nomination contestant also had to pay thousands of dollars of fines. Let's go through that: \$8,000. [interjection] Oh, I see my friend from Edmonton-South here.

Mr. Dang: Thank you, and thank you, Mr. Speaker, through you, of course. I think that one of the interesting things coming out of this conversation at least is that we know that there are going to be impacts on public trust, right? We know that there are going to be impacts on how people perceive not only the government but our democratic system as a whole. I think that we've certainly seen in media reports – I know a political scientist, Lisa Young, did say, when referring to this, that this would have a negative impact on the integrity of the regulatory system and also on public trust in the system. Perhaps my question is really: looking at all of these charges and fines that were levied – and I hope that we will be able to hear the rest of them – do you think there's going to be a significant impact that's going to affect the government party as well as the rest of us as people who are trying to uphold western liberal democracies?

Ms Phillips: Well, thank you, Mr. Speaker. You know, there are a number of quite serious fine levels and contraventions of the EFCDA stemming from a nomination contest, in very recent memory, for a sitting member of this Legislature, the Member for Calgary-Falconridge, in a seat that he won by, I believe, 96 votes. Looking at the list of offences, it dates back to his nomination contest expense limit. He exceeded that limit and exceeded his overall campaign limit, it appears, as well. Yeah. That was the section 46 contravention.

As we all know, our chief financial officers are essentially referred to – I think it's still in the federal legislation – as our official agents because they are the official agent of the candidate. And that person, too, from Calgary-Falconridge also committed a number of offences, \$8,000 worth, including a section 46 offence, which was: "filed a false Nomination Contest Financial Statement with the Chief Electoral Officer."

Again, to review, section 46 offences are considered a corrupt practice under the EFCDA. We have a situation where the ink is barely dry on these offences to publication. The amounts paid: they were issued on July 27, they were paid on August 31, and here we are – what are we? – November 24. That was actually pretty lightning speed, that now we are here debating ways that we can loosen up nomination contest rules. That's an awfully strange sort of – I don't know – three, four month coincidence, friends. That seems like the sort of thing that the public might want to talk about, and certainly that is the sort of thing that might be canvassed at a committee should this bill be referred, which, I would submit to you and through you, Mr. Speaker, it ought to be.

Now, here's the thing. It was the Member for Calgary... [A timer sounded] I will conclude my comments. Thank you.

The Speaker: Are there others? The hon. Member for St. Albert.

Ms Renaud: Thank you, Mr. Speaker. It's my pleasure to rise and speak to Bill 81, election statutes. I was just listening to some of the comments, going down memory lane here a little bit. I was thinking,

you know, it's interesting that I'm about to talk about this bill and what I think is wrong with it, and then I think about the bill that we introduced. It was actually the first bill that we introduced after forming government in 2015. I was so proud of it, and it was called Fair Elections Financing Act. You know, it wasn't complete. We certainly needed to add some things and do some additional work, which is why the Select Special Ethics and Accountability Committee was struck, but what Bill 1 did was start to lay a foundation for fair elections. That meant looking at how much money was involved in nomination races, in general elections and about third-party advertising. Some of it was about reporting about transparency.

Certainly, at the time I can remember some of the members across the way, maybe over there, too, just sort of lighting their hair on fire because: oh, my gosh, this just doesn't go far enough, and this isn't going to fix anything, and if you really want to get big money out of politics, you need to do this and this. And then I was, of course, on the special select committee, so I got to hear them, you know, rage about what else was missing throughout that committee work, but one of the things I thought that we all agreed on in that committee was that we needed to do more work. We needed to really look at every contest: where money was coming from, where we were reporting, the transparency. I thought that that's what we agreed on. I thought that that was the direction that we all agreed that we were going. Clearly not. Clearly not, looking at this piece of legislation.

Honestly, I mean, I'm really not surprised. This is the least trusted Premier in the country, this is the most secretive government in the country, so to see a piece of legislation like this, I'm truly not surprised. You know, buried in this giant piece of legislation – certainly cleaning up some language in different sections, and that's fine. I think every piece of legislation should be reviewed on a schedule and clean things up when they're no longer necessary, but what this piece of legislation does is that it take us backwards. What's sort of insulting is that it's really sneaky. They can't change some of the basic things that we altered with Bill 1 and then the work of the committee, but what they're doing is just finding these ways to bring in money through nomination contests. That's incredibly – I mean, it's disappointing; it's not shocking because I think all of us, on this side anyway, and many, many Albertans have come to know that this is a government that cannot be trusted, that has demonstrated their willingness and openness to engage in corrupt activities frequently.

I mean, I can remember – I will never forget that day, actually, that we found out that this government decided, for budgetary savings, of course, that we needed to get rid of the independent Election Commissioner because – don't you know? – we were overspending, and it was really about tightening the belt and that he could reapply and could be hired somewhere down the road because, you know, this isn't about stopping an investigation. That wasn't the first time that we saw this government's penchant for corruption. Anyway, here we go again.

Bill 81: let's talk about what this piece of legislation does. Of course, this piece of legislation, honestly, changes the election laws so that big money once again – big, dark money, money that we don't know where it comes from – will be introduced into Alberta politics. I really did think, as much as we disagreed on a lot of issues back in 2015-2016, as much as we disagreed on some very fundamental things, I believed that we agreed on the fact that we wanted to work towards cleaning some of this up. I think that before 2015 we could probably all agree that Alberta really was the Wild West of election financing. I mean, the numbers were extraordinary. The levels were very high, and what that does – and you have to know this – is that it really does limit the people that can enter

politics, so of course we don't get a lot of diversity in places like this.

