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The 30th Legislature
Second Session

Alberta Hansard

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Day 39

The Honourable Nathan M. Cooper, Speaker

Legislative Assembly of Alberta

The 30th Legislature

Second Session

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Legislative Assembly of Alberta

7:30 p.m.

Monday, July 6, 2020

[The Deputy Speaker in the chair]

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

Government Bills and Orders Second Reading

Bill 25

Protecting Alberta Industry from Theft Act, 2020

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

Mr. Schweitzer: Thank you, Madam Speaker. I'm pleased to move second reading of Bill 25, the Protecting Alberta Industry from Theft Act, 2020.

We heard loud and clear from Albertans that scrap metal theft is a huge issue, particularly in rural communities across Alberta, but it's also an issue in our bigger cities as well. This bill that we're proposing with these amendments is going to strengthen the ability for us to make sure that we have compliance with our scrap metal dealers when they buy materials. It's going to make sure that we have the ability to scrutinize the details of those to make sure that we have honest transactions.

Too often and for too long we've had the ability of those who are trying to monetize stolen property – they would try to do that through scrap metal yards. We have to make sure that we're there for law-abiding Albertans, that are worried about safety in their communities. We've heard horrifying stories of people that have been going in, creating unsafe work environments, where they've disrupted and pulled copper wire out from active well sites, with people that are going to work in the morning not knowing if they're going to have a safe working environment. This is meant to combat that. It's meant to make sure that we have the strongest protections here in Alberta, to make sure that we have safe communities, you know, from the north all the way to the south. We heard this loud and clear in our rural town halls last year.

I hope that all members of this House support this bill and support this amendment. It's needed to make sure that we keep everybody safe, Madam Speaker.

The Deputy Speaker: Any other members wishing to speak to the bill? The hon. Member for Edmonton-Decore.

Mr. Nielsen: Well, thank you, Madam Speaker. I appreciate the opportunity tonight to rise and speak to Bill 25, the Protecting Alberta Industry from Theft Act, 2020. My understanding of this bill, of course, is that I guess it's a bit of a – and certainly the minister can correct me if I'm, you know, partially wrong on this – bring-forward from a private member's bill that was never actually proclaimed. So there have been some amendments to it in order to, I guess, kind of bring it up to date.

We're looking at how we can better deal with scrap metal theft. I think one of the biggest things that we've seen as of late is theft of catalytic converters. I belong to a group on Facebook in the north end. I've seen that coming up from time to time, mostly from trucks, which, of course, worries me because I drive a truck. I'm wondering if maybe mine is next, but hopefully that's not the case. With this bill, we'll be able to look at that.

I guess, more importantly, I want to maybe speak a little bit around the rural areas of Alberta and how we're going to be able to

effectively deal with that. I understand that some of the new police hires will be directed towards this effort. Of course, I know we're only in second reading right now, so I'm not expecting the minister to jump up and, you know, try and answer all the questions here in a mere five minutes' time. Hopefully, once we get to Committee of the Whole, we'll get the opportunity to have a little bit more fulsome back and forth on that. But I'm wondering: what's going to be kind of expected around this unit? Are they going to be expected to potentially go to calls as they're happening, or is it after the fact? I'd be curious to see how that's going to come forward as this bill is implemented.

You know, we've also seen metal thieves that are simply entering a property. You already addressed that in your opening remarks here in second reading, active well sites and whatnot. How are we going to be looking at this new unit potentially, I guess, patrolling these sites? How are we going to address some of those things?

I guess, delving a little bit deeper into this, obviously, there are going to be some requirements now for scrap metal dealers to check identification when purchasing or receiving scrap metal. I'm wondering: is that going to be an online approach, is it going to be a paper model, and what kind of record retention language are we going to be looking at in terms of what dealers might have to retain, for how long, things like that? They'll also be required to document the sales and other transactions of scrap metals. Being the red tape reduction critic, you know, I have to ask: what was the feedback from the Associate Minister of Red Tape Reduction around that? Because we're going to be introducing these new requirements of dealers and whatnot, were there any concerns about: what do we need to take out because of that commitment of a one-in, one-out approach?

This will also allow for investigations and fines, so again I'm kind of wondering how those are going to be implemented and enforced. Then scrap metal dealers are also required to report any potential stolen property that might happen to be in their possession at the time. So is it going to be a case where the dealer, through the identification process, will be able to know right away that potentially that item has been stolen? Is there some kind of mechanism in place for them to report immediately? Will they potentially be stalling people while this unit that will be created maybe shows up? Just some questions around the implementation of that.

I haven't had a lot of time to sort of look through the language of the bill to see if there are any kind of conflicting clauses. I'm hoping to be able to get a chance to do that as we go through here in debate. Certainly, if we do have any potential conflicts where we're saying one thing but then saying something else over here and they could work against each other, hopefully, if those are identified during the course of debate, we'll get an opportunity to maybe suggest some amendments to clear that up.

For the most part it's certainly, I think, a bill that I can support. Again, I'm just curious around what some of those enforcement aspects are going to be about. You know, what kind of costs are going to be associated with that? I'm a little concerned, based on one of the bills here, that we just passed recently, around taking money from the victims of crime to fund police. Are we now going to be taking that? Is that where that money is going to be coming from to fund this new group? I've always wondered why we need to take it away from victims of crime in order to work these things, why we couldn't find possibly some other avenues that could have financed that. Hopefully, maybe we'll get a little bit of clarity around where that potential funding of this new unit will be and what kind of implications that could maybe have for things like the victims of crime fund, because that was what has been proposed to use around some of those services.

I think that, for the most part, like I said, I feel I can support this bill. I would like to see some clarity around some of my questions with that. Also, hopefully, we'll get a chance to look, I guess, at the red tape aspect of this and whether bringing this in has created any undue pressure, potentially, on the associate minister of red tape to remove something else in order to keep up with what the Justice minister is bringing in.

With that, at the moment I will take my seat, Madam Speaker, and look forward to further debate.

7:40

The Deputy Speaker: Any other members wishing to speak to Bill 25 in second reading? I see the hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Madam Speaker. I rise this evening to speak to Bill 25, Protecting Alberta Industry from Theft Act, 2020, brought forward by the Minister of Justice and Solicitor General. This is something that, I think, makes sense when we're looking at enhancing what was done in the private member's bill as well as the Scrap Metal Dealers and Recyclers Identification Act of 2012, that was proclaimed in 2019.

We know that metal theft is an issue all across this province, and there are some great risks, aside from the ones that we think of right away when it comes to theft. We look at, obviously, the theft of the product, which is putting a cost on the original owner who had this item stolen, and we also look at the impact on the safety involved. When individuals are stealing perhaps copper wire, there is a potential fatal risk in that theft when we're looking at electricity and energy and stuff, so there's a seriousness that is involved with this piece of legislation that will help not just those who are being stolen from but perhaps could be a deterrent for the thieves who are stealing it. When it comes to more enhanced tracking mechanisms for those that purchase the metals, they have to do a clear identification check to purchase or receive scrap metal. They're required to document sales and other transactions. There's the allowability for investigations and fines. Now scrap metal dealers are required to report any potential stolen property that is in their possession.

I'm hoping that these changes will in fact have an impact on those that have been stealing these items, and I hope that this is what Albertans have been asking for. I know that rural crime is an issue, whether it's scrap metal or whatever else the thieves are going onto people's property or businesses to obtain. It's a concern, so anything that we can do to potentially reduce crime I think is a great step forward.

I do have concerns, though, regarding the policing aspect of this, and I would hope that the minister could answer some of those questions. We look at the promise that was made by the minister that part of the new police hires would be a unit focused on scrap metal and auto theft, which I think is wonderful, but knowing that all of these cuts have happened in the police sector, this is concerning. There are already capacity issues right now that we're hearing from our front line. Whether it's RCMP or police such as Edmonton police or Calgary police, they're making drastic cuts. There are programs that have been running for years that are at risk of being lost because of these cuts.

To say that they're adding this new policing to this specific sector is concerning because, to me, what I've seen with this government is that if they're giving money to someone, it certainly means that they're taking it from somebody else. What we've seen, one example specific to policing, was the victims of crime fund. They took money from victims of crime – individuals under this piece of legislation could be considered victims of crime – and are giving

that money to policing. Instead of providing additional money, they're taking it away. So I'm concerned, when we hear the minister talk about providing this specialized unit, what that means. Where are the cuts coming from? Who is going to be without policing or without services because they've decided to cut and create a new section of the police?

I'm not saying that they shouldn't be creating a new section of the police. Absolutely, if this is something where the police has come to them and said that it is a requirement in order to adequately enforce this legislation, I think it's necessary, but my fear is that it's going to be at the cost of something else. When I see the cuts that have happened in the past, unfortunately, Madam Speaker, it tends to be the most vulnerable. Specifically, in this session we saw them take money from the victims of crime fund, and it just doesn't make sense to take away money from individuals that are impacted by crime without supporting them and giving them the proper resources.

When someone is a victim of crime – and it applies to this piece of legislation – someone has come onto an individual's property, someone has broken into their business, their home. There's a feeling of fear, and there's an impact, whether they were witness to the crime or not. You feel violated knowing that someone has come onto your farm, perhaps, and gone through your property and stolen from you. Despite not being there, you still have those feelings of fear, the what-if scenarios that happen. Then there are those individuals that are home or are at work when this crime is happening, and it's traumatizing. Knowing that this government has cut funding to the victims of crime is a little bit concerning.

I really look forward to this ongoing debate, and I hope the Minister of Justice and Solicitor General is able to answer some of those questions about what is going to be cut when you're looking at creating this specialized police unit that's going to deal with metal theft and auto theft. At what cost? Who is going without services in the province because of this new unit that's being created?

We know that when it comes to any sort of theft, there's always the risk of what happens with that property now. They've stolen it. There's obviously someone that they have in mind to purchase the metal or the auto parts. I think that clamping down on some of those loopholes is essential. I think that it makes sense being able to say that there are going to be fines, that there are clear outlining requirements for the purchase of these metals. It puts a little bit more restrictions, I guess, on being able to sell the stolen property. Of course, individuals are still going to be able to sell it. I just hope that this is enough of a deterrent that it will prevent that person from entering someone's private property or business to make that theft.

I know that there's support for this from many across the province when it comes to having a strengthened piece of legislation that's protecting Albertans from theft. It's something that the title itself, obviously, is something that we can support, but there are unanswered questions about: is this enough? Who is saying that these are the only requirements that are required? This is looking at previous legislation that was passed. Have they taken all of the recommendations into mind when they've made these pieces of legislation amendments? Where did that information come from? Who is asking for this? I'm always curious to know what was asked for and left out. Was there a glaring piece in here that was still missing when the piece of legislation was amended, and why was it left out? You know, I think that there's a level of mistrust with this government, a lack of transparency, if you will, that I'm hearing from my constituents.

I think when it comes to legislation, we have a hard time understanding if this was the best piece of legislation that was brought forward, or could it be enhanced with amendments? I know

that this is the first time that we're debating this in the House, and I look forward to hearing some of the amendments that come forward and to some of the arguments that the minister has for making this legislation and these recommendations as laid out. But I'm very curious to know how this is going to be enforced effectively, what that team looks like, and where they will be located, kind of the real details of this task force that will be tasked with doing this and the monitoring of it and what that cost is and how it's going to be decided where their time is best spent.

I think it sounds good when the minister can announce that there's going to be a specific unit, but I want to know the details. I fear, Madam Speaker, that it's going to be in the regulations, that we're going to be told that that's something that will come after the legislation. I think people that have been victims of this crime want to know those details.

7:50

They want to know how this new police force is going to be supporting them and monitoring. Are they going to be looking at known offenders? Are they going to be looking at high areas of theft when it comes to copper wire or those types of scenarios? Do they have some concrete data on where they're going to be situating these officers? I just don't know. I know that it's important that we have individuals that are tasked with looking after Albertans, especially when it comes to scrap metal and auto theft as there has been a huge increase in this type of theft, but what that looks like, I'm not sure at this point.

With that, Madam Speaker, I think for the most part I'm in support of this bill. It's something that makes sense, to be able to support Albertans and their property. I look forward to the debate, and I look forward to hearing the minister's information and some clarity around some of these questions that I'm sure will continue to be asked on this side of the House.

With that, I will end my comments and listen to the ongoing debate. Thank you.

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

Seeing none, any other members wishing to speak to Bill 25 in second reading? The hon. Member for Edmonton-Meadows.

Mr. Deol: Thank you, Madam Speaker. I'm glad to rise in the House to speak to this Bill 25, protecting Albertans from theft act, 2020. What I understand is that this bill is specifically focusing on controlling or combating the theft related to metals. In this such case it's a very important issue, I would say, thefts related to valuable auto parts. One of the very common parts of autos, actually, that has been talked about is catalytic converters.

We also understand that this issue, the scrap metal theft, is an ongoing challenge across specifically rural Alberta with major impacts on many rural businesses and industries. Similarly, the theft of copper wire and other metals from critical infrastructure, including the electricity sectors, is not only damaging but will also be very risky for both the people involved in this action, the thieves, and for the safety of the workers, communities, and Albertans. This is the very reason that I will speak and support this motion.

Not only this. I personally did receive some calls from my constituents where one person actually experienced the loss of his catalytic converter twice in the last year, and that was quite devastating for the family and for the individual. He said that he ended up spending about over \$2,000 without any reason. There is still, you know, no assurance that he will not lose it a third time.

I have also gotten a call from other constituents really concerned about the theft of catalytic converters in my riding. The people did

even send me the pictures from their video camera where they see how those thieves are actually entering the properties and stealing those valuable parts.

In that context, I'm happy to support this bill. This bill tightens the rules. Now there are certain changes to the law. I think what I see would amend the scrap metal dealers' and recyclers' identifications. Now all scrap metal transactions have to be documented, and it clarifies the requirements to show the people's photo ID. Definitely, there will be some pressure on the thieves and some surety for the citizens that this change in the law will put pressure on the people to engage less in this kind of activity.

Another argument I wanted to add to my comments when I'm speaking to this bill is that when we're trying to control the crime, when we're working for the safety of the citizens, what I see is that it goes hand in hand with both the strict laws and also in place with a balanced approach of having the useful social programs, in a way education awareness. Specifically, we see that when the economy is not doing good, when people don't have jobs, when there's a high unemployment rate, there is evidence – we all know that; we have noticed this – that the crime-related activities will start going up. You know, suddenly you will see the impact.

When we are passing this bill that will become the law, I would say that has a limited effect to control the theft that's been prone to one sector, auto parts. There are still a lot of questions even when this bill is passed and becomes law. What are the tools? Like, how easy will it be for the law enforcement agencies or police? How quickly can they find the individual, the thief, or how quickly can they recover the valuable property that has been stolen from the residents of any community? That's still far from the understanding of how exactly this is going to put the pressure on the people involved in crime and how those citizens can really benefit from this law when this bill is passed.

I shared that I had calls from my constituents. I understand that the member of the government also would have had feedback from the people that actually led them to enact this bill. I'm really interested to hear, like, what kind of discussions you had with the communities and with those professionals when you were preparing this bill, when it came into view that this is the time to act on this. To the member who drafted this bill: were there other suggestions, other ideas brought forward by the people involved in consultation? If there were any other ideas, what were those ideas? Why did you not take those ideas into consideration? Even if there were not any other areas of discussion, it would've been better to know if the government or the Member from Calgary-Elbow, who sponsored this bill, had the experience or the information or the feedback from Albertans.

8:00

Going back to my comments, I just wanted to say once again that the crime cannot only be protected by strong laws. That is not only an ideological debate that has been, you know, seen in evidence around the world and not even far from our country, where the jails in those countries are out of capacity. They have no more room in the jails and their remand centres – we have seen even the similar incident that my colleague the Member for Edmonton-Glenora today was mentioning – and there they have no choice. Either they have to let those people go on bail, or there are no more places to hold them in the jails, but the problem still exists. The problem is still not resolved.

The thing is that if we will not take a balanced approach, if we will not invest into the education, the early childhood education, and the child care spaces, then definitely I would say that the debate we are having, the bill we are going to pass, when it becomes law, will definitely have some negative effect on the people even working in the industry, working in policing. You know, that will

create further, greater challenges for them by not taking this issue seriously and tackling from the bottom of it, like, where we can really address the people from their childhood by engaging them in education and providing them that education. The evidence is there. The better the education system is, the higher the education – I don't know how to put it, but a study has shown in some of the European countries where the average person in the society is better educated that the crime rates in those countries are much, much lower.

Those are some of the comments I wanted to add, speaking to this bill. I will wrap up my comments by this message. Once again, when we are passing this bill, we need to look at the other approaches if we are really serious about tackling this issue.

Thank you, Madam Speaker.

The Deputy Speaker: Anyone wishing to speak under Standing Order 29(2)(a)?

Seeing none, any other members wishing to speak to Bill 25 in second reading? The hon. Member for Edmonton-Ellerslie.

Member Loyola: Thank you very much, Madam Speaker. There's one thing that I want to make absolutely clear, and that is that regardless of how the government wants to paint us as the opposition, we really do care about rural communities when it comes to the issue of crime. I know that, you know, things, when we're in the House here, tend to get a little bit political, and we get into rhetoric and things like that. I understand that sometimes people let the drama get away with – perhaps I'll rephrase that. They become dramatic with the way that they're expressing the rhetoric inside of the House. But like I said, we're absolutely, unequivocally supportive of supporting rural communities when it comes to the issue of crime.