9:30

That was one of the reasons that we were trying to clean this up, but apparently this government has decided with its leader that it's more important that they introduce shady money back into elections because they are losing. They're losing fundraising. They are losing supporters. They've certainly lost credibility. They're losing, so what are they going to do? They're going to use their power and they're going to change things so that they can use a back door to get to where they want to go. That is incredibly disappointing, Mr. Speaker.

There are some key things that this legislation does, and one of the things that is really alarming is the fact that there are no limits on nomination donations. We know that Bill 81 is really rewriting election laws to allow big donors to dump cash into their party while concealing illegal donations that exceed the limit. So, basically, in addition to the lack of reporting, they're reducing transparency. They're also allowing for individuals to purchase party memberships on behalf of other people.

Now, oddly enough, that seems to be something that this government and this Premier are quite familiar with, it seems to me. We read reports of another meeting a few years ago – I think that was for the UCP leadership – where there were some young supporters bused in to help out. You know, I'm guessing that those memberships are bought. I don't know for sure. We've heard allegations again of what happened at this recent UCP AGM, but that really shouldn't surprise anyone. I mean, you can't really be surprised by this.

I think back to the time when all of this sort of started, when there were a number of people vying to be the leader of the Progressive Conservative Party. At the time the now Premier then said – and this was before. Actually, the committee was working on changing some election financing rules. We were doing that work, and at the time the then Premier said that he would disclose all of his donors for that leadership race in advance of the laws being changed that would require him to do so for a leadership race. He said that to Albertans. Then the election happened, he won, and – guess what – he changed his mind. But, of course, he trotted someone else out to say: well, you know, it was legal advice that told him he really couldn't disclose all of them.

Once again, none of this is surprising. This is a pattern. We know this is a pattern. We see this on a regular basis. Reducing transparency: that is another thing that this piece of legislation does by allowing other people to purchase memberships. It also limits the frequency of detailed reporting at the constituency association level, and all of us, I think, can agree in this Chamber that – well, maybe all of us won't agree, but I think it's important on a constituency level that each electoral district association or constituency association, however you want to refer to it, that there is transparency at that very grassroots level to know: where is that money coming from?

I think it's important for Albertans to know where the money in politics comes from. That's why we all are so critical about PACs. That's why we're all so critical about dark money. That's why this government is critical about donors to the NDP. I think Albertans want to know who is inserting money, who has got power, because, as my colleague said, I think we saw pretty quickly after 2019 who did well – right? – which lobbyists did well, which contributors did well. We continue to see it.

Mr. Speaker, you know, one of the other things that this legislation does: the restrictions on third-party advertising. This is not all bad, because I think restrictions are important, but if you look at some of the things that this piece of legislation is doing, it

really makes you wonder if the ultimate goal of this legislation is truly to establish a fair, equal playing field and to be able to identify who these third-party advertisers are, what their intent is, or is it to give an extraordinary amount of power to someone who can be influenced to make decisions that would determine who are third-party advertisers?

For example, this allows the discretion by the Chief Electoral Officer to deny and cancel third-party registration by applying vague or overly broad criteria to determine affiliation. That includes things like interactions and agreements, participation in decision-making, and the extent to which third parties have been involved in electoral campaigns or made public statements. Now, I'm certainly not – it would have been nice to have an independent Election Commissioner, don't you think? I do. I think it would have been good. I think an extra set of eyes that are independent of government would be a good thing.

I think back to this last municipal election referendum. Now, certainly, you know, I'm not saying that with the Chief Electoral Officer – I'm not sort of implying that he did anything wrong, but his office certainly employed some people that published some sort of sketchy information. Now, sure, it was just on Twitter, and, sure, it was just arguing with somebody on Twitter, but some of the things that came out of that office were pretty alarming. I would hope that the government would agree with that. They were sharing inaccurate information right before an election. That's alarming. So, once again, it would be a great idea to have an independent Election Commissioner, but I'll remind this House that we no longer have that because it was a savings, or was it, Mr. Speaker? I question that.

Anyway, some of the other things, some of the other major changes in this piece of legislation are that – hang on one sec here. Oh, I wanted to say one other thing about this piece of legislation, actually. You know, I would have thought that after all of this time, with all of the problems that Albertans have come to understand about what this government is capable of in terms of shady dealings and sort of corrupt actions, you would think that this government would actually take the time to try to clean up their reputation a little bit or to create legislation or to amend legislation and actually show that they had learned from what they had done wrong or maybe what they were caught doing so that going forward, that would be fixed. That's not the case. I would suggest that this is actually taking us backwards.

Let's go back. From the very first Progressive Conservative leadership race we had someone say – well, there was a lot of spending, a lot of money inserted into that race, but we will never know where it all came from. We had the now Premier, then candidate, say that he would disclose all donors. He did not. He chose not to do that. I question why. We had a kamikaze candidate. We had all of that fiasco, that was embarrassing. People don't seem to be embarrassed by that, but you should be. That was ridiculous. I mean, you can't win a fair race without doing something like that? That's alarming.

Then we had fines, hundreds of thousands of dollars in fines. We had multiple people investigated or have to go for an interview. We have a number of members that are sitting MLAs that have been fined for serious breaches of the law. They've been fined. You'd think that any kind of new legislation around election financing would look at that, maybe demonstrate that we want to make things better; we've learned from our mistakes. No, Mr. Speaker. We seem to be going in the other direction.

You know, we've got tampering during the UCP leadership, alleged tampering with the voting integrity and PIN numbers. We've had stories in the media about people being contacted by reporters and asked about their membership, and to their surprise,

they didn't even know they were members. But guess what. That's going to be pretty much legal now. People can buy memberships on behalf of other people.

It's just astounding to me, Mr. Speaker, that this government – there seems to be no recognition of the fact that Albertans have so much distrust. They don't trust what this government says. They don't trust that they're going to do the right thing. They have seen over the last two-plus years example after example after example of broken promises, about shady, questionable decisions, about actions that have that have involved law enforcement, RCMP, that have involved hundreds of thousands of dollars in fines, yet what this government is focused on is: let's create a piece of legislation that makes it just a little bit easier to hide money. Let's make it a little bit easier for lots of money to be inserted into politics.

9:40

The Speaker: Are there others? The hon. the Minister of Justice and the Solicitor General on REF1.

Mr. Madu: Thank you, Mr. Speaker. You know, it's interesting listening to the members opposite talk about the Bill 81, the Election Statutes Amendment Act, 2021 (No. 2), and talk about how all of a sudden this bill is going to bring in dark money. I've listened. I heard a bit of what the Member for Edmonton-South and then the Member for Lethbridge-West and now the Member for St. Albert – spewing all kinds of things that only exist in a figment of their imagination, that you will not find in this bill.

To be clear, Mr. Speaker, here is what this bill will do. Here are the things that this bill will do. This bill would ban foreign money in our politics right here in our province, something that the members opposite are not interested in. They had the chance in four years, 2015-2019. They brought all kinds of electoral reforms but did not touch that at all. It never concerns them that foreigners and people outside of our province, you know, spend millions of dollars in influencing our elections, monies, millions of dollars that go directly to the NDP and their campaign. None of that matters to them at all. None of that. [interjection]

You can see, you know, Mr. Speaker, they are all of a sudden beginning to whine and heckle, but whilst they were spewing all this nonsense, we sat here, did not interrupt them, because we knew the bill before us. As always, they stand up here. Rather than read the bill, debate on the substance of the bill, they stand here and spew nonsense. That's what they do, and that's why any time you attempt to point to their record, they begin to heckle and they begin to whine.

This bill will ban foreign money, something that is important to me, to members on this side of the aisle, and to Albertans because we do believe fundamentally that only the people of this province should determine the outcome of their election, something the NDP doesn't believe at all.

Mr. Dang: What about nomination contests?

Mr. Madu: Mr. Speaker, the second thing that this bill would do . . .

Mr. Dang: Unlimited donations.

Mr. Madu: . . . is to actually close the loophole. I can see the Member for Edmonton-South, as always, you know, shouting here. He needs to take a lesson in listening without shouting.

Mr. Speaker, the second thing that this bill will do is to actually close the loophole that the NDP created, that allows the Alberta Federation of Labour – that is written directly in their constitution in section 7, a member of the NDP Provincial Council, you know,

an organization that has got to determine whether or not the NDP goes forward or backward or sideways, gave them a loophole that they have been using for years to funnel in tens of millions of dollars to only one political party alone, and that party is the NDP.

This bill will eventually cap that to \$30,000 – \$30,000 – so that Gil McGowan will not have the opportunity to funnel millions, multimillions of dollars to the NDP for their campaign. Mr. Speaker, that is the second thing that this bill will do, by the way, a commitment that this government and our political party, the United Conservatives, made to Albertans. Once again a promise that we made, a promise that we are keeping with Bill 81, and I am proud of that. All members on this side of the aisle should be proud that we are keeping that commitment to Albertans to make sure that donations to PACs, the third-party advertisers, are limited to \$30,000 rather than the current state of the law that allows multimillions of dollars to be channelled towards PACs.

Mr. Speaker, the other thing that this bill will do is to make sure – by the way, you know, up until the NDP made the changes that they made when they came to office, PACs were not an issue in our province. They created PACs. It was never an issue right here in our politics. PACs were created by the members opposite. The dark money that they're talking about – you sit down here all the time. You listen to them. They talk about dark money, dark money. Guess who put the dark money in Alberta politics? The NDP. They did.

You know, they talk about that all of a sudden we are going to introduce dark money through our nominations, that we're going to spend an unlimited amount of money on nominations. Far from it. That is complete nonsense. There is still going to be a limit, a cap, on how much money anyone seeking the nomination of their party can spend. Mr. Speaker, hear this: right now it is \$10,000. In Bill 81 it will be \$12,500. That is the maximum amount of money that any nomination contestant can spend on a nomination. [interjections]

Now, the reason why they are heckling and they are focused on this piece of the bill is because the NDP – although they call themselves democratic, there is nothing democratic in their name. They do not hold nominations. I saw that in Edmonton-South West in 2019. Across the province they rarely hold nominations. This is a political party that believes in appointment, an undemocratic system of choosing their nominations. [interjections] That is why, you know, they are all of a sudden heckling about this provision, Mr. Speaker. They are not known to conduct nominations. They are not known to give Albertans who want to compete in their political party the opportunity to contest the nominations. They appoint.

By the way, Mr. Speaker, they also – as the constituency it's important to know this. The NDP think that they are smart. You know, their constituency associations do not have to bother with raising money for their community associations or even the candidate. All of their donations go to the central party, and then the central party gets to distribute all of that particular money to their candidates in various elections. That's what happens with the NDP and another reason why they're so mad with Bill 81. Maybe – and this is a good thing – perhaps this bill will finally get to force them to conduct nominations. That will be a good thing for our province, a good thing for our democracy, that once again the NDP can hold nominations.