Specifically with this bill, we are indeed in support. I want to thank the minister for bringing forward this bill, of course. This is a bill that makes changes to the private member's bill that was proclaimed in the fall of 2019. But, of course, with all things, I mean, we have questions, and it's important that we ask these questions because that's what our role is in the House as legislators. It's not just to simply come in here and, you know, provide a check mark to the minister every time he presents a bill but to actually ask questions. I hope that the minister will actually rise in the House and answer some of the questions that have already been put forward by my colleagues regarding the bill.

One of the things that I do want to applaud is on page 2 of the bill, adding clause (f) under section 2, which reads:

"traceable currency" [which] means a method of payment in which the transfer of money is able to be followed from the sender to the recipient by a third party, and in which the sender and recipient are not anonymous, and does not include payment by cash or any electronic currency in which the sender and recipient are anonymous.

I think that this will go a long way in order to really help out in this situation when it comes to the dealing of scrap metal because, of course, you know – and I'm sure that the minister will agree with me. People who want to break the law – people that want to break the law – are always going to be two steps ahead, so whatever we can do in order to cut that out, well, it would tremendously benefit. Actually introducing this section on traceable currency, I believe, is a big positive in terms of the scrap metal dealings here in the province of Alberta. Any anonymity that we can take away from those wanting to commit crime is a plus.

But, of course, there are other parts of the bill, and I'm interested in knowing how the minister plans on enforcing these particular aspects of the bill. For example, section 3(a) is going to be included.

(1.1) No scrap metal dealer or recycler shall purchase or receive scrap metal from a person who fails to provide proof that the

person meets age eligibility requirements for engaging in a scrap metal transaction, as prescribed by the regulations.

You know, here we have like a catch-22 because, of course, the dealer and the recycler are interested in moving their business forward and whatnot, so the question that I have for the minister is: how specifically is this going to be enforced? Like, he's talking about the introduction of a law enforcement agency that will particularly look at these matters. This particular subsection or clause of section 3: how does he imagine that this will take place? I imagine that this will be put in through regulation, but it would be nice to know what the minister has intended.

Also, there is subsection (6) of section 3, where it says:

Within 24 hours of purchasing or receiving restricted metal, as defined by the regulations, or purchasing or receiving scrap metal of a weight that is greater than a weight prescribed in the regulations, a scrap metal dealer or recycler shall provide the prescribed information collected under this section to a peace officer or a law enforcement agency in the manner and form prescribed by the regulations.

As you see, Madam Speaker, there's a lot that's going to be left to the regulations, and we don't actually see it before us within the bill. It's with that intent that I hope the minister doesn't mind us asking these questions of him and hoping that he can shed a little bit more light on what the intention is and how he plans that this new law enforcement agency will be working directly with recyclers and scrap metal dealers here in the province in order to make sure that these laws are indeed upheld, right?

8:10

I understand, you know, that this has a wide range of support from all over the province, so it's great that this is happening. I do know that, for example, Al Kemmere, president of the Rural Municipalities of Alberta, is highly in favour of this as well as Scott Yost, senior manager, security and contingency planning of Capital Power. We have a lot of support for this particular bill.

It's good that all the transactions will have to be documented, but again I ask the minister: how does he plan on making sure that this is followed through on?

We understand that, in particular, there are a lot of rural communities that – the whole issue of scrap metal affects a lot of people in the rural communities, people who live on farms. Like my colleague from Edmonton-Castle Downs has stated, it's disheartening to know that someone would actually go onto your property and be looking and rifling through all of the things that you have on your property and whatnot in order to steal anything that they can get their hands on that they could then trade in. It's with that intent that I'm sure that, you know, we're highly supportive of this particular bill that's being brought forward by the minister.

As we've seen, we've had a number of bills come before this House regarding crime. It's important for me to state that although we are highly supportive of it, it's also very important that we need to know where money is being taken from in order to support or do the work that is actually being prescribed within this particular bill. The creation of a whole new law enforcement agency that would actually deal with scrap metal: it's important that, well, we know what the plans are. Where's that money going to be taken from in order to support this?

Of course, we've seen that with other pieces of legislation that have come before this House, the minister and this cabinet have decided that they're going to take money out of the victims of crime fund in order to put it into other avenues or other aspects of law enforcement within the province of Alberta. I think that it's really important that there be a balance between all of these and that we – for example, victims of crime should not have to go without. They

should be able to have the supports that they need at the same time that we're trying to strengthen how we deal with crime in the province of Alberta as a whole. It's important that we support all aspects and that we don't take away from the victims of crime when dealing with this particular issue.

With that, Madam Speaker, I'll take my seat. I look forward to hearing from the minister in answering the particular questions that I've put forward to him, and hopefully we'll get some answers as to how he sees this moving forward.

Thank you very much.

The Deputy Speaker: Standing Order 29(2)(a) is available.

Seeing none, any other members wishing to speak to Bill 25 in second reading? The hon. Member for Edmonton-Gold Bar.

Mr. Schmidt: Thank you, Madam Speaker. I first of all want to thank all of my friends from our NDP caucus for their thoughtful interjections into this debate. I just want to build upon something that my friend from Edmonton-Ellerslie made in his comments. Of course, we are very concerned about the issue of rural crime in Alberta, but I have to stress that crime is not just a rural issue. Certainly, many constituents in Edmonton-Gold Bar are concerned about the issue of crime, whether it's property theft or violent crime. This is an issue that affects all Albertans, not just rural Alberta, and it certainly has been upsetting to a number of my constituents, who hear time and again members of the government caucus suggest that crime isn't an issue in the cities simply because we happen to have a police force nearby. It's certainly been the case that many constituents have to wait for hours and hours on end to get police officers to the site of a crime right here in the heart of the city of Edmonton. Rapid response times, crime, and punishment are not just rural issues; these are issues that affect all Albertans. This is certainly true with the issue of scrap metal, Madam Speaker.

Now, it's interesting to me that we are dealing with this issue of scrap metal theft while we are in the midst of the worst economic collapse that the province of Alberta has seen since the Depression, because it's certainly been my experience that metal theft and economic collapse seem to go hand in hand. I graduated from high school in 1996 along with all of my classmates, of course. A number of classmates went into the computer science field when they went to university and graduated, of course, in the early 2000s and quickly went to work in the tech industry when the dot-com bubble was still being inflated. It wasn't long after, though, that they started working in the tech field that the dot-com bubble burst and left many of my friends unemployed. They'd moved far away from home to take jobs they thought would be successful, and they found out shortly thereafter that the rug had been pulled out from under them, and they were left with nothing.

What my friends told me at that time was that scrap metal theft was a huge issue. These people were suddenly left unemployed and had access to a whole bunch of different wiring, so what many of my friends' colleagues did was they went into the offices of these now bankrupt and closed tech companies and took all of the wire off their desks and ripped it out of the walls and sold it for a little bit of money. I guess that some of the people who were employed in that industry viewed it as their severance package. They took everything they could and tried to sell it because they were in pretty desperate straits, and that's the position that many Albertans find themselves in now.

I think it's interesting that the government is turning its mind so much to the problem of stripping down broken assets and selling them for parts because certainly that's how we see the government of Alberta treating our province. You know, they're selling off our parks, they're opening up vast areas of the eastern slopes to coal

mining, the ministers have given themselves the power to individually set royalty rates without the scrutiny of the Legislature or even their cabinet colleagues, we've got a massive corporate giveaway in the form of a tax break for profitable corporations. Everything that this government has done is simply focused on taking everything of value from the province, giving it to their big corporate friends so that they can maximize profit and leave town, and leaving Albertans to clean up the mess and pay for the bill for cleanup. I think it's certainly telling, Madam Speaker, that the government is turning its mind to scrap metal theft and telling us that it's a problem when they are in fact treating the province of Alberta just the way they don't want Albertans to treat the industrial sites across the province.

8:20

You know, my other colleagues here in the Official Opposition have raised a number of issues with the fact that this probably doesn't do enough to prevent the problem because, as I said, Madam Speaker, this issue of scrap metal theft is really linked to economic decline, and what we've seen time and again is this government's failure to step up and do something meaningful for businesses, small businesses in particular, in the province of Alberta. One of the most important things that the government could do to protect and restore Alberta's economy is to contain the COVID virus, and we've seen this government rush headlong into reopening Alberta before getting the appropriate health protections into place.

Mr. Getson: Headlong?

Mr. Schmidt: Yes. Headlong is a word, Lac Ste. Anne-Parkland. I encourage him to refer to the dictionary . . .

Mr. Getson: I refer you to the thesaurus.

Mr. Schmidt: . . . so that he's got something to keep himself busy with instead of heckling me while I've got the floor. [interjections] Unbelievable, Madam Speaker, that these people can look themselves in the mirror.

But anyway, my original point is that in order to protect and continue to allow Alberta's economy to grow, we need to effectively contain the COVID virus, which this government is failing to do. I notice that the government has released the most recent numbers for COVID cases. They're ticking up again. Now, we don't see the kinds of increases that we have seen in our neighbour to the south, but certainly we do see this government rushing headlong into developing an American-style health care system that will get us to exactly the same place where the Americans are right now with dealing with COVID.

I understand the government's desire to protect Alberta's industry from theft, but I would suggest to them that these half measures that are presented in this bill are far from enough, Madam Speaker. If the government is serious about protecting industry from theft, it will do everything it can to protect and encourage Alberta's economic growth, and they are failing to do what needs to be done to do that when it comes to tackling COVID. I am very concerned with the increase in COVID cases that we've seen over the last few days, and I'm increasingly concerned that we will lose our ability to maintain the proper protections and health care that Albertans rely on to keep this virus contained because of this government's headlong rush into Americanizing our health care system.

I do want to make a final point about section 7 of this bill, which amends section 9(1). It increases the fines for offences from \$5,000 to \$10,000 for a first offence and from \$15,000 to \$50,000 for a

subsequent offence for individuals and then increases the fines from \$15,000 to \$25,000 for corporations and for subsequent offences from \$50,000 to \$200,000. I think it's one thing, Madam Speaker, to have a rigorous system of penalties on the books. It's another thing entirely for those kinds of systems and penalties to be enforced.

Certainly, we have seen the government being, let's say, selective about following and enforcing laws. We know that the government has been busy hiding the report of the heritage trust fund, which, according to law, should have been tabled at the end of the month, but we have yet to see that. We know that Alberta on paper has some of the strongest environmental regulations in the world, but in actual practice those are very rarely enforced. So what confidence will Albertans have that a government that is so lackadaisical about enforcing the laws on its own books will give the kinds of resources necessary to make sure that these penalties that they're increasing will actually be enforced?

My colleague from Edmonton-Castle Downs in her remarks, you know, raised some of the concerns about the lack of support for victims of crime. Certainly, we know that crime is something that we can do a lot to prevent, but we can't prevent everything, and we need to have some systems of support in place for victims of crime when people fall victim, and certainly the government has stepped away from that responsibility to a large extent.

I guess that's my question for any members of Executive Council. What kinds of assurances can they give that these new penalties will be adequately enforced? Show us where we're going to see resources applied to make sure that these penalties are reasonably enforced and whether or not they'll even be effective in preventing the issue or in discouraging people from engaging in this theft of scrap metal.

We've certainly seen similar kinds of regulations imposed upon pawnshops in various locations. You know, certainly, the city of Edmonton has dealt with or tried to deal with the issue of buying and selling stolen goods through pawnshops through various means of bylaw enforcement, but that hasn't discouraged or prevented any property crime as far as I'm aware, Madam Speaker. So how can we be sure that this is the right solution to the problem that we're discussing? Certainly, cracking down on pawnshops hasn't dealt with the issue of property theft and the buying and selling of stolen goods in the city of Edmonton. How is increasing the penalties for people engaged in the buying and selling of stolen scrap metal going to discourage people from engaging in this practice? I would certainly be interested in hearing what the Minister of Justice or any of his colleagues on Executive Council have to say about that, whether or not this is a proposal that's based on any evidence, or is this just something that they're going to try out for fun? I don't know.

That raises another question that I have with respect to this bill, Madam Speaker. What is the process for evaluating the success of this program? This is certainly a law that's been passed. It was passed in 2012. The government decided to proclaim it.

The Deputy Speaker: Standing Order 29(2)(a) is available.

Seeing none, any other members wishing to speak to Bill 25 in second reading? The hon. Member for Edmonton-North West.

8:30

Mr. Eggen: Well, thank you, Madam Speaker. I appreciate the opportunity to say a few words in regard to Bill 25, Protecting Alberta Industry from Theft Act. I must say that it feels a bit like déjà vu because, in fact, I recall this bill coming forward quite a number of years ago. It certainly was due. It was necessary. I think at first reading of the current version of it here this evening, I

certainly can appreciate the need to strengthen the protections that this bill would afford in regard to metal theft generally and being able to account for scrap metal that is being brought into various dealerships and so forth to be sold.

I think it's important to step back a little bit just to remind everyone about the importance of recycling metals. Certainly, if you look at the total weight of recycled material in the province of Alberta in general, metals come out on top. Indeed, because of the energy that's required to construct various alloys and metals in the first place, recycling metal, especially copper and other materials like that, makes a lot of sense and, in fact, is profitable. Of course, you see that scrap metal dealership has been a longstanding industry here in the province of Alberta and will continue to be and should continue to function for all of the reasons that I just described. We know that being able to reuse a valuable commodity and to perhaps have it smelted down or whatever it's used for is a very basic idea – right? – that people have been doing for thousands of years, really, and we don't want to interfere with that, certainly, now or in the future.

But we also do know, from reasons described by several of my hon. colleagues here, that there is an illegal trade in recycled metals at various times, again, sort of corresponding with economic downturns. We will see quite often that people go after certain metals and sometimes steal them. It's as simple as that. You know, it has resulted in not just property theft loss but also material damage to structures and to machines and so forth, sometimes creating a sense of unease and indeed creating, you know, a sense of insecurity, too.

One of my neighbourhoods in Edmonton-North West, for example, Griesbach, adds, of course, a military theme to the neighbourhood and to the streets. There are lots of monuments and so forth and history as you walk through the neighbourhood. It's very interesting. You can learn a lot about the history of the Canadian Armed Forces through various conflicts and peacekeeping and what have you through the street names and through the monuments and so forth. A lot of those monuments, of course, had what looked like brass or copper or precious metal plaques on them, so someone – right? – or a number of people went through and literally stole most of them over a period some years ago.

You know, it caused a lot of vexation for people in the neighbourhood. It was desecration of some military monuments that otherwise had a lot of intrinsic value to not just the neighbourhood but to the province and to the country. They were destroyed. Perhaps the irony of that was that most of those plaques and so forth on the monuments were actually not valuable alloys, right? They were nickel compounds and so forth that had some gold, shiny element to them and, in fact, were not particularly sellable or smeltable or reusable at all. So you had both the desecration and the destruction of public property, but also, you know, it created some sense of insecurity for people in the neighbourhood to know that there's someone driving around, prying these plaques off the sign posts and the monuments, and trying to sell them, I suppose.

I've noticed as well that the same kind of thing is happening on public benches, at least in Edmonton and perhaps in other communities around the province, where people can get a bench and sponsor it in memoriam for a loved one and, you know, pay not a small amount of money to the city to have those plaques on the park bench and so forth. In some areas – I haven't done a comprehensive study of the whole city or the province – all of the plaques have been taken. Again, I suspect that they're not particularly valuable for resale at a scrap metal dealership, but the damage is done and so forth.

When you're dealing with people breaking the law, you have to think about: okay; number one, how do we deter people from doing that? Number two, why are people doing this in the first place? Perhaps number three is looking for a way by which we can change the market for scrap metals, make it more accountable. I think Bill 25 probably does the third thing reasonably well because, of course, it's looking for ways by which we can track people selling scrap metal to recyclers and so forth and having some more comprehensive ID that can go with that.

The only issue I would suggest, Madam Speaker, is that, you know, at least some of the people who steal metal and take it to recycle may not even have identification in the first place, right? For that to be effective, you always have to make sure that you have places or a way by which you can actually administer a law. Any given law that we make here in this Chamber generally – again, you can make all the laws you want, but if you don't have a mechanism by which you can enforce that law or educate people to deter them or to move them away from that or to try to curb the underlying reason why people might be engaging in such illegal activity, then the law is only worth as much as the paper that perhaps it's printed on and not much more.

Again, back to the original point – and I heard other people mentioning it as well – when you have an economic downturn, people look for ways by which to make some money, you know, so I would suggest humbly, Madam Speaker, that one of the first things we always need to look at is to make sure that we are looking after our general population in the broadest sense so that they are less likely to engage in illegal activity generally and in the stealing of recyclable metals specifically. I would suggest that it's an indication of a larger problem, which we shouldn't cast a blind eye to because, of course, like I say, there's a direct correlation between increased activity of people stealing metals for recycling and catalytic converters and taking copper wire, all of these things, and a general economic downturn that might drive people to do those kinds of things in the first place.