You know, Mr. Speaker, if you listen to them, if you listen to the NDP – this is a 158-page bill. This is arguably the second-biggest bill ever introduced in this Legislature, if my calculations are right, and there's only one thing in a 158-page bill that would modernize and reform our electoral laws for the good of our democracy and the people of this province, there's only one thing that they

complain about: the individual expense limit for nominations. Nothing else. I have not heard anything else. Nothing else. That is the one thing they pick on. Why? Because they as a political party do not hold nominations. For those of us who were here in 2019, you could go from constituency after constituency – for me in Edmonton: I challenge the members opposite to show me which riding in Edmonton there was an election. None. None. Not even one. This is why they are so pissed off with this bill for its wording. I withdraw.

9:50

You know, Mr. Speaker, again, PACs. We made a commitment to the people of our province that we would get rid of big money out of our elections so that the ordinary people of Alberta can decide the outcome of their elections. That is exactly what this bill will do, amongst other things. This bill will also establish a set election date, a commitment that this government made to the people of Alberta. Finally, Bill 81 will accomplish that. The election will now be held on the third Monday in the month of May every four years. Again, a promise made, a promise that we are keeping to Albertans. The amendment will also help voting stations run more smoothly by allowing election officers to perform a wider range of assigned duties instead of being restricted to specialized roles.

This particular bill, Bill 81 – you know, you often hear the members opposite saying, “Where is that Recall Act that we passed?” as if there were some ulterior motive behind why that particular bill is not operative. It is simply because my department has been busy working on the regulations to bring into effect that particular act. This bill, Bill 81, would update election-related legislation to include references to the new Recall Act and Citizen Initiative Act, part of the process to make sure that we complete the regulation that will enable us to bring those pieces of legislation into effect.

You know, Mr. Speaker, what other changes is this bill making? This bill will also allow for increasing the number of advance voting stations, something you would think the members opposite would be interested in. We are going to increase advance voting stations where needed to make it easier for Albertans who want to vote early. The amendment will also require voters to produce identification to vote in provincial elections, something that is done right now at the municipal level as well as at the federal level, thereby ensuring the integrity of our electoral process.

All that the members opposite want to do is to prevent all of this good stuff from proceeding by putting forward this referral amendment that only seeks to delay all of the good stuff contained in Bill 81 because they know exactly what Bill 81 will do; it will plug the source of their dark money.

Mr. Speaker, I have no doubt in my mind that their super PACs at AFL and other places, somewhere they are dishing out instructions on what they need to do to derail this particular bill. But I’ve got news for them. I’ve got news for them. The people of Alberta want this bill to be passed because it would keep all of the commitments that we made to Albertans in 2019, a commitment that was part of our platform on what we need to do to get rid of dark money in our politics.

Mr. Speaker, by the way, you know, I recall the same accusation being made when I was Minister of Municipal Affairs in this House with respect to Bill 29, the Local Authorities Election Amendment Act, 2020. They said: that is going to introduce big money, dark money into politics. Guess what. We just had a municipal election on October 18. Guess the people that actually spent millions of dollars. A union in Calgary spent \$1.8 million in supporting NDP-allied candidates.

The Speaker: Are there others wishing to join in the debate? The hon. Minister of Community and Social Services on REF1.

Mr. Luan: Thank you, Mr. Speaker. I would like to adjourn this debate, so we’ll have more chances to get back to this at a later time.

[Motion to adjourn debate carried]

Government Bills and Orders Third Reading

Bill 85 Education Statutes (Students First) Amendment Act, 2021

The Speaker: The Minister of Education.

Member LaGrange: Thank you, Mr. Speaker. I’m incredibly proud to rise and move third reading of Bill 85, the Education Statutes (Students First) Amendment Act, 2021.

I would like to begin by acknowledging the members of this Chamber for their support for the contents of Bill 85 overall. I would also like to recognize the excellent, dedicated teachers and teacher leaders who ensure the success of students across this great province each and every day. To those teachers: thank you.

Mr. Speaker, I want to address Alberta’s teachers, who are amazing professionals, who are highly valued and crucial to the success of our students during their school years and for the rest of their lives. This bill would give parents additional peace of mind and confidence when their children go to school each day in Alberta. It would do this by improving how timely, in those rare instances of professional misconduct, a teacher or teacher leader such as a principal or superintendent is disciplined.

Mr. Speaker, shortly after I introduced the students first act in this House, the members opposite claimed that it was a distraction and that it was redundant. I find these comments to be absolutely disgraceful. I’ve said it before and I’ll say it again: the safety of our students is not a distraction. Also, as you heard during the Committee of the Whole debate, the members opposite spent virtually the whole time discussing the title, not the content but the title, of this particular bill and completely failed to add anything meaningful to the debate on the content.

Time and time again we see the members opposite continue to show that they prefer to support unions and put unions first. But, Mr. Speaker, this bill has nothing to do with politics. It is about protecting students and making sure that every time they step into the classroom, they are safe and in a caring environment. This bill puts forward real changes to increase transparency and accountability in disciplinary processes. More importantly, this bill will put students first. On this side of the House we take student safety very seriously, and I remain hopeful that the members opposite will join us.

Mr. Speaker, when I was appointed as Minister of Education, I began to hear and see heartbreaking stories where teachers abuse their power and sometimes they hurt students. These cases are very rare, but they do happen, and even one student hurt is one too many. Students can suffer from long-term physical, emotional, and psychological damage when cases like this happen. It can affect them for the rest of their lives.

This bill is about making sure parents, students, and members of the public have the absolute confidence and trust in our education system. The students first act could create a public online and searchable database of Alberta teacher and teacher leader information, bringing Alberta in line with other provinces. It will

also enhance public trust by requiring employing school authorities to obtain a criminal record check with a vulnerable sector check when hiring a teacher or teacher leader. They would also be required to do so every five years onward while the individual is employed. This would ensure that those working with our children are vetted and do not have a criminal record and would extend to early childhood services established under the Education Act that require certificated teachers.

10:00

Let me be clear for my colleagues across the floor of this Chamber as they continue to be confused about this topic at hand. While most Alberta school authorities typically request a criminal record and vulnerable sector check, this statutory requirement would make that practice consistent and mandatory across the province for all employing school authorities. Again, many school authorities currently do this for initial hires. Alberta's government is making sure it happens everywhere for all hires and all teachers and all teacher leaders every five years.

Mr. Speaker, Bill 85 would also require that the Alberta Teachers' Association notify the registrar at Alberta Education of all complaints filed under the Teaching Profession Act, something that currently does not occur, and it would establish an expedited process to cancel certificates for teachers who have been convicted of egregious crimes. This will save victims from undergoing a redundant hearing process and possibly being re-traumatized. Since the members opposite are always so concerned about what appears to be redundancy – at least, that's what they continue to tell us – I'm sure they will be supporting this important piece of Bill 85.

Lastly, Mr. Speaker, Bill 85 proposes to realign the Alberta Teachers' Association's disciplinary committee structures established under the Teaching Profession Act to ensure that every case is heard in a timely fashion.

Much of what we are proposing in this bill in terms of public disclosure of information brings us in line with other provinces, and as I said before, right now Alberta is an outlier in this area. Mr. Speaker, I am confident that all members in this Legislature, at least those on this side of the House, as well as the vast majority of Albertans, including members of the teaching profession, would agree that these improvements are long overdue. It's time to put students first when it comes to teacher and teacher leader disciplinary cases. At its core Bill 85, the students first act, 2021, would ensure safety for students, confidence for parents, and raise the stature of the teaching profession in Alberta. This is just the beginning. Nothing is off the table when it comes to student safety in this area, and I will continue to look for other opportunities and ways to improve our processes that increase transparency, accountability, and timeliness in the disciplinary process.

I am proud that I have always been a defender of children. As a parent, as a grandmother, as a rehab practitioner working with the developmentally disabled, as a school board trustee, and now as an MLA and Minister of Education I take that responsibility of the well-being of our children very, very seriously – and I will always – because the abuse of even one child is one too many.

Mr. Speaker, I call on every member in this House to vote in favour of Bill 85, the students first act, 2021, because it is the right thing to do. Thank you.

The Speaker: Hon. members, the hon. Minister of Education has moved third reading of Bill 85, the students first act. Are there any wishing to join the debate? The hon. Member for Edmonton-Decore.

Mr. Nielsen: Well, thank you, Mr. Speaker. I appreciate the opportunity here this evening in third reading to provide some comments around Bill 85, the Education Statutes (Students First) Amendment Act, 2021. You know, I've listened intently through the debate. I was lucky enough to hear the minister's opening comments during second reading and, of course, again in Committee of the Whole earlier this evening and just now here in third, so I'd be remiss if I didn't perhaps go through a couple of the recaps of some of the debate for those that maybe haven't had the opportunity to listen to that.

In the opening comments of second reading the minister, I would even go so far as to say, lectured the opposition a little bit about language. Now, as everybody knows, since the start of the entire 30th Legislature something I have been very, very much hammering on is around language: what's said, what meanings words have, what's not being said, things like that. So I'm encouraged that the Education minister is taking language so seriously, as she should. If maybe I could provide a suggestion, encouragement to the Minister of Education: perhaps if you're going to lecture the opposition a little bit about language and words and what they mean, hopefully you'll pull the Justice minister aside and explain to him the meanings of "may," "will," and "shall" because clearly there is a little bit of work to do there.

Now, one of the other things I just finished hearing about here in the opening of third reading – the minister was very, very clear about this, I'm glad to hear – is taking students' safety seriously, as you should, as we all should. But language that's been presented in this House for members to vote on versus what you're saying are butting up against each other yet again, where we've had legislation that very, very clearly reduced protections for students who are LGBTQ2S-plus. Those words don't match up with the legislation we've seen.

I've also heard things around, shall we say, expressing some displeasure with some members possibly characterizing this bill as some duplication. As the critic for red tape reduction, one of the things I've clearly heard from the red tape ministry is to get rid of duplication, so I certainly would have been curious to hear what the associate minister of red tape thought about this. Was it creating duplication? I'm not necessarily saying that it's wrong; it's just duplication.

Does that now place a burden on the associate minister to try to find other regulations to get rid of in a hurry to keep it that one in, one out promise that was made, a policy that is, I guess, being directed to every single ministry by the associate minister to do this? Is there going to be pressure now on your ministry to have to find somewhere to cut back because of this possible duplication? I'm not saying that it's bad. I'm just saying that, based on the mandate of the red tape ministry, if you're duplicating processes here, that's not what's supposed to happen, so I'm wondering what the reaction is going forward around that.

I am encouraged about your one comment there around: nothing is off the table. Based on the advice I just gave you around reducing the strength of legislation for GSAs and whatnot, I would hope that you will revisit that, to put students first, as your title says, and strengthen that legislation, not so that it lines up with everybody else but that it absolutely leads the way, like it was before it was changed.

Now, one little side note, Mr. Speaker, that I noticed about this bill. There are, I believe, three different acts that are changed from this. I remember back in the 29th Legislature when – oh, I don't know – a certain labour bill came forward, and there were changes to labour, and there were massive complaints about it being omnibus in nature. I personally don't see that as a problem here because at least all of the changes are staying within your ministry, but it'd be nice to maybe educate some of your colleagues on this subject.