I think that this bill seems reasonable in its scope, but, you know, again, when you're a constructive critic, you always have to make sure that you are casting a constructive eye on a bill: what purpose does it serve in the more general sort of sense? I know that the Minister of Justice has been promising more police hires generally in the province. We haven't seen a lot of that on the ground yet by any means. He also tagged in – I caught his attention; that's great – that he was maybe focusing a unit on scrap metal specifically. Again, that makes me wonder a little bit because I think that considering the rather hyperbolic language that this minister has been using around crime generally, is that the top priority, really, when we first hire some new police that we might need for crime – rural crime, urban crime, and all of that – to just focus police specifically on a scrap metal unit? I don't know, really, if those two things kind of fit together – right? – if we're trying to connect the dots.

8:40

I know that auto theft is certainly a big deal, right? Is that part of scrap metal theft? Yeah, I mean, to a certain degree it is, I suppose. But let's try to make sure we're keeping these things in perspective. The most valuable piece of metal or whatever on a car, I guess, is probably the catalytic converter, so being able to focus on those specific parts of a car, I guess, would definitely be a good use of this bill and a good use of identification of people that are selling, let's say, a big truckload of catalytic converters and ask maybe: where did you get those? You know, I think that would be eminently reasonable to use this as a way by which this new bill could be effective. For scrap metal dealers to check ID and so forth

I think is not unreasonable, too. We're also looking to have the documentation of sales and other transactions for scrap metal and allowing for investigations and fines.

I mean, all of those things seem reasonable, but again I think that we need to make sure that we are not getting caught in the details of any one particular crime but look at how we might be able to reduce crime in a much broader sense. I think that is part of our responsibility here in this House and in our society in general. Like the story I told you at the outset, to lose the plaques in Griesbach from all of the military monuments and the street signs and everything like that, I mean, was disappointing, and it was expensive, hundreds of thousands of dollars, but it also just created a general sense of malaise and insecurity – right? – with people saying: okay; if they're stealing the plaques off the street signs, what's next in our neighbourhood? So, you know, we need to make sure that we keep our eye on the ball in the larger sense of security in our society and not just try to chase after the individual crimes that people might commit in our communities.

Of course, if you lose that coil of copper wire or your catalytic converter or the plaque off your monument, that's one thing, but for us to engage in proper society building, I would suggest, Madam Speaker, that we need to ensure that we are providing that sense of security and confidence that, you know, we are not just upholding a specific law but upholding the rule of law and the sense of security generally in our society. I think that's an important part of our job here in this Legislature for the government specifically and for the opposition, too. I mean, we try to make sure that we keep an eye on what this government is doing to make sure that they don't stray from what their job is actually meant to be.

I mean, we know that Albertans are feeling very insecure because of COVID but also because of the economic downturn, and we need to make sure that we double our efforts to provide a sense of hope for the future. I think that when people look at what we do in this House, they look for – I mean, of course, we have to look after the details like Bill 25 might be doing and so forth, but we have to make sure that we are looking at the bigger picture, too, so that people will go: "Yeah. You know what? They are there to protect our public health care. They are there to make sure that our pensions are intact. The government is there to make sure that our families are safe – right? – from medical emergencies and from crime but also in a much more general way, too." So my suggestion, always humble – you can take it or leave it; probably it's a good idea to take it – is for this UCP government to make sure that they keep their eye on creating a secure future for everybody in a much more general way as well.

I mean, I wasn't surprised but very disturbed to see, you know, legislation being introduced here today in regard to more private health care. We know that that is an electric third rail not just in Alberta but, you know, really, across this country, that we are founded on the presumption of equality based on . . .

The Deputy Speaker: Standing Order 29(2)(a) is available. Are there any members wishing to speak?

Seeing none, any other members wishing to speak to Bill 25 in second reading? The hon. Member for Edmonton-West Henday.

Mr. Carson: Well, thank you, Madam Speaker. It's an honour to rise this evening to speak to Bill 25, protecting Albertans from theft act, 2020. I would also recognize, as a few members have already, that this is making changes to a private member's bill that was proclaimed in the fall of 2019.

In principle I support, for the most part, what I'm seeing within Bill 25, at least at this moment. I do, as many of my colleagues have shared, have concerns about the lack of details that we're getting

from the minister and from the government on this issue, how we landed on the place that we have in respect to the amendments that are being presented in Bill 25. Of course, we need to do everything in our power to ensure that people are not stealing other people's property, whether it be residential, commercial, industrial, not only because of the work or person-hours that it takes from those organizations, recognizing that the workers of those corporations and companies are also being affected by the theft of property from those companies, but also the dangers that are inherent in stealing scrap metal.

I think back to my job before becoming an MLA for my community. I was an electrician and spent quite a few years working on sleeping quarters that get sent to Fort McMurray for the workers that spend their many weeks there working in the oil sands. There were a lot of times when our yard, which was in an industrial part of west Edmonton, would be looted by people, often the copper wire that was left over after a project, all the stray ends. We would often as electricians, you know, strip those down to their bare wires, and then we would put them in a bin. Several times that property was stolen from our organization, and that's money that should be reinvested in the company. Once again, that hurts the workers that not only spent the time doing it but are expecting to get a paycheque at the end of the day.

You know, that's one instance where you might be able to take some action to lock that property up, but there are other instances where an entire unit would be totally stripped of all of the copper wire or any valuable metals that are inside of the property. That really is even more detrimental to those corporations because that work all has to be done entirely over again. So not only are they losing the product that was already put in place, but now they have to wait for new products to be shipped to them.

I think that especially right now, as corporations are struggling and they're looking for more support from their government, it is even bigger of a risk because they are potentially spending the last bit of money that they have to get these products, and if a whole spool of wire is taken from their property, it could be several weeks before they're able to afford to get that again, especially if they're waiting for contract dollars to come through. Once again, it's affecting not only the bottom line of the corporation but also the ability of that company to pay their workers, which is very important, especially right now.

I think about that even before becoming an electrician, I spent a little bit of time in the radio/television broadcasting industry. One of the first things that I was told, driving by one of the TV stations here in Edmonton – and they have big towers to, of course, send out their signal for their television station – was that there were several times when workers would come into the property, and there would be people trying to steal materials from those massive and electrified towers, which is extremely dangerous. There have even been instances, as far as I remember, of people passing away because of that extremely dangerous act that they were taking part in. That's very concerning, once again, not only for the property damage but, more importantly, for the life that is potentially taken because of such acts.

You know, we can only think of what would drive somebody to make that decision, probably knowing that there are dangers in doing so yet still feeling that they are to a point where there is no one else that they can turn to, where they make that decision to carry out that dangerous act. That is very concerning. The Member for Edmonton-North West previously spoke about that fact, that we need to ensure that we as a government are doing everything in our power to ensure that no one feels that they have, you know, strained every relation and every opportunity that they had to get support and have nothing left so that they move to a point where the only

thing they feel they can do to access money is to carry out such a dangerous crime.

8:50

We need to continue, as we have this debate, to recognize that changes that we're making, whether it be funding for education or anything else – as this government introduced legislation just today talking about more privatization within the health care industry, and I have several concerns with the idea of potentially being able to pay more to get better service. When we move into a situation like that, there, I can only imagine, are going to be more instances of people feeling like their last option is to carry out a crime which may involve something like this. It's something that we need to recognize as we are debating everything, whether it be about education funding, whether it be about early child care or childhood development. Those are all things that are important even to pieces of legislation like this.

Just a few things when I look inside this legislation, some questions I have specific to some sections in here. Just looking at page 2 in the legislation under subsection (6), which is a small amendment, it adds, relatively similar to what was in there before, but it goes on to talk about, "greater than a weight prescribed in the regulations." That was in there before to some extent, but I'd be interested to find out what that weight is going to be and if it's already in place, if that weight calculation has been working and how that decision was made to a certain amount of weight being prescribed that an organization or scrap metal company would actually have to come forward and share that they've received this much because of a certain amount of weight. I'd be interested to hear from the minister about if that's working in the state that it's in now.

Then looking further, section 4 presently reads, "Mandatory use of traceable currency." We see some amendments to that in 3.1. "If the total value of a transaction is more than the value specified in the regulations, a scrap metal dealer or recycler must use traceable currency to purchase scrap metal." That seems like a relatively minor change, but I would be interested to find out, once again, why the government is amending that piece, which was in there earlier as just the importance of a "mandatory use of traceable currency" to now moving to: if the total value of a transaction is more than X amount of dollars. So why did that change come in? Does this government feel that if it's under \$100 or whatever it might be that it's not necessary to use traceable currency? You know, maybe I'm misreading that. I would appreciate if the Minister of Justice would rise and speak to why that change was made from what it presently reads in the act.

Just looking further down, line 5: "section 4 is amended by renumbering section 4 as section 4(1)," but that section goes on to explain:

If a scrap metal dealer or recycler has reasonable grounds to believe that metal in the possession of the scrap metal dealer or recycler is stolen property, the scrap metal dealer or recycler shall immediately report the matter to a law enforcement agency.

I'd be interested to find out, first of all, how a scrap metal dealer or recycler comes to that conclusion with reasonable grounds, as is listed in the legislation, that it might be the case that this was stolen property. I can appreciate that if somebody comes in and is not willing to provide identification and the other things prescribed in this legislation, that might be the case, but in that situation the scrap metal dealer probably shouldn't have accepted that material in the first place. I'd be interested to find out how often we're seeing this happen, where products are accepted and then later, you know, there are reasonable grounds to believe that the metal was stolen. I'd be interested to hear from the minister about how often that happens.

What value is there other than, of course, not breaking the law, as prescribed in this legislation, to a scrap metal dealer or recycler to actually coming forward to say that that is the case, that there were reasonable grounds that this material was stolen and it was accepted, but later, you know, the company realized that there were concerns there? I'd be interested to find out why an organization would want to come forward. Is there any value in it in terms of monetary to come forward? The fact is that if they do come forward, not only have they lost the money that they gave to the individual or a group of people that brought the scrap metal in, but they're also losing the scrap metal themselves, so it's kind of a lose-lose once again other than the importance of upholding the law. But I would be interested to see how that normally plays out as well and if it has been effective in the past.

Going on, it has been raised this evening in the debate about the law enforcement agency or peace officers handling this work, and we've heard from this Justice minister and this government that they have discussed or plan to implement police officers to handle specifically the issue of illegally obtained scrap metal. I'd be interested to see how that plan is rolling out, in what municipalities, whether urban or rural, that those dollars are being spent. Who is paying for those police officers? We've seen in past legislation, maybe not legislation but in conversation with the Justice minister and changes that he's making to police funding, specifically in rural communities, and the fact that he's downloading more expenses onto them to pay for their own police force, how these rural municipalities feel about spending money that should potentially be out serving the community. Of course, the work to protect private property is very important if those rural communities actually support the direction of this minister to essentially earmark money in those communities to do this work.

[The Speaker in the chair]

I would like to know if using peace officers and law enforcement agencies has been effective up to this point and what figures the minister has to prove the effectiveness of it. How many investigations have been done up to this point in respect to, of course, investigations into these thefts, and how many charges have been laid as a result of those investigations? And then one further: why police and peace officers and not other industry investigators, which would once again go back to the idea of that rural municipalities don't necessarily have the funds, especially with some of the changes that this government has made to the way that their funding comes and is taken from them, how the minister is sure that this is actually what those rural municipalities are asking for?

There is no doubt that this is an issue, once again, not only in urban centres like my own community but in rural municipalities, especially if these criminals know the response time from rural communities – it's going to take longer for police to get to those properties – they're potentially even more likely to strike those kinds of communities. Though this is an issue that is very prevalent in rural communities, there's no doubt that even in my own community of Edmonton-West Henday – we have an industrial park, our commercial industrial park, Winterburn industrial, and they have had several issues with this over the years. In my time working in that community, as an electrician and ongoing, there are several facilities out there that have issues on a week-to-week basis, whether it's vehicles being stolen, whether it's, you know, catalytic converters from those vehicles being stolen, whether it's scrap metal or entire spools of wire or whatever other material that someone might find value in. It's, of course, not just metal. The

issue is much bigger than just that, but the fact is we have not found an effective way to take care of this.

I appreciate that the minister has brought this forward in hopes that it will take care of some of the issues that are there in the industry, and I hope that it does do just that. But once again I would go on to say that while we look at this piece of legislation and recognize that fines may be a deterrent to some extent, we have to look at the systemic issues that have turned people to feel that the last thing that they can do before completely giving up is steal somebody else's property to take care of their own family. Whether it be poverty, whether it be mental health issues, no matter what it might be, the fact is that we need to do better as a government and as a province and as a community to support people who have gotten to this point because at the end of the day if crimes like this are happening, I would say that we are not doing a good enough job as a society to support individuals in our community if they could get to a point where the only thing that they feel that they can do is steal from another person.

With that being said, I appreciate the minister, once again, for bringing this forward. I think that as far as I can tell the industry supports this. I guess I would wrap up by saying that I look at this and see, you know, legislation that is valuable, but I also see that it's going to take some work from the industry to put these things in place, the further regulations that might come up. I'd be interested to hear from the Associate Minister of Red Tape Reduction.

9:00

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or a comment for the hon. Member for Edmonton-West Henday.

Seeing none, is there anyone else wishing to join in the debate this evening? The hon. Member for Calgary-McCall has risen.

Mr. Sabir: Thank you, Mr. Speaker. I rise to speak to Bill 25, Protecting Alberta Industry from Theft Act, 2020. I think it's a piece of legislation that we will all be supporting. It's one of the fundamental responsibilities of the government to take steps needed and necessary to protect citizens from crime, to protect their property. Essentially, this issue is a subset of theft and sale of stolen property. Broadly speaking, that particularly relates to rural Alberta.

We have heard of many issues relating to rural communities, rural crime, and that certainly falls within that. I'm glad to see government taking some steps. However, we will ask some questions. We do have some concerns because this is not an isolated issue. As I said, it is just a subset of a broader crime wave that we saw in rural communities.

When we were in government, we did take steps by investing in rural crime, by investing in more police officers, by investing in resources for our judicial system, by investing in prosecutors and things like that. However, what we are seeing here – generally we are seeing a reduction in those investments from this government. The policing budget, law enforcement budget, has been cut. That's certainly a concern. Crime is a concern anywhere but certainly is a concern in Calgary as well, where almost \$13 million was cut from Calgary police funding. We have seen a rise in crime in our communities.

I think this issue and crime in general is a concern for those who are directly impacted by it. It's an issue for police. It's an issue for businesses, communities at large. It costs them in many different ways. Like, sometimes those things that are stolen may be part of some infrastructure, and there will be repair costs associated with it. There will be replacement costs associated with it. Sometimes

those things may get damaged. Again, that will cause inconvenience and economic losses for those who are the victims of those crimes. In short it is a cause for concern for rural communities. It's an additional cost for them, and it also impacts their sense of security. That's one of the fundamental responsibilities of a government, to ensure that their citizens can feel safe in their communities, that they can be assured that their property will be safe. Certainly, when those things are happening, that impacts communities, that impacts individuals in many different ways.

There can be many reasons for these incidents, for these crimes, but if we look at just the economic reasons for that, I think there is clear evidence that there is a market out there. There is a demand out there for these stolen goods. There is a buyer out there. There is a user out there who can use these goods. There is a buyer market; there is a seller market. Clearly, that market needs government intervention. That market needs government regulation. Otherwise, these things will keep on happening, these thefts will keep on occurring and will cause economic loss, cause insecurity, cause inconvenience for those people.

I'm pleased to see that government is ready to intervene and regulate that market, and they have done some really good things. For instance, they are taking steps where a dealer will be required to record all transactions into a database within a certain time period and will be required to report to law enforcement, so that's a good step, I think. Those who want to deal in the second-hand metals should do that within the purview of the law, and they shouldn't be dealing with stolen things. They shouldn't be dealing with stolen property.

On the other hand, those who are selling it, sellers, will also be regulated. Sellers will be required to provide certain identification, and there will be a central database where those transactions can be recorded so that the market for these second-hand metals, where we have demand, where we have buyers, we have sellers, will effectively be regulated by the government, and that will certainly help address the theft issue.

However, the main concern here is that within our existing laws theft is a crime. There are laws against conversion, against selling other people's property, selling stolen property. There are those laws that are there. There are laws that are in place against trespass as well. So one may ask, even with criminal sanctions against theft, with sanctions against trespass, with sanctions against conversion, why this issue still exists. There can be many explanations for that, but one that comes to mind is that enforcement clearly is an issue, and with proper enforcement, with proper resourcing of law enforcement, with proper resourcing of police forces, with proper resourcing of the judicial system, with proper resourcing of communities, we can certainly rely on those sanctions, rely on sanctions against theft, criminal sanctions. We can rely on sanctions against trespass. We can rely on sanctions against conversion and the selling of stolen property to stop this from happening.

9:10

Here we are seeing another piece of legislation that will certainly – it's doing a good thing. It's regulating that market. There will be a database. There will be some record of transactions, there will be a record of buyers, and there will be a record of dealers. But at the same time concerns remain that if we don't have proper resourcing for this set-up, legislation alone is not going to cut it. To the Minister of Justice: I think it will be helpful for us to understand if the government will share what their plans are in terms of providing resources to implement this piece of legislation. In fact, it will be helpful if some kind of costing was shared with respect to this piece of legislation.