10:10

I guess my final thought around the language. Earlier you had mentioned how teachers are just amazing, amazing individuals. I highly agree. I would even throw in another “amazing.” Yet a very good friend of mine – his wife is a teacher – was incredibly incensed. And it’s not just her; I have heard from countless teachers in Edmonton-Decore. I have 26 schools. When the Premier said, “Well, you just need to tidy up a little bit,” they felt incredibly, incredibly disrespected. So if there’s this new-found faith in language, I would hope that you might encourage the Premier to reconsider those words and possibly even apologize for them because they were hurtful. I’ve heard that clearly, full stop.

Now, again, you know, while I’m not opposed to these police checks for incoming teachers, I think having one policy right across the board will indeed keep things clear. I am curious, because I don’t think these things are free. Where are those costs going to be borne? Are they going to be borne by the individuals coming in? Are they going to be borne by the school boards for checking? I would be curious to see who ends up with the final bill on that one because right now there are a lot of Albertans that are struggling, even ones that are trying to become teachers. They’ve seen their costs go up left and right in a bunch of different directions. Potentially adding another one just doesn’t help the situation, so I’m hoping that perhaps, maybe in closing, we might see a little bit about that.

On the contents of the bill itself – and I know the minister doesn’t like this, but it’s right in the title, “Students First” – it’s about the language. You’ve made that very, very clear from the very opening of this entire debate. The language doesn’t match up with the things I’ve seen done in the past. It doesn’t match up. I think my colleague from Edmonton-Whitemud was very, very clear in some of her comments around this and what she was saying. It doesn’t line up with what you’re saying. As I said, this is something I’ve hammered on to try to get through to members of the government and the government caucus that what they say doesn’t line up with what they bring in or what they bring doesn’t line up with what they say. We’re constantly at odds with that.

I would be remiss if I didn’t mention the number of times that I’ve heard the opposition to the curriculum, that it will negatively impact our students. If we do indeed believe that students are first, based on the feedback that you’ve clearly received – I know I’ve received it; I’ve seen everybody else copied on it – we have to rethink what we’re doing around this curriculum if we want to place students first. If we manage to do all the police checks that we want and get absolutely all the best professionals we can possibly get our hands on teaching, if they teach a failed curriculum, our students fail because they won’t lead on the world stage, and that does a really, really big disservice to Alberta, Mr. Speaker.

I’m more than happy to support the bill. I certainly hope that some of the things that I’ve managed to point out will be taken for what they are. It’s my job as a member of the opposition, as a critic for red tape reduction to provide that insight that we see from here, that we’re hearing from our constituents, to try to bring the best legislation forward that’s possible. Mr. Speaker, my hope is that others will, too, indeed vote in favour of this bill.

I guess that before I close, perhaps, maybe I will also suggest that although teachers belong to a union, this villainization that I keep hearing about labour groups – there are a lot of unionized workers in this province, including oil and gas, that don’t deserve that. Again, if you’re going to start pointing to language, start maybe appreciating some of these unionized workers that build our province. I’ve always said, Mr. Speaker, that I’m very proud to have been a union member, and I still feel that way in my heart. I owe a

lot to UFCW local 401, which was my union. They led me to where I am today, to be able to advocate for hard-working Albertans, whether they’re not part of a union or they are part of a union.

We can do better. I really hope this is the beginning of this conversation around language because we really, really need to step up the game based on what we bring in versus what we say about it versus what doesn’t a piece of language say. At the end of the day, it doesn’t matter what we create if an individual – once we’re all gone and can’t answer for what was happening here this evening, are they going to be able to read the same thing?

Again, I hope people are willing to vote in favour of this bill. I certainly will be. Let’s truly put students first, look at the things we’ve done, and perhaps, maybe, rethink some of the things.

The Speaker: Hon. members, I see the hon. Member for Edmonton-Gold Bar is rising.

Mr. Schmidt: Thank you, Mr. Speaker. I’m pleased to rise and offer some thoughts on Bill 85, the Education Statutes (Students First) Amendment Act, 2021. First of all, I want to thank my friend from Edmonton-Decore for his interventions. I also want to thank my friend from Edmonton-Whitemud for her thoughts on the matter in Committee of the Whole. Indeed, I would like to start off by saying that I, along with my Official Opposition colleagues here, support this bill.

When I heard the Minister of Education talk about her desire to protect children, make sure that they keep them safe in school, I was nodding in agreement. I want nothing other than to keep my own children safe in school, as the minister does and as she stated the intent of this bill is. So of course we’re going to vote in favour of measures that are going to make sure that teachers who are found to be guilty of the kinds of activities and behaviours that put students at risk be kept out of our classrooms. Of course we’re going to do that.

10:20

You know, it was interesting to hear the minister talk about a particular case of a student who was sexually assaulted by their teacher. She went on to talk about: how would you feel if your child were going to school every day at risk of being victimized? As a parent of three children, two of whom are currently in the primary and secondary education systems in this province, I have that fear. I want my children to be safe at schools. I just wish that the minister would extend that care and concern when it came to COVID.

You know, I took a look at – the minister was concerned about children being victimized. Well, Mr. Speaker, could you imagine putting your children into a situation where they could become infected with a disease that causes permanent lung damage, causes permanent kidney damage, causes permanent brain damage? The minister can’t even be bothered to get up and answer questions about COVID safety in schools most of the times when we’re here in question period. She hands that responsibility off to the Health minister or the Premier. It’s absolutely indefensible that this Education minister continues to avoid . . .