The problem, I think, will be the same for this piece of legislation as well. Before we used to get technical briefings with respect to any piece of legislation that was introduced, and that technical briefing was certainly helpful to discuss these issues and ask these questions and be better informed, be better prepared to participate in the debate here, be able to assess the impacts of this or any piece of legislation. But, unfortunately, the government has decided not to proceed with those technical briefings, and here we are left with those questions, left with, I guess, this opportunity to ask those questions to the minister. If they would share those details, that would certainly help us understand this piece of legislation better, give us some confidence why this regime will work as a solution where all other things have failed.

This problem exists notwithstanding that there are criminal sanctions in place against theft, criminal sanctions in place against trespass and conversion. The problem still exists, so we need to know who was consulted on these issues, why this was a better solution, and what other competing solutions were out there that government may have considered and not proceeded with. These are all those questions that I think we could have asked in technical briefings, but since there are no more of those briefings given, we have to ask these basic questions here in the Legislature to better understand these things.

The other thing that I note is that there are hefty fines and rightfully so. I'm not particularly opposed to that, but what I'm seeing is that government is bringing forward a piece of legislation and putting in hefty fines. I think that maybe it's good for government messaging purposes, that they are going tough on crime and this will solve their theft problem in rural Alberta, but what we are seeing is that they are cutting from police, they are cutting from the victims of crime fund, and that's not going to help in the long run to address crime in rural or urban areas.

The Speaker: Standing Order 29(2)(a) is available if anyone has a brief question or comment for the hon. Member for Calgary-McCall. I see the hon. Member for Edmonton-Ellerslie is rising.

Member Loyola: Yes. Thank you very much, Mr. Speaker. I believe that the Member for Calgary-McCall was about to go into describing the negative impacts that this government has implemented with its changes to funding of particular programs when it comes to addressing crime, and I was hoping that he could highlight those for us to give us a good reminder.

Thank you very much.

Mr. Sabir: Thank you, Member, for the question and for giving me the opportunity to talk about other programs that I was going to mention. I think what I was saying is that the government wants to come across as a government that's tough on crime. They brought this piece of legislation on a very pertinent issue, and they put in place really hefty fines. So in terms of messaging, that may be a good bill, but what's missing is that in the absence of any technical briefing on the bill, we don't know the cost of this bill. How much will it cost to implement this piece of legislation? For instance, there will be a central database. How will that be managed? How many employees are we looking at? There will be a record of every transaction. What ground work has been done? How are we going to trace those transactions? Like, oftentimes these transactions are done under the table. How are we going to identify who's dealing in that and how much time it will cost, how much money it will cost, how many more resources it will need? There are a lot of things that they have left to regulations. Will there be any consultation on those regulations? I do understand that

organizations representing rural municipalities are in favour of that. Will they be consulted on it?

I was saying that this piece of legislation is just one piece in dealing with overall crime in rural and urban areas, and two things that government has done will negatively impact the government's ability to deal with crime. The first thing is that they have cut funding for law enforcement and police forces. They have not fully resourced our judicial system, and now they are cutting from the victims of crime fund, really critical and important services for the victims, to pay for their cuts. Those things are certainly cause for concern, and every time we have asked any questions relating to rural crime in question period in the Legislature, the answer we get is usually an invitation to come to Rocky Mountain House and deal with the minister there. I think that's not helpful.

We need to know how cutting from law enforcement, cutting from the victims of crime fund, how all those things will impact the government's ability to implement this piece of legislation, how they are related, correlated, and how government plans to fund this piece of legislation. Will money be coming from general revenue? Will money be coming from the victims of crime fund? We need to know those details.

Thank you, Mr. Speaker.

9:20

The Speaker: Hon. members, we are on Bill 25. Is there anyone else wishing to join in the debate? The hon. Member for Edmonton-South.

Mr. Dang: Thank you, Mr. Speaker. It's always a pleasure to rise in this place and speak to any bill before this Assembly, but tonight we're speaking to Bill 25, Protecting Alberta Industry from Theft Act, 2020. Now, I think this is actually a fairly straightforward bill, right? It makes some changes to a private member's bill that was proclaimed in the fall of last year. Indeed, it makes some of those changes and obligations under that act more clear. It provides some clarity. We know that people entering property or accessing property that is in public areas and stealing metals is, of course, something that I think every member of this Assembly and, I believe, the majority, if not all, of Albertans would agree is something that we don't wish to see.

Now, if the government really wanted to support this, though, Mr. Speaker, I think it's important to understand that we must address this as a wraparound issue, right? We must address this issue as not just an issue of theft. I think it's important that when we look at how this bill amends the Scrap Metal Dealers and Recyclers Identification Act and how it addresses things like requiring photo ID and increases the fines and looks at different documentation requirements and how it asks the purchasers of scrap metal to have this increased obligation in terms of their reporting and whatnot – I think that's all fine. I think it's all fine. I mean, it obviously is increasing the regulatory burden on some of these businesses. It obviously is asking businesses to do more to try to ensure that we have a clean and legal trade here. I think that's all fine. What's concerning is this government's lack of investment in trying to actually understand and mitigate this type of theft.

Mr. Speaker, we see this government tell time and time again how they're trying to invest in jobs and trying to bring investment back to the province and all these different things. We know that these types of theft – and I've met with the police in my area in my constituency in Edmonton-South and many stakeholders in Edmonton-South who have seen this increase in things like petty theft and whatnot and theft of scrap metals or metals that are used in new builds or out of vehicles. It's becoming increasingly

common. Over the last several years this has become an increasing burden.

Mr. Speaker, we know that that often tracks with the economy and tracks with jobs, right? We know that this is a common vector for people who don't have another choice. We know that that's something that does happen from time to time. What's concerning is that this government has not done anything to actually address those issues. The government hasn't done anything in terms of investing to create new jobs. The government hasn't done anything in terms of investing to address the victims of the crimes. It hasn't done anything in terms of investing in actually preventing the crimes or mitigating the causes of the crimes. It appears that the government would like to basically do this window dressing of saying: well, if we increase the regulatory requirements and we increase the burden on businesses and make the small businesses have more to do and make it harder for small businesses to operate, that will magically make the crime go away.

We know, Mr. Speaker, that that's actually not true. What is true is that we need to do things like have a plan that isn't just giving away \$4.7 billion to profitable corporations. We know that we need a plan that actually invests and creates jobs for people who are down on their luck. We know that we need to invest in things like capital maintenance and renewal. We need to invest in things like our construction industries. We need to invest in things like our jobs. We know that we need to invest in things like preventative measures for crime, and we know that we need to support our social services. We need to invest in things like services that assist people in rehabilitation.

Mr. Speaker, it's become abundantly clear that the government isn't doing any of these things, right? It's become abundantly clear that the government has a completely failed track record. Even before the COVID pandemic they had an abysmal track record. They lost over 50,000 jobs even before the COVID pandemic. So we know it's clear that this government is not actually doing the work required and instead is trying to create this regulatory body. I think that's okay. I mean, I think that we certainly do need to have some oversight. I think we certainly are able to support some of these measures. I think that these measures, generally speaking, are balanced in terms of the burden they will place on businesses, but for a government that speaks so highly and speaks so often about how they are the pro-business and pro-community government, they seem to have completely failed to recognize that simply telling businesses, "Well, you're doing shady business" is not the actual solution to any of these problems. The government has completely failed to recognize that. They think that the free market is great unless it's something that they don't support.

Of course, we don't support theft, and we don't support the illegal sale of these materials either. What I am saying is that we need to recognize that to address these issues, we need to invest in our communities, we need to invest in families, and we need to invest in Albertans. We need to make sure we have the services that will allow these communities to have Albertans not need to resort to this type of theft – right? – to not need to resort to this type of crime. We need to make sure that we are able to have a strong police force strategy, Mr. Speaker. We know the government is cutting funding to municipalities, so we know that police forces – the Minister of Justice had said that he wanted some sort of scrap metal task force or police unit when the bill was first proclaimed. We know that the government is actually reducing the funding to municipalities, and of course we know that municipalities are the ones that pay for policing.

Mr. Speaker, it seems like the government is just trying to do what they have been doing many times in this place over the last few months here. Indeed, it seems like they are simply introducing

legislation to say that they have done something while actually trying to distract from the real problem, to distract from the core issues, to distract from the ability to actually make a difference and impact in Albertans' lives. Yeah, it's going to make it slightly more difficult for some people to sell scrap metals, and in many cases it will make it more difficult for people to legitimately sell scrap metals with some of these requirements. We know that many Albertans, particularly those of a lower economic condition, have difficulty getting things like identification. Many Albertans do not have any government-issued ID, whether it's a driver's licence or an Alberta ID card. For some of these people it will become, actually, more difficult for them to sell scrap metal and try to support their families.

Mr. Speaker, we know also that the criminals who are using these means to sell scrap metal and stolen metal and stolen things like catalytic converters or building materials from building sites will likely find a way around it anyways, right? I mean, it's interesting because the Conservatives in the government often make this argument, that criminals will continue to be criminals and these simple ID checks will not actually make a change to the crime burden. That's the argument that the government members have made in many cases in this House many, many times. However, here they introduced a piece of legislation that does exactly that. It's one or the other. They can't pick and choose whether they think it'll work or not.

Mr. Speaker, certainly, what we do know is that it doesn't actually address the root problems. It doesn't actually address what this government is trying to address. Instead it's putting the burden on business owners. Instead it's putting the burden on organizations that are trying to run a legitimate business. That's the concerning part, right? Instead of actually going in and saying, "Why do we have these cases of theft? What are the economic or social conditions that are contributing to this type of theft and contributing to this type of crime?" the government is still saying that we should put a Band-Aid solution on and try to catch people as they sell the product.

Mr. Speaker, we know that in that case that means that these thefts will continue. We know that that means that these criminals may try to find other ways to offload the goods, to sell the materials. That will continue to happen because the government has not actually tried to address the theft portion, right? The government is only trying to address the sale portion, so that's a fundamentally flawed approach to what the issue is here. It fundamentally does not address why people are stealing. It fundamentally does not address why they are selling it. Instead, it places a burden on the businesses who are trying to collect scrap metal and sell scrap metal. Instead it creates this burden. We certainly think that no dealer and no Albertan should accept stolen materials, right? They shouldn't buy or sell stolen property, and this may be a measure that deters criminals from trying to sell to certain dealers, and that's a good thing. It's a good thing to try and deter these sales. But we know that the majority of criminals will not see this as an onerous burden for them to try and continue with the sales.

9:30

Mr. Speaker, I think it's particularly concerning that this government does things like cuts the victims of crime fund and raids the victims of crime fund, reduces police funding through municipal sustainability initiatives and municipal funding, reduces all this programming and then actually fails to address the root issues and actually fails to understand why there may be ongoing issues around things like scrap metal theft and metal theft.

Mr. Speaker, again, I mean, I know we've heard members from the government side and opposition side speak at some length about

how this can be a rural issue. I know a couple of my colleagues have mentioned it, but I'd like to reiterate that it certainly is an urban and definitely a suburban issue as well. I mean, in suburban Edmonton – and any police officer who's worked in suburban Edmonton will tell you that things like this, petty crimes and break-ins, are on the rise and have been on the rise for a number of years, and they do contribute to things like scrap metal theft and the sale of scrap metal. Indeed, in my riding, where there is quite a bit of new home construction and new build construction, we also know that people will go into those sites and try to steal metals for sale.

Mr. Speaker, we do need to try and address this. We do need to actually go in and say: "Why are people stealing these metals, and how can we stop them? How can we try and reduce this amount of criminal activity? How can we try to reduce this amount of the sale of those criminally acquired goods?" Those are all important questions, but it becomes basically to say: "Okay. Great. We've registered all of these people who are selling scrap metal. So you come in with a spool of wire, and now I have your driver's licence number because you came in with a spool of wire." But it's actually quite onerous in terms of the type of work that must be done to then follow that up, right? Like, it doesn't actually try and address, actually try and catch people either committing crimes or it doesn't actually try to address why people are committing crimes. It doesn't try to actually address any of those issues.

When we look at this, we're actually just saying to businesses that we want to create an additional administrative burden for them because it may deter some criminals, right? Mr. Speaker, while I think that we certainly can support some of these measures and can support it in terms of having this balance of approaches, I think that what we're missing is the other approaches, the other aspects that tie into a strategy. When the government tries to bring in these things, they always talk about how they have a thing like a rural crime strategy. The government has this education strategy, health strategy. The government wants to talk about all these strategies they have, but indeed when we look at this, for example, the government doesn't seem to have a strategy.

They only have one thing that they're hitching all of their carts to, and that's a shame. It's a shame because we want to see wraparound services. We want to see an approach that approaches it from both a policing side and an enforcement side and a seller or dealership side and a social justice side, all of these different types of programs. I think that's what is actually essential in terms of trying to combat and reduce this type of criminal activity, trying to reduce the number of people who feel that they have to resort to criminal activity. In many cases, Mr. Speaker, I think that people don't want to be breaking in to construction sites to steal spools of wire and people don't want to be stealing catalytic converters from underneath cars. It's not something that I believe the majority of Albertans going to grade school today will say: I aspire to be a scrap metal thief from underneath pickup trucks.

Mr. Speaker, I think that it's obvious that when we try to address these issues, we have to look at it from multiple perspectives and say: "How can we target people with early interventions? How can we target people with things like social supports? How can we target people with things like criminal justice supports after the first offence and all these types of programs?" We need to actually invest in all these types of programs to make sure that we actually have a system that reduces this crime, right?

Mr. Speaker, it's very, very clear that this government either doesn't understand about that, or they don't care about that. It's very clear that they've hitched their horse to this one cart, that is registration of people trying to sell scrap metal. Again, as I said before, I believe that actually might make it more difficult for Albertans who are down on their luck to sell scrap metal. Certainly,

I think it's a shame when the government can find \$4.7 billion to give away to profitable corporations but it'll increase this regulatory burden for small businesses here in Alberta.

It's something that is a shame because I think that there are some good parts to this bill. I think there's a good intent to this bill to try and reduce the amount of criminal activity that we're seeing in our communities. I think the majority of MLAs in this place will have seen this type of activity in their ridings, and I think it's a real shame that we're not doing more. I think it's a real shame that the government isn't trying to actually improve the services provided to Albertans who are down on their luck, isn't trying to actually reduce the amount of criminal activity, isn't trying to actually address the criminal activity from a root perspective or from a policing perspective, and I think that's profoundly disappointing. It's a missed opportunity for this government. I think the government had an opportunity here to try to actually help Albertans, and instead of doing that, they have put a Band-Aid solution on that may or may not have an effect, but I certainly commend them on their attempt. I think that on that basis we'll have to see how the rest of the debate goes.

Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment for the hon. Member for Edmonton-South. I see that the hon. Member for Edmonton-Ellerslie is rising to ask a brief question or comment.

Member Loyola: Yes. Thank you very much, Mr. Speaker. I think it's very important, what the Member for Edmonton-South brought up, and that is tackling these different issues when it comes to crime from different perspectives, and he actually highlighted that it's really important to actually look at it from a social justice angle as well in order to kind of pre-empt, so that people don't feel that they have to actually go onto construction sites and steal spools of wire and whatnot. I think that that is really an important perspective that he's introduced, and I'm hoping that he can shed a little bit more light from his perspective on that.

Thank you very much, Mr. Speaker.

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

Mr. Dang: Thank you, Mr. Speaker. It's always a pleasure to hear from my colleague and my neighbour from Edmonton-Ellerslie here. I think it is very important that when we look at these services and we look at the effects on our community and the effects on our neighbourhoods and how Albertans feel and perceive their safety, we look at it and say that the majority of these cases, the majority of these incidents – I don't believe people grow up wanting to become criminals, grow up wanting to say: I want to go and steal from construction sites. I don't think that's what Albertans want.

I think that indeed we need to be able to provide investment in communities. I think we need to provide investment in services. I think we need to look at things like making sure that there's early intervention, particularly – many people bring up their teenage years and as they exit the primary school system, Mr. Speaker – making sure that we have actual programming in place to support these people.

I want to say again how profoundly disappointing this is because this bill, while the intent is actually quite good – it is intended to reduce the criminal activity in our communities. Again, I think the intent of this bill is actually quite good. I think the disappointing part is that it doesn't do anything to address the actual criminal activity, right? It only goes and says: well, we should register people who are selling things. Mr. Speaker, that doesn't do

anything. It doesn't go far enough in terms of actually trying to understand why the theft is happening. It doesn't go far enough in terms of trying to address the issue before the theft has happened. Indeed, it actually only occurs after the theft has already happened, so we know that material damage to property has already occurred by the time it's recorded. It is profoundly disappointing that none of these issues are addressed, that none of the concerns are actually being addressed here.

But it's interesting that the government thinks that this is their solution, right? It's interesting that the government thinks that this is important enough to bring forward as their solution to the issue of scrap metal and auto theft in Alberta. Mr. Speaker, we just know that's not true. We know it's not true that you can fix a criminal activity problem by registration. That simply is not the case. What is the case is that you fix a criminal activity problem by trying to reduce the number of criminals, and you try to reduce the number of criminals by bringing in wraparound services, by bringing in services that include things like community supports, that include things like trying to make sure that people who are coming out of the justice system do not reoffend. You try to do programs like that.

This government has decreased funding to almost every single one of those branches, even the programs that are trying to support people from reoffending; indeed, even the ones for the victims, right? The victims of crime fund has been raided as well to pay for other programs. Mr. Speaker, it's become abundantly clear that this government is more interested in trying to put on pretty Band-Aid solutions and put lipstick on the pig, as it were, instead of actually trying to address those root causes, instead of actually trying to invest in the communities, instead of actually trying to bring in different programs that will have effects, instead of actually trying to bring in things like counsellors for communities, instead of actually trying to bring in things like social programs that will allow Albertans to come out of poverty. It's become clear that the government's interest is more in line with the \$4.7 billion handout for profitable corporations than what this government has given in terms of things like supports for small businesses because we know that these small businesses are now facing an increased administrative burden thanks to this bill.

9:40

Mr. Speaker, it's pretty clear that this isn't the be-all and end-all. I think that the intent is good. As I've said before, I think that the intent will try to at least deter some criminals from using dealerships, at least reputable dealerships. The more disreputable sellers and resellers of these scrap metals will likely either falsify or not even register the disreputable thefts and the criminals. I think it's pretty concerning. I think it's concerning that the government isn't actually going in and taking the issue seriously. I think they're only taking the issue as a Band-Aid. But I think, certainly, we can support the intent.

The Speaker: Hon. members, is there anyone else wishing to join in the debate this evening? The hon. Member for Edmonton-Rutherford has the call.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate the opportunity to speak to this bill and to add my thoughts and concerns about this. It was interesting to see a bill come out that was so particularly designed for one singular aspect of a much larger problem. I'm not sure that I quite understand, you know, the thinking of taking such a very narrow point of view, but I certainly appreciate that this is an important topic.

I think that theft is a serious issue in our society, and I think it's problematic not simply because of the loss of property. The nature

of theft is that it's not only a violation of your property and your physical goods, but it's clearly a violation of your sense of safety and sort of the integrity of your home, which most people would view as, you know, an important place for them to feel secure in. Even if it's your business, you certainly want to be able to feel safe in your work site and not have to worry about running across a thief who could potentially be violent and just have that sense that your possessions are vulnerable to this kind of assault.

I take the topic at hand quite seriously, and I'm glad to see that some things are being done about it even if it is fairly narrowly defined. I mean, we clearly have larger issues that could be addressed here. The theft in this case is precious metals and other associated issues like car parts, but of course theft can be of any variety of things, not just simply those two items. Theft can be of any object at all, and as such one would think that maybe a law should have a bit more of a global perspective on it and address the overarching concern of theft and how we as a society deal with it.

I know that a number of my colleagues have already addressed the concerns about actually getting to some of the root causes of theft and the concerns that are out there, not simply trying to address the end result of an actual theft. I know that I certainly have been one of those people that complain that some of the bills that we've been seeing coming from the Conservatives kind of come from the shallow end of the effort pool, just doing a small piece of work when a larger piece of work would be more appropriate.

You know, one of the things I always look at when I look at a bill is that I'm trying to look for some theoretical consistency in the bill, that it demonstrates some knowledge of our understanding of the problem at hand and our understanding of the appropriate interventions for that problem. I'm a bit mixed on this particular bill because I certainly have pieces of it which I would absolutely support and other pieces of it that I just really feel like are more symbolic than they are actually effective interventions in the problem at hand here.

Let me explain what it is that I would see as the dividing line here. There is, of course, quite a body of research done on criminality and has been done for many years in Canada and throughout the world in understanding aspects of not only what's the origin of criminality but what are the methods or techniques that we can use to actually decrease the likelihood of criminality. We know, in fact, that while we are very concerned about issues like theft being on the rise in our communities, western society has seen a decrease in such behaviours over the last hundred years overall, so we certainly have learned some things, and we have been successful in doing that.

What we have learned is that structural barriers to the actual commission of a crime are more effective than some of the penalties. That's the theoretical inconsistency that I'm concerned about here. Some of the structural barriers that you're putting in I can absolutely support. Somebody has to show some ID, and then the people receiving the goods have to be able to demonstrate that they took every effort to ensure that they were legitimate goods and kept appropriate records to follow up when it was discovered if any goods were not legitimate: all structural barriers. They don't actually address the thief or the theft act themselves, but they become barriers to a thief engaging in behaviour, and we know from research that those kinds of structural barriers are indeed successful in reducing crime overall in society. But then at the same time you include in the bill some increase in the fine being levied, and I've got to tell you that the research doesn't support that aspect of your bill.

The research indicates that the amount of the penalty is not particularly effective in deterring the criminal activity because there are very few criminals that are of the nature that would say: "Well,

the fine used to be \$100, but now it's \$500. It was worth it at \$100, but it's not worth it at \$500." Those kinds of calculations don't tend to be made. It's not how it's done. What we do know, however, is that the primary driver in terms of decreasing criminality is the likelihood of getting caught, that even if you have almost no fine at all, if the likelihood of getting caught begins to approach a hundred per cent, then the likelihood of your committing the crime goes down even if there is no significant penalty for having done it. Sometimes it's just the noticing. It's just that you have someone who sees you engage in this misbehaviour, and as a result you feel like you can't get away with it in a social sense, so therefore you don't choose to get away with it.

Increasing the fines just feels to me like a little bit of a play to the base. It doesn't really feel like it's actually about reducing crime because I don't think the relevant social science literature supports it as an intervention. Then I find myself – well, I want to support this bill because I certainly would like to see a reduction in crime. Yeah. I find myself feeling, you know, that parts of it are just kind of undesirable. I guess at this time what I'd like to have happen is for us to have an opportunity to kind of think through the underlying theoretical consistency and integrity of this bill before we move on with the bill so that we can derive the greatest benefit from this intervention that we are engaged in today. I feel like it could be more robust.

As such, I have an amendment I would like to bring forward at this time.

The Speaker: Hon. member, if you can just pass that through to the LASS staff, and once the table has an original copy and I have a copy, I'll ask you to proceed.

This will be referred to as REF1.

The hon. Member for Edmonton-Rutherford has six minutes and 47 seconds remaining.

9:50

Mr. Feehan: Thank you, Mr. Speaker. I appreciate this opportunity. I will read the amendment into the record now. To move that the motion for second reading of Bill 25, Protecting Alberta Industry from Theft Act, 2020, be amended by deleting all of the words after "that" and substituting the following:

Bill 25, Protecting Alberta Industry from Theft Act, 2020, be now not 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.

Following up with what I was saying about the theoretical inconsistencies within the bill, I feel it's a good opportunity for us to just take an opportunity to think a little bit more about what it is that we're trying to do here in this bill. I clearly can see some things I would love to support, and I would love to be able to come back into this House and, you know, offer unconditionally my vote in favour of the passing of this bill, but I would like it to be a more robust bill. I would like more to be done in this bill than is presently being done. I feel like sometimes the bills that come into this House are a quick one-off, but when you're opening up an act, it's a great time to actually think with more depth about what it is that you're doing. Referring this to committee would give us an opportunity to do exactly that, to have a little bit more of a conversation.

I think that there's something really important and significant about this bill because in employing these structural barriers such as putting in the requirement for ID and keeping records and so on and reporting activities: all of these things I do support because they are structural barriers, and they are determined to be successful in decreasing crime. But it's interesting because I know that this government has been very big on reducing what they refer to as red

tape, yet here they are putting in a bunch of things in order to be able to reduce crime.

I would like the government to stop and think about that from a philosophical point of view. Here we have a situation where you can quite clearly see that regulations are really not very often indeed red tape. Rather, they are structural barriers that are put into our acts in order to provide an outcome such as, in this case, safety for property and persons in the province. I think philosophically it's interesting that the government would in this particular case choose to go against their own philosophical idea that there's too much red tape, and the only reason why they're doing it this time is because they have a base that has a law-and-order agenda, and this plays to the base of the law-and-order agenda. It feels to me like there's something about having a philosophical inconsistency when you say one thing in one bill and you say exactly the opposite on the other because you're trying to play to a base.

You're not actually coming from a place of congruence, and as a result I think it's very important that we take the time here to examine this because I would love the government to see in this bill how putting in regulations is not indeed red tape but is actually providing safety, like so many of the other things that government considers red tape but we on our side consider taking care of employees, making sure that they are safe and will return home from work every day to enjoy life with their families. This is exactly the type of thing that we think will help to do that. I would love the government to come to a place where they can see how the implementation of what they call red tape and we call structural barriers are a positive and achieve outcomes that make Alberta a better place for employers and employees at the same time.

If we submit this bill to committee, then I think we will have an opportunity to talk about those differences and talk about how we can even enhance the structural barriers that would further reduce the possibility of an illegal act being committed or, given that it may have already been committed, been gotten away with.

At this time I'm happy to cede whatever time I might have remaining to other people to address this important amendment that will have us refer this particular bill to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

Thank you very much, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment for the hon. Member for Edmonton-Rutherford.

Seeing none, is there anyone wishing to speak to amendment REF1? The hon. Member for Edmonton-Decore has risen.

Mr. Nielsen: Thank you, Mr. Speaker. I appreciate the opportunity to speak to the amendment here to send Bill 25 to the Standing Committee on Families and Communities. I do want to thank the Member for Edmonton-Rutherford for bringing this forward and certainly tapping into his experiences as a social worker around some of the underlying causes.

I think sending this to committee, Mr. Speaker, will give us an opportunity maybe to explore some of those things to make sure that we're not necessarily missing out on opportunities with which to make Bill 25 even stronger. As I mentioned earlier this evening, you know, I certainly do support the principles of what this bill is trying to achieve. Could it be better? I think absolutely it could. I've always said that coming from where I have, I get caught up on the language. While I don't see anything objectionable in the proposed — well, there are probably a couple of concerns here now since listening to debate. But is that all there is? Can we make even more?

I know some of my colleagues this evening have talked about some of those systemic problems that we have that might be

pushing people to take these not so great decisions to commit these crimes. You know, the lack of jobs that we're seeing here: the reality is that it was very clearly communicated by the government that by giving a large corporate tax break, it was going to create jobs. Before the pandemic started, we saw a loss of 50,000 jobs. The money that those corporations got: I mean, one even packed up and headed south of the 49th. With an expectation of these jobs coming and then not happening, people are up in the air and going: "Well, now what? How do I pay my bills? How do I feed my family?"

Certainly, some of the actions that we have seen the government take have not exactly been helping the situation for those families. They've seen their insurance rates go up. That's an added financial pressure. We've seen, potentially, their debt loads going up, which is adding financial pressure. You know, by simply giving them the opportunity to defer their utility bills and then get charged interest on top of that puts them in this cycle. You get to a point where you can't necessarily see a way out other than to make this decision. We would have the opportunity to explore some of these things by taking the opportunity to refer this to the committee.

As I mentioned earlier in my remarks, Mr. Speaker, necessarily raiding the victims of crime fund: I don't know if it's the best option here. I think by going to the committee with this referral, we could look at that and perhaps we can discover other ways to fund some of these programs that would help to reduce crime. You know, I could certainly look at the money that Albertans are spending with regard to this war room. I mean, we're talking about \$30 million that, I think, could very significantly make a difference in people's lives. When we can't even get a logo right, then perhaps maybe there's an opportunity to spend that money a little better.

10:00

One of the other things I do want to explore here a little bit, now that I have had the opportunity with which to look a little further within the bill, and, I think, again, grabbing that opportunity to refer this to the committee through the amendment will give us a chance to look at this. You know, Mr. Speaker, my wife has always been very, very concerned when it comes to her personal information and keeping that private. I've been looking at the bill here on page 5 under section 11.1.

Collection of personal information by Minister

11.1 The Minister may collect, use and disclose personal information as defined in the Freedom of Information and Protection of Privacy Act in accordance with the regulations.

Obviously, we have a new piece of legislation here that was based off a private member's bill, formed in, looking back now, 2012 but not, of course, proclaimed until just recently here in the fall of 2019. I have to ask, you know, these questions because if I don't, I think I'll probably go home tonight and be asked why I didn't ask all of these questions this evening.

First off would be: what's the purpose of this? Why is the minister collecting this information, and why is it the minister? Why are we not having, potentially, the police collect this information in terms of helping their investigations? So I'm wondering, you know, what the minister will ultimately be doing with this information. How long will this information be retained? Also, how will the information itself be retained? How long? What kind of mechanisms are going to be in place? We might have the opportunity, by referring this to committee through the amendment, to get a good basis for why this is in the interests of Albertans.

Who might have access to this information besides the minister? We've certainly seen, through, you know, news releases and stuff, different organizations that have had privacy breaches and

information that has gotten out when it clearly shouldn't have. What kind of protections do we have in place for that? Again, we do have a bit of a newer piece of legislation here. Does what we have in place right now cover that? I think taking that opportunity to send this to committee will give us the opportunity to put any potential concerns that Albertans might have to rest if that is the case.

The big question, of course, is: what is this information going to be used for? Is it simply going to be used for police to be able to find criminals that engage in this activity of illegally selling metals or, potentially, businesses that are illegally purchasing these metals? Again, who will be using this information? The other big part that I know I would be questioned about at home is: who will, potentially, this information be disclosed to? That's always the big one. You know, people want to know where their personal information is being sent and, ultimately, why it is being disclosed to these individuals or organizations.

I think we have some very significant potential concerns here, and it would give us a great opportunity, by referring this to the Committee on Families and Communities, to explore this and make sure that Albertans' personal information is protected and of who really should have that information. I certainly know that any time in the past government's time members of the government benches and members of the government caucus would constantly be upset with any new kinds of powers given directly to a minister, yet here we have this, so, you know, here's our opportunity to waylay any potential concerns that Albertans might have.

I know some of my colleagues had quickly touched on red tape. As the red tape reduction critic I obviously have to pay very close attention to that. What are the potential costs that we are going to be downloading onto these businesses that will be required with all of the identification checks, documentation of sales and transactions, and reporting in terms of any stolen property? I think if we take the opportunity to send this to committee, we'd be able to bring in some of these businesses and directly ask them: what kind of cost implications are there with regard to some of these changes? I've certainly heard from the red tape reduction minister that we're supposed to be getting out of the way of their business and not downloading all kinds of extra costs onto them. This, unfortunately, does actually do exactly what they don't want to have happen. Again, we'll have an opportunity talk to them.

One of the other things that I guess I heard one of my colleagues bring up was around not getting the opportunity to have a technical briefing. We don't know, again, some of the implications around, for instance, the collection of that personal information. You know, had we had a technical briefing, maybe we would have had the opportunity to explore that before we even got here.

I wouldn't mind having the opportunity, by referring this, to explore some of the costs associated with the new police hires, specifically what I'm talking about: where they will be located. The reason I bring that up – I use, I guess, EMS as an example of this. In the Edmonton area, you know, having had the opportunity to spend time on not only an ambulance but also a PRU and the chance to speak with multiple paramedics and whatnot, what I found, Mr. Speaker, was that throughout the day it would seem that resources would get pulled into the city from the surrounding areas, thus potentially leaving our rural areas around the city of Edmonton without actually having ambulance services. I mean, I remember that one day during that ride-along I watched one unit that started out in Thorsby, came down to Edmonton for a transfer, and throughout the entire day kept going back and forth because the resources were being pulled in.

When I look at this police hire, by going to the committee, we could talk to some of them to say: you know, are these resources all going to be located in the big cities, or are they going to be spread

out throughout the province, and are we going to have that situation that EMS has where we may have high volumes of crime requiring a lot of responses from this team? Are those resources from outside of the city going to be pulled into the cities? I do understand that the same happens in and around the Calgary area as well as Edmonton. This would give us the opportunity to take a look at that and maybe come up with ways to make sure that that doesn't happen. Maybe someday we'll get a chance to do the exact same with EMS and provide enough resources to all of them.

With regard to, again, taking the opportunity to send it to committee, for some of this potential paperwork that our businesses are looking at or online reporting, what kind of security is going to be available? Should there be online reporting? I'm not saying that we shouldn't necessarily take the chance to do online reporting, but if we're dealing with personal information, we do have to make sure that that is as secure as possible. If that is the case and we have to create a very robust online system that's highly encrypted and secure, well, at the end of the day, who gets to . . .

10:10

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment for the hon. Member for Edmonton-Decore. I see the hon. Member for Edmonton-Ellerslie.

Member Loyola: Yes. Thank you very much, Mr. Speaker. I do believe that the Member for Edmonton-Decore was right in the middle of sharing some really important information. I'd like him to be given the opportunity to continue if he doesn't mind.

Thank you, Mr. Speaker.

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

Mr. Nielsen: Well, thank you. I appreciate the Member for Edmonton-Ellerslie allowing me to finish some of those thoughts because they're very important. If we're going to have to build a very robust online system, the bottom line is that that is going to cost money. Who gets to foot the bill on that? Will that be footed by the government, or will that be yet another cost that's downloaded, potentially, onto these small businesses? I will get the opportunity, by referring this to committee, to be able to explore that, and, you know, the government will be able to present its plan on how to deal. Should we go to an online reporting system rather than a paper system? If that is not the case, then if we're going, sort of, I guess you could say, old school, what kind of rules are going to be in place to protect all of that private information in terms of secure storage of this? Again, is it is going to be a cost to the businesses, or is it going to be a cost that the Alberta government will bear to get this kind of information to be as secure as possible?