The Speaker: Hon. member, there’s no need to be pointing at the minister and making accusations about what she will and will not answer.

Mr. Schmidt: How do you know she’s here?

The Speaker: I know lots of things. The presence of a member is one of them.

Speaker's Ruling Decorum

The Speaker: Listen, I don't mind if you want to discuss the policies that are in this piece of legislation, but I'm not convinced that pointing and making very aggressive language towards the minister or any other member of the Assembly is in order. I'm certain that you can get your point across in a manner that's becoming of yourself.

Mr. Schmidt: Thank you, Mr. Speaker. I appreciate that reminder.

Debate Continued

Mr. Schmidt: It's incredibly frustrating to me. I have been carrying a lot of anger and frustration with the failures of this government to protect children in school, as have hundreds of thousands of parents across the province. I don't mean to point my finger in a way to be disrespectful to the minister any more so than she has been disrespectful to the children who are in her care every day by failing to protect them from COVID. [interjections] I hear the members from the government caucus, looking at me with wide eyes and mouths agape. Read the Education Act. They are the responsibility – they are the responsibility – of the Department of Education when they are on school property.

Mr. Smith: They're in loco parentis, not the parent.

Mr. Schmidt: If the Member for Drayton Valley-Devon is so concerned about safety in schools, I wish that he would take any opportunity, either here in this Legislature, on social media – he could walk out and do an interview with the Drayton Valley paper if he wanted to – and demand that this government do something more to protect children from COVID in schools, but he hasn't. None of these UCP caucus members have said a single word.

I just reviewed the COVID statistics today. Almost 80,000 kids of school age have contracted COVID in this province. How many of them have contracted it in schools? We don't know because they ended contact tracing, and then they've half-heartedly reinstated it. My friend from Lethbridge-West was told five days after her child was exposed to a COVID case in her class. How is that acceptable? So it's incredibly frustrating to hear the minister continually avoid taking questions, answering questions on this matter.

Then to see her own department also duck and dodge questions on the matter of COVID safety at schools in Public Accounts was even more frustrating, Mr. Speaker. In their budget they claimed that they spent – what was it? – a billion dollars on COVID response, but when you dig down into it, almost none of that money actually made our kids safer in schools. In fact, only about \$40 million was directed to ventilation upgrades, which is one thing that would actually keep our kids safer in schools. Forty million dollars. What's the annual budget of the minister's department? Eight billion dollars? It's a drop in the bucket.

Then we find out that, "Oh, we couldn't possibly tell school boards what to spend their capital maintenance and renewal dollars on." The minister has no problem telling school boards to fire 20,000 educational assistants when it suits her. She's absolutely telling school boards what they have to do with respect to criminal record checks and whatnot when it comes to teachers, but when it comes to COVID, the single most important issue facing the province right now, she has nothing to say about it.

Mr. Smith: Point of order.

The Speaker: A point of order is noted.

Point of Order Relevance

Mr. Smith: Mr. Speaker, I would refer to 23(b)(i). When I look at this, when I look at the bill that's presently under discussion, Bill 85, I see that it talks about the Education Act, I see that it talks about the Teaching Profession Act, and I see that it talks about professional conduct of executive councils and teachers and superintendents. It talks about a wide range of things that the member could be addressing and contributing to the debate of this House.

I'm having a very difficult time trying to figure out, in a bill that doesn't once mention COVID, how COVID fits into this bill. [interjections]

The Speaker: Order. Order. You'll have your chance.

Mr. Smith: While I understand that there are opportunities to weave in – and we've all been here. We all understand that there are times when we want to address some of the issues of the day, but you have to make some attempt to actually address the content of the bill. If he wants to talk about a judicial review, if he wants to talk about any of the things that are in here, criminal record and vulnerable sector checks, that would be germane to the topic of the bill.

I would argue, Mr. Speaker, that we've been very patient. We've given him lots of time to try to get to the substance of the bill. He hasn't done so already, so I would ask that maybe you rule on whether he's speaking to matters other than the question that is under discussion.

Thank you.

10:30

The Speaker: The opposition deputy House leader.

Mr. Dang: Thank you, Mr. Speaker. I think that certainly my hon. colleague from Edmonton-Gold Bar is providing context to our discussion. We've seen that at quite some length tonight. We've debated Bill 85. Indeed, at many points we've had the opportunity to bring in context around what this government is or, frankly, is not doing in terms of actually supporting our students and ensuring that they have safe school spaces, right?

Mr. Speaker, I think it is important, when we look at a bill which is titled in such a manner, that we talk about what this government is doing and what the bill is doing in that context of failing to protect our students during the COVID-19 pandemic, failing to ensure we have effective contact tracing, failing to ensure that we have systems in place that would allow us to have safe school environments. When we look at the bill and how we understand it in the current political context, in the current climate that we have in this global pandemic, it is important that we discuss all these matters, and it is important that we have the opportunity to discuss all these matters.

I know that my colleague only has a few minutes left here, Mr. Speaker. I look forward to your guidance.

The Speaker: I'm prepared to rule on the point of order. I would just state that third reading of a piece of legislation is primarily set out to comment on the bill in its final form at third reading and whether that bill accomplishes the goals that it's set out for. I am appreciative that the bill is about the safety of children, so I can appreciate that the hon. Member for Edmonton Gold-Bar would want to speak about issues that specifically relate to the safety of

children, but I would encourage him to make sure that's done in the context of the bill before the Assembly.