I do appreciate the opportunity, Mr. Speaker. My hope is that members of the Assembly will take the chance to support the amendment and send this to committee. Again, I don't think this is a bad piece of legislation that the Minister of Justice has brought forward. I think we have an opportunity to make it even stronger so that Albertans will see a very solid piece of legislation that they can depend on, that they can be sure is secure with their information, and we get the opportunity to pass a very good, robust piece of legislation after quickly sending that through the committee.

Thanks very much, Mr. Speaker.

The Speaker: Hon. members, there are a couple of minutes left on 29(2)(a) if anyone has a brief question or comment for the hon. member.

Seeing none, is there anyone else wishing to join in the debate on amendment REF1?

Seeing none, I am prepared to call the question on the amendment.

[Motion on amendment REF1 lost]

The Speaker: We are back on the main bill, Bill 25, Protecting Alberta Industry from Theft Act, 2020. Are there any others wishing to speak?

Seeing none, I am prepared to ask the hon. Minister of Justice and Solicitor General to close debate.

The hon. Minister of Justice and Solicitor General has moved second reading of Bill 25, Protecting Alberta Industry from Theft Act, 2020.

[Motion carried; Bill 25 read a second time]

Bill 26

Constitutional Referendum Amendment Act, 2020

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

Mr. Schweitzer: Thank you, Mr. Speaker. I'm pleased to rise today to move second reading of Bill 26, the Constitutional Referendum Amendment Act, 2020.

Our government has spent the last year talking with Albertans about a variety of topics. Through our conversations and through the Fair Deal Panel, Albertans have told us that they want more of a say in what kinds of initiatives government puts in place. They want us to clean up Alberta's politics and strengthen our democracy. This is what we promised to do, and now we are doing it.

If passed, Bill 26 would allow referendums to be held in Alberta on more topics beyond constitutional matters. Referendums enhance democracy by allowing citizens to participate in the process by voting on specific issues and giving them a real and direct say on issues and laws that affect them. This would allow us to ensure our government-led initiatives and programs actually meet the current and future needs of Albertans. This act would allow government to hold referendums on a number of government-led initiatives or matters of public interest before they are implemented. This would include some of the recommendations of the Fair Deal Panel. Albertans have told us that they want a bigger say and want to have a stronger voice in the matters that affect their day-to-day lives and the future of this province. This bill does just that.

I request the we move second reading of Bill 26, Constitutional Referendum Amendment Act, 2020. Thank you.

The Speaker: Hon. members, the hon. Minister of Justice and Solicitor General has moved second reading of Bill 26, the Constitutional Referendum Amendment Act, 2020. Is there anyone else who would like to provide comments or join the debate? The hon. Member for Edmonton-Rutherford has the call.

Mr. Feehan: Thank you, Mr. Speaker. I appreciate having an opportunity to address yet another bill here in the House, in this case Bill 26, the Constitutional Referendum Amendment Act, 2020, which is kind of a disappointing act to be brought into the House, and I'm going to take some time to explain why because I know that in previous conversations or question period the Minister of Justice has mischaracterized the NDP point of view on this as somehow being antidemocratic, that we don't want to have people vote on things, which, of course, is a completely incorrect interpretation of the concerns one has with this type of bill. We certainly believe in democracy, and we would have been happy to have seen democracy if it weren't so awfully perverted here in this bill.

There are, of course, reasons why people don't always support referenda in terms of decision-making in society because we have as a society already made the decision that people will have an opportunity to vote people to act on their behalf. Each one of us here has been selected by the constituents in our riding to act on their behalf. There is a contract inherent in that process of electing someone and sending them off to the Alberta Legislature to speak for you, and that is that they know that there is no way an average person in society could possibly have the wherewithal to fully understand and deal with every possible bill that comes forward. For example, we have some approximately 30 bills already in the House this spring, and the average person simply could not be able to take the time to fully investigate the nature of each of those bills and the implications of those bills on their own lives, and as such they have asked us to dedicate ourselves to that task on their behalf, knowing the general philosophical orientation that we come from in this House.

So the question is: if you have already decided, as we have in all western democracies, to establish a contract with people to act on your behalf to address questions in the House, why would you then take away the power from them to in fact do that? It makes no sense. There's an illogic to it all if you do that, and as such people don't expect to be able to have a personal direct vote on every single issue that comes up. We don't tend to have referenda here in Canada particularly because of that. Now, that doesn't mean that you wouldn't want to have one sometimes. Sometimes the issue is big enough that you say: "Look, we understand that we have given this authority to individual members of the Legislature to act on our behalf because they can take the time to do the research. They have research staff to help them do that, and as such, you know, we commend our vote to those members of the Legislature." But sometimes you say: "You know what? It feels like I need to participate in this." I understand that that's the motivation behind a referendum.

10:20

For example, the, obviously, very significant referendum that took place in Quebec regarding separation was one in which everybody felt that they wanted to have a voice because it was so defining of their experience and it would be so defining of their future that they certainly wanted to make sure that they were involved. So there was a situation where they could have a one-off. Not something that's done all the time, but something that's done for an issue that is particular in its design and one that, you know, is an exception to the rule. I accept that. We're not against democracy. We celebrate democracy because we believe that we have a role to fulfill, to act on behalf of the constituents in our community, and as such we're always a bit hesitant about the amendment that's presented here.

Now, let me go into the reasons why we feel that this bill is problematic. It's not the vote piece. I've already described how I understand that while we have an overall contract, there are probably reasons why occasionally there is a need for an exception. What we are concerned about is the nature of this bill because if you are moving toward saying that there is something exceptional happening here and that it requires that people do not act on behalf of citizens but rather citizens themselves should all be engaged in this process, then you shouldn't design the bill such that you are actually undermining citizens' participation in that referenda. That is happening in numerous ways in this particular bill. We are moving away from that exceptionality that says, "We want all citizens to participate in this process," to a very narrow process of having all the significant decisions about the referendum being decided not by their representatives here in the House, not by

committee, not by vote in the House but rather by one person. One single Albertan is making all of the specific decisions about the referendum, and that person is the Premier.

Now, that's very problematic. We suddenly have moved from what was supposed to be a democratic impulse, involving the citizens of this province in their governance on an issue that is of particular importance and therefore an exception to the general rule, to a process of the citizens not being involved through their representatives here in the House but instead having to live with narrowly defined decisions by a very narrow mechanism, in fact, indeed, a single individual. That is philosophically inconsistent and therefore unacceptable and the reason that we don't like this bill.

I don't accept the Minister of Justice's interpretation of our concerns as somehow being antidemocratic. We are in fact trying to protect and support democracy by saying that if you take all of this power, you take it away from the people and you take it away from their representatives because you believe there is an exception here, and you put it in the hands of one person, that is the absolute antithesis of open democracy.

We've had some examples of this kind of thing in the past where referenda are written in such a way that it is almost impossible to answer the question at hand honestly and faithfully on the ballot because it is written in a complicated way where when you really want something to happen, you vote no, and when you don't want something to happen, you vote yes. We've seen that happen in this country. There have been lots of concerns about that. We certainly saw that during at least one of the referenda in Quebec where the way it was written was not democratic. It was written to try to achieve a prescribed outcome based on the philosophical orientations of the party that wrote the bill and therefore wrote the referenda. We don't want to see that here.

We think if we are going back to the people, it should be a truly honest and open reflection of the question that people need to be asked and need to respond to, and that is not what we have. Right now the only person with permission to decide all the significant points of the bill is the Premier. The only person to decide: what is the wording of the referenda? How will people vote on the referenda? What result coming out of the referenda will result in a particular outcome? All of that is now in the hands of one person, who has a narrow political agenda just by nature because they belong to one party and not all parties.

That is what we object to. We object to that centralizing of power in a single human hand, a completely unacceptable reality in a democracy that we would do that. We believe that if you are going to have a referenda, you cannot make it such that any government, whether it happened to be the Conservative government this time or perhaps in the next election it will be an NDP government – we don't want them to have that kind of singular power because that is inconsistent with the underlying notions of democracy that we have in our society.

In this case, the Premier gets to write the rules. He gets to determine what's being voted on, who votes, where they vote, when they vote, and how they will vote. He's done that not only in terms of the decision-making but also the influencing, and that's another thing that is ultimately concerning in this bill.

That is, we know people do not have time and the resources in their lives to fully examine many of the issues that are important here in the Legislature. As such, they frequently have to rely on other people to do the research for them. They have to rely on other people to do the assessment. Now, that would be fine if there was a balance in terms of the resources on both sides of the question to bring forward the research, the evidence, the concerns, and the logical outcomes of a decision heading in either the yea or nay direction so that people could look at that balance of information

and make decisions that would be best for themselves and for the province of Alberta. That's not what we have here. What we have here is the inclusion of dark forces and dark money in a decision. That is, we are actually opening the door for people to secretly influence a vote without any accountability at all.

Now, I think that conservatives of any group should understand that there is power in influence, power in advertising. Certainly, we hear often enough and they tell us in this House that they are supporters of the capitalist orientation to governance, and the nature of business is more inherent in their philosophy, they say. I don't agree, but that is what they say. Therefore, one would see that it is logical that they would understand how significant influence through advertising is on decision-making. Every business that I know of, when they have the opportunity and the resources to do so, engages in significant advertising because it has been proven time and time again to influence outcomes. Increased advertising results in increased sales. I don't think that's something that anybody in this House is likely to object to.

10:30

Yet what we have here is a situation where we are now taking that power and we are giving it in a cloaked manner to people to influence our citizens on a very particular problem that we have already defined as being so exceptional that they can't go back to their contract with their own MLAs to act on their behalf. If that's true, then we are saying – we are taking the most important thing and we are subverting it by giving power to people who have no accountability within the democratic process. People are allowed to spend \$350,000 on this without even admitting that they have done so.

Now, if the Conservatives were truly believing in the democratic process and the balance of ideas, the contest of yea or nay with each other, why would they be ashamed to admit that they're participating in it with their dollars and their advertising? If they are truly committed to the philosophical underpinnings of democracy, why would they not stand up and declare themselves and say to the public, "I so much believe in this side of this referenda that I am going to put my money into it, and I'm going to tell you that I'm putting my money into it"? I am afraid that their intentions are nefarious, and that is not acceptable.

They certainly could clean up this bill in many ways by making sure that we are not undermining democracy but that we are giving people the opportunity to learn, and that can only be done if there is a balance on the yea and nay side of any question. If the vast majority of the resources are being put secretly into one side with no accountability, then we certainly do not have a balance, and people making the decisions will certainly not go into the voting booth with clear information to help them guide their decision. Instead, they'll be very much like consumers, who are cajoled through the power of money and advertising opportunity, to move in a particular direction, whether it is in their best interests or not.

We certainly have seen that happen through advertising in the past. We certainly have seen tobacco companies, for example, advertising at one point that smoking was actually good for you, having doctors in the advertisements saying that smoking was great. We know now that that is absolutely not true. That harmed the well-being, the health, and the overall well-being of citizens of this province over and over again. We know that bad advertising can influence people to do things that are bad for them.

One of the things that we have done in our society to ensure that that doesn't happen is that we have started to put regulations on tobacco sales. We start to say: you cannot have a doctor in your advertising suggesting that smoking is good for you when it is, in fact, not. But in this case we are giving the opportunity for people to do exactly that, to step up and put \$350,000 into advertising that

will influence people in a way perhaps to make choices that are against their own best interests, just as has happened with tobacco products over many years in this country and around the world. I think it's very important that we not allow that to happen, that we do not subvert democracy, that we respect the fact that people will need information on these kinds of decisions. We've already defined the need for referendum as an exceptional circumstance, and therefore we should absolutely make sure that any money spent on one side is equally balanced with money on the other side. We cannot do that if you do not provide transparency to that process.

So I ask the members of the government to reconsider this bill, to take the opportunity to understand that if they truly want to provide democracy, they have to not just provide the facade of being able to cast a vote but being able to ensure that the circumstances are such that the vote will be fair and open to a balance of ideas because the people involved on both sides of that balance of ideas have equal resources and are willing to stand up and declare themselves as having been on one side or the other and not hide behind this secretive slush fund dark money that is being brought back into elections in this bill, something that is very disturbing for me.

I know that every time I make a contribution to my political party, it gets recorded and it gets declared, and I think that that should also be true in this bill. Why is it that your friends with deep pockets should have an exception that is not available to me as an average citizen in this province? What is it about these friends of yours that they deserve to be given these kinds of antidemocratic exceptions? I can only imagine that the intent here is not good; otherwise, you would be happy to stand in the light of day and declare yourself in an appropriate way. You would be happy to have the other side of the argument presented as equally strong as your side of the argument because you would have faith that you are presenting your side of the argument and it will be heard to be the truth. But if that does not happen, if, instead, citizens are overwhelmed with one side of an argument by people who they do not know and they have no accountability, then we have an unfair election, and that is antidemocratic.

Thank you.

The Speaker: Hon. members, Standing Order 29(2)(a) is available if anyone has a brief question or comment. The hon. Member for Peace River has risen on 29(2)(a).

Mr. Williams: Thank you, Mr. Speaker. I want to thank the honourable gentleman opposite for his speech. It almost seems as though the NDP is prepared to concede defeat.

The Speaker: I hesitate to interrupt the hon. Member for Peace River. However, unfortunately, the hon. Member for Edmonton-Rutherford was the second speaker, and as such Standing Order 29(2)(a) isn't available. Of course, the hon. Member for Peace River would be more than welcome to join in the debate on the main bill, or perhaps he'd like to do that another time, whatever your preference is.

Mr. Williams: Sure. I'll take . . .

The Speaker: The hon. Member for Peace River.

Mr. Williams: Thank you, Mr. Speaker, again. I thank the hon. member for the comments. It seems as though the opposition NDP is preparing already for defeat for any forthcoming referendum that may happen, finding excuses why it's not fair and democratic, when the reality is that any single citizen of this province of age can vote: one citizen, one vote. I see no better way of achieving democracy

than putting it in their hands, yes, contrary to the lunacy of the member opposite. He does believe that we are taking power away from the people by bringing forward the ability to have referenda on important questions. It is insane and backwards. The truth is that this is empowering citizens of our province.

Now, the member had two parts to his speech. In the first part he seemed to have a position that we can't trust the people to vote; instead, it needs to be done here in the Legislature. That's the only route. Well, that's not true. We saw a number of referenda that had, I'd say, very democratic responses, not only in the American system, in our neighbours, but in the Westminster parliamentary system. Most recently we saw the Brexit vote in the United Kingdom, and before that we saw the question on Scottish independence in the United Kingdom. There are numerous examples across the western democratic system where we see democracy in action, where on important questions we do take the power away from this body, and we say, "We do not know better than our constituents," that we trust them, Mr. Speaker, above our own judgment because, ultimately, they are our bosses.

It's not that they're too thick to understand because they need more researchers. That's not it, Mr. Speaker. It is not that somehow we have some entitled knowledge because we're elected that we know better than them, as some members might suggest. We do not know better. The truth is that we work for them. The truth is that it is a representative democracy. On important questions that are complex, it is important that we defer to them on those important questions instead of assuming that we understand the complexities of the electorate.

10:40

Now, we see that the electorate surprises us all the time. We see this in Alberta. We saw this when the NDP were elected in 2015. That was not predicted, Mr. Speaker, and it's because we trusted the people. We didn't just say: "It's been 44 years, so we don't need an election. We know what's going to happen." It doesn't work like that. Whether it be for a general election or an important question in a referendum, we have to assume that we do not know better than those individuals. We have to assume that they have a collective wisdom through democracy that we do not hold just in this Chamber. That is the premise behind having referenda.

The first part of the member opposite's speech was that we need to trust the Legislature to do it, and it needs to be introduced through government legislation and passed in some way. Well, what we saw, Mr. Speaker, in the second half of his speech seemed to be a bit of a contradiction because at that point the member opposite was saying that we would put too much power in the hands of the government if we were to let them write the question. Well, it doesn't work both ways. As my good friends up north would say: you can't suck and blow at the same time. You cannot have it where you believe that there's too much power in the hands of the government but then say: no, we must trust the government only to make these decisions under the auspices of this Legislature.

[The Deputy Speaker in the chair]

Well, Madam Speaker, the truth is that the NDP is afraid. The members opposite are afraid that, ultimately, when you let Albertans have their say, you cannot have an elite making decisions for them. Ultimately, you will see the will of the people in that privacy and sanctity of the voting booth decide what they believe the truth is.

If we're going to reference again the question of the British Brexit – the member opposite seemed to think that it was only American politics that had questions of referenda, when it is something in a Westminster system – we saw there that the will of

the people was voted on. Now, it was close and it was contentious and it took years for it to be resolved, but the fact is that without a referendum that wouldn't have been possible.

I can't imagine what questions we're going to resolve here in Alberta. I do not know right now what they will be, but I'm certain that they will be important. I'm certain that I do not want to be seen taking the place of the 39,000-odd electors in Peace River and telling them that I know better than them on these important questions. I don't, Madam Speaker, and I truly believe that the members opposite in all humility don't know better than their electorate either. I think that it's in this sentiment of humility that we need to start looking at the question of referenda and really stop saying: without researchers you can't really understand it. It makes no sense.

The party that is currently inhabiting the seat of government in the Alberta Legislature had about a 120-page document for policy. I do not believe that my electorate was too thick to read it and some whiz magic marketing spin doctor convinced them to vote for me. I spoke to thousands upon thousands of my electorate, and they made the decision totally one hundred per cent, I believe, informed as to the facts of what an NDP government would look like and what a United Conservative government would look like and what I would say as a representative and what my opposition would have said as their representative. I have to trust them, that in a democracy they are capable of digesting and making decisions on the information provided to them because if the assumption is that they're too thick, Madam Speaker, we're done.

If the member opposite wants to have a speech saying that we need to respect the principles of democracy, it starts with respecting the voters. If you can't respect their ability and their wisdom and their intelligence, whether or not they have a PhD, then you cannot respect the democratic process. That is why this is the truest form of democracy on important questions, and it's why, ultimately, this government is moving forward on its campaign promise, which was in its general election platform, that said that we will reintroduce this to the people of Alberta. We will give them that.

It blows me away, Madam Speaker, that it was described by a member opposite in the opening speech tonight as a "narrow process." I believe it's 4.1 million Albertans – is that right? – the youngest population demographically in the country. Proportionally, we have the most of those that are voters out of any other province. It is a democratic thing to allow them to decide yes or no on whatever the question might be. If we cannot stomach that in this Chamber because we believe that we have a better sense than they do, because we have the sense of entitlement, then I think that's a scary position to be in. Talk about cronyism. I think that the members opposite – and I understand that they want to make amendments and that they prefer to have it this way or that way – should be very cautious with those words because they truly are attacking the intelligence and the very right that Albertans have to vote if we say that they shouldn't have this ability to vote, that they're going to be, you know, duped by some advertising. I trust that my family, that my friends, that the electors of the ridings that the members opposite represent are not duped. I trust that they truly know what they're doing, that they make an informed decision.

Before we have any checks and balances in our constitutional democracy here, before we have any Charter concerns to make sure that there aren't abuses of power, the number one defence we have to protect our democracy is an educated populace. I believe we have an informed, educated populace, not because they have degrees but because they are democratically engaged, because they care about the future of their province, the future of their families, about the next generation of Albertans, their participation in this Confederation.

I think that could be the concern that members opposite have, that we are going to ask questions that the members opposite are afraid to address. We're going to ask questions of the general electorate point-blank. We're going to say: how do you feel about the fair deal that we're trying to get? How do you feel about the idea of a referendum where we ask the question: are we getting a fair shake within Confederation when it comes to equalization transfer payments? While \$600 billion has left Alberta in our time of prosperity, now, in our time of agony, when times are good elsewhere and difficult here, Madam Speaker, we don't see any return on that. We feel aloof and confused as to why the Confederation isn't helping out Alberta.

Thankfully, Madam Speaker, we have a government that's engaged with provinces across this country. We have found alliances and have found an ability to grow together in a common interest, where Alberta and all the provinces and their jurisdictions are represented and respected. The concern we have is that the government in Ottawa doesn't always quite understand that. We've been through lots of phases of this before, for many years before I was around politically. But as we went through western separation in the past, the West Wants In of the Reform days, as we went through Peter Lougheed moments, his entanglement with a previous Trudeau government, I believe that democratic involvement was the key to resolving that.

If we want to truly resolve these questions, the members opposite should be shouting from the rooftops: yes, referenda; yes, democratic involvement; yes, every citizen of age, one vote. That's what's going to let Albertans feel like they have control of their province and their destiny. Albertans are not a people to just let things go. We swim upstream, Madam Speaker. That's how you know that something's alive, when it swims upstream. Albertans are alive, alive and kicking, and we want to be able to have our say. We want to be able to tell the country, to tell our provincial leaders here in this Chamber, to tell the government, to tell the members opposite, to tell everyone who will listen that we will not take this lying down. Those are the kinds of conversations we're going to have to have honestly in this Chamber and in this province to get through these difficult times.

So my concern is that when members opposite oppose the idea and use descriptions like "disappointing act," "taking power away from the people," "they do not have time to do the research," concerned about the very nature of the bill, Madam Speaker, when they use statements like that, maybe they don't quite understand the difficulty that Albertans have in articulating to Ottawa and to the provincial leaders here in this Chamber the frustrations they have. And if they think that hiding their head in sand or hiding their light under a bushel is going to make that any better, it's dead wrong. It will fester. It will get worse. The honest solution to this is more democracy, more involvement. The fact is that we know as provincial leaders and we have the humility to recognize that the population who elect us, whom we serve, know better than us. I believe they know better than all of us.

Thank you very much.

10:50

The Deputy Speaker: Standing Order 29(2)(a) is available. The hon. Member for Cardston-Siksika.

Mr. Schow: Thank you, Madam Speaker. I was having a great time listening to that speech. I was hoping that the Member for Peace River could continue telling us a little more about how ridiculous the members opposite are in opposing referenda.

The Deputy Speaker: The hon. Member for Peace River.

Mr. Williams: Thank you, Madam Speaker and to the Member for Cardston-Siksika. I think there's still time. I don't think they necessarily have to be seen as ridiculous or offside from the general population for opposing the ability for them to be involved on important questions directly in referenda. I believe that there is a lot of opportunity for them. I think that they can say: "I'd prefer this comma over there. We should make this thoughtful amendment." Maybe they could just say that it's a well-crafted piece of legislation. I'd be fine with any of those.

It's their description of this as undemocratic that they double down on, even now, even after we went through the entire debacle of watching them in question period the day after this legislation was tabled, watching them try to defend their position of quote, unquote, undemocratic referenda, somehow taking power away from the people. Those are the concerns that I have, and I don't think that it's too late. I believe there are thoughtful members of the opposition party that can criticize my speech, that can give thoughtful input into what I have to say, inform this House on how I may have missed the mark but nonetheless say: this legislation in principle should pass, and this is second reading, so I will vote for it. In our system that we have here, as the members opposite will know, second reading is a vote on the principle, the intention of the legislation. That is what you do at second reading. You want to make a substantive amendment, go for it in committee when that time comes. So here is a question to the members opposite. If you agree in principle that referenda are democratic and ultimately are something that Albertans should have a say in because we believe that is the best way for us to resolve our problems in those very important topics – to answer the question from the Member for Cardston-Siksika, if they believe that, then they can and will vote for this piece of legislation in second reading.

Thank you.

The Deputy Speaker: Any other members wishing to speak under Standing Order 29(2)(a)?

Any other members wishing to speak to the bill? The hon. Member for Calgary-McCall.

Mr. Sabir: Thank you, Madam Speaker. It's a pleasure to rise and speak to this bill. Let me begin by saying that I'm all for democracy. I'm all for public participation in the democratic process and anything that enhances people's participation in democracy. I'm all for that. I do agree with my colleague from Peace River that democracy starts by respecting the electorate.

Earlier today there was a private member's bill before a committee where 35,000 Albertans voted, weighed in in favour of a debate, and that side of the House shot it down. So much for respect for democracy. Earlier today, just today.

Then they are claiming that we are preparing for defeat, that we are scared of this, and all those things. Madam Speaker, yes, we do get scared when that side of the House led by the Premier gets near any election. Just two years ago, three years ago, they had their leadership race. They couldn't hold a leadership race without getting the RCMP involved. They couldn't do that. How can the public trust them with the democratic process? Seven members of the front bench were either reached out to or interviewed by the RCMP in relation to voter fraud in the 2017 leadership race of this Premier. So yes, we do get scared.

Then the very person who was investigating that voter fraud was also let go by this government.

Mr. Schow: Point of order.

The Deputy Speaker: A point of order by the hon. Member for Cardston-Siksika.

Point of Order Relevance

Mr. Schow: It's like the Member for Calgary-McCall was just waiting for that. Obviously, under 23(b)(i), speaks to matters other than the question under discussion. What the member opposite is talking about is neither regarding this legislation nor anything germane to this House. He's talking about a leadership race. So I would ask the member to direct his comments to this bill and not talk about a leadership race. It's irrelevant, Madam Speaker.

The Deputy Speaker: The hon. Member for Calgary-McCall to respond.

Mr. Sabir: Thank you, Madam Speaker. I don't think it's a point of order. I was, I guess, lectured by the Member for Peace River about democracy and how they're getting public participation in the process and all those things. The things I said were pretty much relevant to the debate because they were saying that we are afraid of defeat, that we are afraid of people participating, so I was just sharing my fears, actual fears. I'm not afraid of people's participation, electoral participation. What I'm afraid of: their record in handling democracy, in handling the democratic process.

There can be a difference of opinion – not even opinion; I was stating the facts – but it's not a point of order in any way, shape, or manner.

The Deputy Speaker: Hon. members, this does appear to be a matter of debate. There could be a point at which a member needlessly persists in a matter not of debate. However, I don't feel like we're at that point at this point in time. I will caution the member that if you get into that area, there will be a point of order. I rule no point of order.

I will ask the hon. Member for Calgary-McCall to continue with debate.

Debate Continued

Mr. Sabir: Thank you, Madam Speaker. I will talk about the bill and the concerns we have with the bill. I think, first and foremost, that what this bill does is that it gives government unfettered discretion to decide what matter will be the subject of a referendum. It gives them the ability to determine its timing. It gives them the ability to determine areas of the province where a referendum could be held and whether or not it could be done with mail-in ballots like with their leadership. These are all very critical matters that will be in the hands of the Premier, cabinet. This unfettered discretion and power grab are cause for concern.

We can talk about whether referenda are a good tool of governing, all those things, but in this particular case it's just the government deciding whether or not something merits a referendum. They were saying that it was in their general platform. In their general platform, when they talked about referenda, they were something citizen led, that if citizens want to have a referendum on something, there will be some process for them, for Albertans, to convince their government to have a referendum on something important to them. This is exactly the opposite of what this government campaigned on during their promise, exactly the opposite. Instead of a citizen-driven referendum, it's a Premier-driven referendum. Instead of Albertans among that 4.1 million population deciding, it's just one person deciding whether or not some question merits a referendum. So I think they shouldn't be talking about their platform, that it was somehow in their platform, because it was not. It's the complete opposite of what was in their platform.

11:00

In referendums it's not always easy to have cut-and-dried questions. If we take the example of Brexit, the question was fairly simple: whether you want to stay in the European Union or you want to be separate. But there were many considerations, from freight, from currency, from other sectors of the economy, that were at play.

Again, in this case government is giving itself power to state the question without any input from the Legislature, without any debate whatsoever in this Legislature. Like, on this side of the House we are also elected, and the government mandate and government platform was rejected in our constituencies. Government is shutting out the duly elected representatives of Albertans from the entire process and giving power to one person to decide what the question will be.

With respect to timing, it's the same thing. Government is giving itself the ability to decide it, whether they want to have just a stand-alone referendum, whether they want to have it with a provincial election, whether they want to have it with a municipal election, again, without any input, without any consultation whatsoever from anybody out of the 4.1 million Albertans, just one person deciding. If you are about people's participation, if you are about respect for the electorate, then they should have some way of participating in that process. Process does matter. Many municipal leaders have talked about this idea, and I don't think they buy it, the government's approach.

They are focusing on that we are against democratic participation, that we are against referendums. Nothing can be further from the truth. There is more to this piece of legislation that we are way more concerned about. As government, when we came to power in 2015, our first act was to take dark money out of politics, to ban corporate and union donations. We brought it down to \$4,000 from \$30,000. Before 2015, in an election year a provincial candidate was able to pay \$30,000 towards his or her election. That was the state of affairs, and politics was about big money and their rich donors and insiders. That's why we banned corporate donations; that's why we banned union donations. We brought democracy back to the people of Alberta, where it belongs.

An election should never be about big money; it should be about ideas. It should be about public interest. What we are seeing here – and I invite any member to talk about it, why they think that it's the right thing to do, to allow third parties to raise up to \$500,000, without even letting Albertans know who those donors are if it's below \$250, without even putting an obligation for them to disclose those names, just like the Premier's leadership campaign, where those \$250 and less were never disclosed. It's the same model. And up to \$350,000 they can spend without telling Albertans how they're spending that money.

So we are not against referendums; we are against this dark money. We are against this big money coming into our politics, plaguing our democracy, without any accountability whatsoever to Albertans. We are against this big money. This legislation is not about strengthening democracy. Nothing could be further from the truth, that this legislation will strengthen democracy. This legislation will erode democracy. This legislation will bring back dark money into democracy. This will create loopholes for corporations, for third-party groups to get together and bypass the corporate-union ban on donations. That's what this legislation is about.

That's where our fundamental disagreement lies with this piece of legislation, that it's bringing money – corporate money, big money, dark money – back into our politics without any accountability, without any oversight, and without any consultation with Albertans. I don't think that anywhere in the UCP platform was it written that it will facilitate this dark money back into

politics. I didn't see it, and I don't think that they said that. They said many other things, but that was not one of those things.

11:10

The Deputy Speaker: Standing Order 29(2)(a) is available. I see the hon. Member for Banff-Kananaskis.

Ms Rosin: Thank you, Madam Speaker. Bear with me; I'm losing my voice a little bit today. But I just really felt the need to stand up and address a few of the claims that were made by the member opposite in that last speech. I respect that in the latter half of his speech he began claiming that the NDP caucus now does support referendums, but it would appear as though the first half of that speech and, frankly, everything we've heard out of their caucus for the last two weeks would starkly contradict that. So I just wanted to, I guess, address some of the things that were said by the member opposite.

One of the things he mentioned was that this legislation, quote, unquote, is shutting out the duly elected officials in the democratic process. It almost breaks my heart a little bit to think that our democracy has gotten to a point where we elected politicians are so entitled and we think of ourselves as so mighty and so important that we are the only voice who can speak on behalf of Albertans, and Lord forbid that if Albertans were to speak on behalf of themselves, it would be shutting us out, as if we are just so incredibly important that Albertans need to come to us because we have the almighty power. I think that that's actually a shame.

I looked up the definition of democracy from the *Merriam-Webster's* dictionary. We have the definitions; there's (a), and there's (b). The first definition, or (a), is "government by the people." Definition (b) is "a government in which the supreme power is vested in the people and exercised by them directly." If that is not the definition of both democracy from a dictionary but also what we are trying to do through this referendum legislation, then I'm not sure what is. I feel as though perhaps the member opposite, who I respect, who's now walked out of the Chamber, doesn't quite – oh, sorry, Madam Speaker. I suppose I cannot mention who is in the Chamber, can I?

The Deputy Speaker: I will ask you to apologize and withdraw.

Ms Rosin: I will apologize and withdraw.

But, Madam Speaker, I think that if we look at the literal dictionary definition, that is precisely what we are trying to do with this legislation, put the supreme power back in the hands of the people to exercise it.

I mean, there was another comment I really wanted to address. He stated that he doesn't trust our United Conservative caucus with handling democracy. That's fine. He doesn't need to necessarily. It's great that Albertans did. Actually, the largest number of Albertans in Albertan history did. I respect if he chooses not to respect our handling of democracy. But then if the NDP caucus doesn't respect our handling of democracy, why not fill that democracy back in the hands of the people? If we're not entrusted to do it, then we'd better give it back to the people, who are the only ones who could handle it better than we can, frankly. I mean, if we're not trusted with it, we might as well put it right back in the hands of the very people and give them a specific vote on every single thing they want because they can do a heck of a better job of it than we can, or you would think that's what he thinks.

At the same time, we're hearing that the NDP caucus doesn't trust us to handle democracy, the duly elected government, but they're also saying that they don't trust Albertans to handle democracy. I'm not sure if that implies that just the single member who was speaking is the only one entrusted with democracy. Maybe we

should just have a dictatorship. I'm not totally sure. But given the options of "the people can't vote" and "the politicians can't vote," I'm not exactly sure what we are left with besides an authoritarian regime if those are our only options.

Madam Speaker, I guess I'm just a little bit confused by what the members opposite are claiming. I think they're a little bit confused as to what a democracy actually is as per the literal dictionary definition, and I just encourage the members opposite that if they really believe that our government is not competent enough to handle democracy, they should vote for this legislation and let Albertans do it themselves.

The Deputy Speaker: Any other members wishing to speak under Standing Order 29(2)(a)?

Seeing none, any other members wishing to speak to the bill? The hon. Member for Cardston-Siksika.

Mr. Schow: Thank you, Madam Speaker. We've had a robust discussion on this bill, and I move that we adjourn debate.

[Motion to adjourn debate carried]

Bill 27

Alberta Senate Election Amendment Act, 2020

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

Mr. Schweitzer: Thank you, Madam Speaker. I'm pleased to rise today to move second reading of Bill 27, the Alberta Senate Election Amendment Act, 2020.

Renewing the Senate election laws restored Albertans' leadership role in pushing for democratically elected Senators. This legislation requires a few updates to keep Senate elections running smoothly and efficiently. If passed, Bill 27 would make minor wording and housekeeping changes to the Alberta Senate Election Act, and to ensure consistency, this bill would also give the Minister of Municipal Affairs the same directive-making powers he has in our municipal elections when a Senate election is held in conjunction with a municipal election. For example, these ministerial powers could be used to address such matters as adjusting polling station requirements or adjusting ballot box requirements.