When members debate the policies in legislation that are before the Assembly, the decorum is almost always better than when they are using it to discuss other issues, albeit important, but that may not have to do with the content so much of the legislation before us.

I think that is a broad comment, as a bit of a reminder for the member. I don't find this a point of order at the time, but I do encourage the member to speak to the meat of the matter.

Debate Continued

Mr. Schmidt: Thank you, Mr. Speaker. I will thank the Member for Drayton Valley-Devon for his point of order, in which he pointed out that teachers have to undergo a vulnerable sector check because students are vulnerable people. They need to be protected. That's the intent of this bill. You know, it's my opinion that this bill achieves some measure of protection for our students in school, but in my view it doesn't go far enough. There is so much more that needs to be done to protect our students.

You know, the minister has failed to adequately mitigate the transmission of COVID in schools, and now she's refusing to even allow COVID vaccine clinics in schools and says: well, we couldn't possibly do it. It's a funny thing. I just checked my daughter's SchoolZone account, Edmonton public school board's online portal. What's the first thing that shows up on the calendar? Grade 7 vaccinations. Why is the minister either unaware or unwilling to admit that vaccinations already happen in schools and that it would be administratively incredibly simple to just expand existing vaccine programs to include COVID vaccines in schools? They're already set up to do it.

It can't possibly be financial constraints, Mr. Speaker. One of the most appalling things about this minister's record is that in her budget last year she underspent the amount budgeted by almost \$300 million. In a year when 77,000 kids have contracted COVID, some of whom contracted that in schools, it is outrageous that she left \$300 million unspent that could have gone to providing some measure of protection from COVID infection in schools.

It's not too late, Mr. Speaker. I really hope – I come to work every day thinking that maybe today is the day that the minister has a change of heart and realizes that today is the day that she can act to protect kids in schools. It is not too late. Roll out vaccine clinics. Improve the ventilation in schools. Make sure that kids have access to N95 masks. Maybe impose a vaccine mandate on staff province-wide. There are so many things that this minister could do to keep kids safe, which is her stated intent. I really, really hope that she comes to work tomorrow with her heart changed and will leave no stone unturned in keeping kids safe and that she lives up to the goal that she has set for herself. I really hope – I really hope – that we're going to see the day soon when hundreds of thousands of parents don't have to worry about whether or not their kids are going to be safe when they go to school.

Mr. Speaker, to sum up, I'm pleased to support this bill. I hope the minister takes my words to heart and does everything in her power to keep kids safe, including safe from COVID, and I urge all of my friends to vote in favour of this bill.

With that, I move that we adjourn debate.

[Motion to adjourn debate carried]

Government Motions

The Speaker: The hon. Minister of Jobs, Economy and Innovation on behalf of the Government House Leader.

Office of the Child and Youth Advocate

105. Mr. Schweitzer moved on behalf of Mr. Jason Nixon:
Be it resolved that:

1. The 2020-2021 annual report of the office of the Child and Youth Advocate be referred to the Standing Committee on Legislative Offices for review;
2. The committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued;
3. In accordance with section 21(4) of the Child and Youth Advocate Act the committee shall report back to the Assembly within 90 days of the report being referred to it if the Assembly is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

The Speaker: Hon. members, Government Motion 105 is a debatable motion pursuant to Standing Order 18(1)(i). Is there anyone wishing to provide additional questions or comments to the motion?

Seeing none, I am prepared to call on the minister to close debate.

[Government Motion 105 carried]

The Speaker: The hon. the Minister of Jobs, Economy and Innovation on behalf of the hon. Government House Leader.

Select Special Real Property Rights Committee

106. Mr. Schweitzer moved on behalf of Mr. Jason Nixon:
Be it resolved that the Legislative Assembly extend the deadline by which the Select Special Real Property Rights Committee must submit its report to the Assembly in accordance with clause 7 of Government Motion 69 from December 15, 2021, to June 15, 2022.

The Speaker: Hon. members, this is a debatable motion pursuant to Standing Order 18(1)(a). Is there anyone wishing to join in the debate?

Seeing none, I am prepared to call on the minister to close debate.

[Government Motion 106 carried]

10:40 Select Special Information and Privacy Commissioner Search Committee

107. Mr. Schweitzer moved on behalf of Mr. Jason Nixon:
Be it resolved that:

1. A Select Special Information and Privacy Commissioner Search Committee of the Legislative Assembly be appointed, consisting of the following members, namely: Mr. Walker, chair; Mr. Turton, deputy chair; Mrs. Allard; Mr. Carson; Mr. Dang; Mr. Dreeshen; Ms Ganley; Mr. Long; and Mr. Stephan. for the purpose of inviting applications for the position of Information and Privacy Commissioner and to recommend to the Assembly the applicant it considers most suitable to this position.
2. Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the chair.
3. In carrying out its responsibilities, the committee may, with the concurrence of the head of the department, utilize the services of members of the public service

- employed in that department and of the staff employed by the Assembly.
4. The committee may, without leave of the Assembly, sit during a period when the Assembly is adjourned or prorogued.
 5. When its work has been completed, the committee shall report to the Assembly if it is sitting; during a period when the Assembly is adjourned or prorogued, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

The Speaker: Hon. members, this is a debatable motion pursuant to Standing Order 18(1)(h). Is there anyone wishing to join in the debate?

I am prepared to call the question. Are there any others?

Seeing none, the hon. Minister of Jobs, Economy and Innovation to close debate?

[Government Motion 107 carried]

Ms Issik: I move that the Assembly adjourn until 9 a.m. Thursday, November 25, 2021.

[Motion carried; the Assembly adjourned at 10:43 p.m.]

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