Although the changes Bill 27 would make are minor, they would strengthen the legislation and further solidify Alberta's work to strengthen democracy in Canada. I request that we move second reading of Bill 27, the Alberta Senate Election Amendment Act, 2020.

Thank you.

The Deputy Speaker: Are there any members wishing to speak to the bill? The hon. Member for Edmonton-South.

Mr. Dang: Thank you, Madam Speaker. It's a pleasure to rise tonight and speak to Bill 27, the Alberta Senate Election Amendment Act, 2020. I think what is interesting and what is telling is some of the language the Minister of Justice just used in his address. The Minister of Justice spoke to how he was intending to strengthen democracy and strengthen the Alberta Senate Election Act. It's interesting because the Alberta Senate Election Act does exactly none of those things. Instead, the Alberta Senate Election Act is intent on sneaking dark money and big money back into the political process, and this government is using this bill to do that.

Madam Speaker, bills 26 and 27, in this case 27, will allow hundreds of thousands of dollars to be raised and spent to influence the public's opinion on matters, with limited oversight. It's

interesting because when the minister speaks to how these are small, technical amendments – indeed, this legislation is the second time we're amending this piece of legislation in this place. The government got it wrong the first time, and they're getting it wrong the second time. Indeed, the primary change is to allow for concurrent spending by third-party advertisers, right? That is the definition of dark money. When third-party advertisers are allowed to spend concurrently and not report on how that money is going to be used, that is the definition of money that Albertans will not know the source of, will not know who is contributing, just like they did not know who contributed to the Premier's leadership campaign, just like they did not know who was a major donor to the Premier's leadership campaign, which was investigated for fraud, bribery, and corruption.

In the same case there would be hundreds of thousands of dollars, \$30,000 in the case of Senate elections and \$500,000 for referendums, where unknown amounts will be spent to influence Albertans' decisions. This is shocking because many members in this Chamber voted unanimously in 2015 with the NDP's, our government, Bill 1, which was to ban corporate, union, and third-party contributions and spending in elections.

So why the flip-flop, Madam Speaker? Why the flip-flop? It's because this Premier and this government, these government members who voted in 2015 to ban this type of spending, to ban this type of contribution instead today believe that dark money should be allowed, that their friends and donors should be allowed to unduly influence the Alberta electorate, should be allowed to unduly spend money, hundreds of thousands of dollars, without reporting, without telling the voters where this money is coming from and who it is coming from, whether that is out of province, out of country, or anywhere in the world. That is what this government is telling Albertans when they bring in this legislation. It is the least democratic thing we have seen in a long while in this Chamber. It is certainly not the least democratic thing we have ever seen; this government makes a pattern of that.

Now, Madam Speaker, it is very clear that this government is at the whim of these big donors, their friends and donors. It is very clear that they are intent on bringing in this type of legislation so that this money can be spent without the knowledge of the Alberta public, without the knowledge of being able to see who the source of this money is, without the knowledge of being able to make rational decisions because of it. When the Justice minister gets up in this place and says that this is a technical amendment to strengthen democracy in the province, to strengthen the ability of Albertans to have a say in democracy, that is basically making a joke of this place because, in all honesty, it is incredibly clear that there is no transparency, there is no oversight. Instead, this government is intent on ramming through this legislation, pushing it through in the middle of the night so that we can have third-party advertising, third-party spending in tens of thousands and hundreds of thousands of dollars. It's the allowance for this government to have their big friends and donors write massive cheques and run shadowy campaigns to change the opinion of the Alberta electorate. That is the intent and actual outcome that will come from this legislation. That is the outcome that we saw from the UCP leadership campaign.

11:20

When the Premier was elected to his leadership, we saw this exact same kind of shady campaigning, Madam Speaker. The Premier promised time and time again that he would release his donor list; he never did. What is going to happen when we see this similar type of rule brought in under this legislation is that we will see hundreds of thousands of dollars being spent to affect Albertans' decision-

making, to affect their opinions, to change how Albertans vote on important issues. Instead, we will see the shady money and the shady campaigning become prevalent here in Alberta. It's something that's absolutely shameful. I would say that it's shocking, but it's not because we saw this Premier use the exact same tactic . . .

Ms Goodridge: Point of order.

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

Point of Order Allegations against Members

Ms Goodridge: Thank you, Madam Speaker. I hesitated to rise on this. However, I feel that I must. This is a point of order under 23(h), "makes allegations against another Member." I believe that it's very clear from some of the commentary that's been happening over the course of this evening, but especially in the course of this speech the member opposite for Edmonton-South has been making serious allegations against another member in this Chamber, and I believe that that is a point of order.

The Deputy Speaker: The hon. Member for Edmonton-Ellerslie.

Member Loyola: All right, Madam Speaker. This is a matter debate. There is no point of order here. It's knowledge, firm knowledge, that the Premier has been investigated. The hon. member here is just bringing up what has been brought forward in the news. He's not saying anything that isn't public knowledge already, so there is no point of order here.

The Deputy Speaker: Hon. members, there's been much discussion tonight, some about very similar issues on very different bills. I think that I will seriously express some caution to members when speaking about matters involving members in this Chamber that have involvement with law enforcement. However, I do recognize that these are public facts, in the news, but I will seriously caution that these are matters which are under investigation or have already concluded, and if that is not to be made clear on very specific issues on the very specific things that you are discussing, it is best to avoid these topics altogether and stick to the issue at hand, which is Bill 27, the Alberta Senate Election Amendment Act, 2020. I do not find a point of order, but I hope that my cautions are noted, and I will ask the hon. Member for Edmonton-South to continue with debate.

Debate Continued

Mr. Dang: Thank you, Madam Speaker, and I certainly take that under advisement.

I think it's very clear where this government stands and where this Premier stands when it comes to addressing big money in politics. It is very clear that this government has made a pattern of utilizing big money in politics, and it's very clear that today we are debating legislation that allows this government to continue to use big money in politics, that their friends and donors can spend tens of thousands and hundreds of thousands of dollars influencing referenda, influencing the senate elections, influencing the electorate in Alberta with no oversight. That is clearly the intent of this legislation. It clearly is something that they thought up recently, Madam Speaker, because we have already amended this legislation once. Indeed, they decided that it did not go far enough and indeed they decided to open the door so that more dark money could be

brought into Alberta politics. It's something, again, that is not shocking, but it is certainly shameful.

When we look at this, we know that this is in line, again, with the government's pattern of behaviour, right? Madam Speaker, the Premier, again, had done a very similar thing with not disclosing the donations in his leadership campaign, and that is what this legislation does, the exact same thing to third-party advertisers. It permits third-party advertisers to not disclose the source of their donations. It permits third-party advertisers to not disclose the origin of who is deciding to influence Alberta's electorate. It allows them to just accept donations and contributions from out of province, out of country, across the world. It could be anybody, but Albertans will never know.

That is basically the point, that Albertans will never have the opportunity to know because this government is bringing dark money back into politics. This government is allowing their friends and donors, the ones they just gave \$4.7 billion away in corporate handouts to – they're now allowing them to use those corporate handouts to influence Alberta voters, to influence the decisions that Albertans will be making at the polls, and to influence the types of decisions that Albertans should be responsible for.

Madam Speaker, it is completely unclear why the government is bringing this forward because, again, the technical change here is largely that there be allowed concurrent third-party spending. It's shocking. The question is really – because the government appears to have not done any consultation. They appear to have pulled this out of the hat, and it appears that this bill is basically allowing third-party corporations and third-party donors to spend money without any oversight, without any transparency, without any advertising rules. That's what's absolutely shocking.

It's shocking because the Justice minister is introducing legislation here today that he espoused against when he was running for the leadership of the UCP. He spoke against things such as not being able to disclose donors. He spoke against things such as some of the activities that were involved in the UCP leadership campaign. Instead, today we see the Justice minister introducing legislation that enables those same things, that enables those same types of activities to be done in all future elections and in all future Senate elections. That's particularly concerning. It's particularly concerning that this Justice minister does not see the contradiction, that this Justice minister is so blinded by his ideology and perhaps his attraction to the front bench, Madam Speaker, that the minister is willing to bring forward this legislation that he clearly understands would not be a good thing and would allow undue influence to be brought upon the Alberta electorate, would allow undue influence to change the opinions of the Alberta electorate.

Madam Speaker, this opposition absolutely supports a fulsome debate. That's why we're here at 11:30 at night. That's why we're here at 11:30 at night debating bills like this. That's why we're in this Chamber every single day debating bills like this. We unreservedly support Albertans to have the ability to debate issues of importance.

Now, what that does not address, Madam Speaker, is that Albertans should not be attacked by third-party donors. They should not be allowed to have their opinions unduly changed by third-party advertisers, and that's what this Justice minister is bringing in. That's what the UCP government is bringing in. That's what UCP backbenchers are laughing about as they bring it in because they know that being able to spend tens of thousands of dollars or hundreds of thousands of dollars without disclosing where those funds are coming from, without actually talking about where those funds are coming from, lends itself to enabling shady elections, right? That's the type of activity we're talking about.

Dark money enables dark elections. That's the type of activity that we're seeing. When you don't disclose your donor list, when you don't disclose who is contributing the funds, when you don't disclose the origin of the funds, then you don't disclose who actually paid for the elections. You don't disclose who is actually unduly influencing the election.

We see that time and time again, Madam Speaker. You can just look here in the history of Alberta. You can just look in the last four years, five years of the history of Alberta. You can see that very same thing being done here. That's what's surprising. I mean, perhaps it is wise for some government members not to interfere in some of the shady money because perhaps the shady money was involved in their own party, but we won't speculate on that. It certainly is something that we need to look into when we pass legislation like this. What is the actual intent? Why are we allowing and what justification do we have to allow this dark money and concurrent spending into Alberta politics?

The Justice minister has provided none of that justification. The Justice minister has not done his homework. He has not come to this place and actually told this Chamber or Albertans why he believes this is a good bill. Instead, he has risen and said: well, we are strengthening democracy, and it's a technical change. That is not a justification, Madam Speaker. That is not doing his job, and indeed the Justice minister should be ashamed that he came to this place and moved second reading with such weakness.

Instead, what we should be seeing is a government rigorously defending their legislation, rigorously proclaiming why their legislation is beneficial to Albertans. Instead, Madam Speaker, what we are seeing indeed is legislation that brings dark money into politics, brings dark elections back to Alberta, and allows Albertans to be misled, allows Albertans to be unduly influenced, and allows Albertans to be attacked by third-party advertisers. It's abundantly clear – it's abundantly clear – that Albertans do not trust this government. They do not trust this government with their elections. That's perhaps why this government continues to move forward with such aggression and such speed on this type of legislation, to allow their friends and donors, the ones who have unduly affected elections in the past or may have unduly affected elections in the past, Madam Speaker, to continue to do that moving forward, and this legislation enables that. It enables the affecting of elections. It enables the advertising in elections.

11:30

Madam Speaker, this Justice minister should be ashamed of doing that. This Justice minister should be ashamed to come to this place and allow Albertans to have tens of thousands of dollars spent to change their opinion without telling them where it came from. If the NDP government had brought this type of change in, if the NDP government had come here and said, "We will allow international agents to spend third-party advertising in Alberta," if the NDP government had done that, this government, these UCP members, would have been up in arms. They would have been up in arms because we've seen them up in arms any time a third-party advertiser originates from environmental organizations, right? Instead, what this government is actually saying is that it's okay if it's their friends and donors. It's okay if it's their friends and donors that are using dark money in politics. That's what this government is saying.

The are actually saying – Madam Speaker, it is actually the intent of this government, it appears – that they believe that dark money should be allowed in politics as long as it furthers their own agenda. That's what's kind of shocking here. I know it's . . .

Speaker's Ruling Imputing Motives Repetition

The Deputy Speaker: Hon. member, I hesitate to interrupt. Perhaps we're starting to cross some lines here when you are insinuating the government's intent is not of pure motives, which you know certainly is not allowed in this Chamber. Further to that, I would be remiss if I didn't mention that perhaps we are now in a cycle of repetitiveness, where no new debate is now being contributed in this Chamber. So I will ask one time for you to continue on the path of debate on Bill 27 for the remaining six and a half minutes.

Debate Continued

Mr. Dang: Thank you, Madam Speaker. Now, I appreciate and will take your advice under advisement. Certainly, we have elapsed less than 20 total minutes of debate for this bill in second reading, and I understand that we certainly have a lot to get through.

Madam Speaker, it is certainly interesting when we look at how third-party advertising is brought in that this bill does concurrent spending, right? So what this bill is actually bringing in is allowing for advertisers to advertise on multiple fronts, to attack Albertans on multiple fronts and to change Albertans' opinion on multiple fronts. It's interesting because this piece of legislation had neither a news release nor a technical briefing, not for the media, not for the opposition, not for any Albertan that we are aware of. This government is actually so ashamed of this bill that they actually would not even put out a press release on it.

So, Madam Speaker, I guess the question is: what is the government hiding? Why is the government so intent on not allowing us to see not only that they are going to have tens of thousands, hundreds of thousands of dollars spent on changing their opinion and unduly affecting elections, but why would they not even tell Albertans they're bringing it in, right? That's the question. The question is really: if the government indeed feels that this is the right move for Albertans, that this will enable a strengthening of democracy, in the Justice minister's own words, if this would actually allow our democratic process to be stronger and would allow elections to have a stronger viewpoint of opinions and a broader perspective of opinions, why would the government not tell Albertans about it? Why would the government not even issue a press release? It's one click of a "send all." I'm sure there's an e-mail list out there.

Madam Speaker, it's extremely telling when this government does not wish to actually include the public in this piece of legislation. The government says, on one hand, that they're bringing in this legislation to strengthen democracy, to allow Albertans to have a better and more fulsome debate of the issues, to have these tens of thousands and hundreds of thousands of dollars of dark money that nobody knows where it's coming from. That's what this government is saying on one hand, and on the other they say, "Well, it's not important enough to actually tell anybody about," right? That's actually a little bit surprising because this government is saying that democracy and referenda and elections and spending in advertising are so important to fulsome debate. If it's so important that Albertans are able to have this conversation, then why wouldn't the government tell them to have the conversation?

Madam Speaker, I can't help and dare to speak for the government, but what I can say is that certainly when we talk about these issues, when we bring forward this type of change in legislation, when you bring forward changes in this case for third-

party advertisers, I think that the Albertans that may become third-party advertisers or may want to become third-party advertisers deserve to know, and in this case the government decided that wasn't the case.

The government thought it wasn't the case that it was important that the public knew about this piece of legislation. Madam Speaker, that is extremely surprising. It's extremely surprising because, as the Justice minister just said, it strengthens democracy. Clearly, if that is the case, you would think the Justice minister would be proud enough to post this in the news. It seems that clearly that is not the case.

Madam Speaker, it's interesting. How many more times will we end up amending these election acts? This is the second time we've come here to this place, and they clearly got it wrong the first time. I think they're still getting it wrong the second time. Clearly, we are addressing the wrong things. We shouldn't be addressing how much third-party advertisers should be allowed to spend. We shouldn't be addressing how much and to what extent we should allow people who are out of this province, who are not from here, to actually affect Alberta voters. We should be talking about why Alberta voters deserve to have their say, and that is not what's happening.

What's happening instead is that we are forced to talk about dark money in politics. We are forced to talk about the ability of third-party advertisers to not disclose their financing, to not disclose the origin of their monies, to not disclose who is trying to register a vote. And, Madam Speaker, unlike in other provinces, third-party advertisers in Alberta will not be required to even register for or against issues – right? – so we may not even know who these third-party advertisers are lobbying for.

In this case, in Senate elections, we will not know even who their preferred candidate is or the preferred issues. Madam Speaker, that's because by the nature of dark money it creates shady elections. It creates dark elections, right? That's the type of advertiser that this Justice minister and this UCP government seem to be wanting to support. It seems to be introducing legislation that enables, seems to be allowing to unduly affect Albertans' interests, and that is very concerning. It's very concerning because we know that when we look at these issues and we look at the types of issues being brought forward in Bill 27, they are in many cases of high public importance, right? The people we send to Ottawa is an issue of high public importance. The ability of the upper House to make decisions on behalf of the people of Canada and the people here of Alberta is an important issue, Madam Speaker.

We think that having a strong, robust system for debate is important, but a strong, robust system for debate includes disclosure of who is trying to further an interest. When I donate to the NDP here in Alberta, my name is registered on a list. Madam Speaker, when any member in this House donates to any political party in this province, their name is registered on a list, and that spending is then audited and disclosed.

What we're going to see instead is a complete lack of that registration, a complete lack of that type of information, and we're going to see less transparency for the average Albertan. We're going to see less transparency for the public. It basically means that Albertans are going to be less able to make confident decisions, and, then, I think that's disappointing. I think it's something that I will be voting against anyways. I think that certainly Albertans should expect better from this government.

Thank you.

The Deputy Speaker: Any other members wishing to join debate? The hon. Member for Peace River.

Mr. Williams: Thank you, Madam Speaker, and thank you to the Member for Edmonton-South for his opening speech. It strikes me that I much prefer the democratic party or the old democratic party to the New Democratic Party, as there doesn't seem to be a lot of democracy in the New Democratic Party. Whatever they used to be, it might be a better go than what they have now.

Whether it be the current question that we're debating, Bill 27, the Alberta Senate Election Amendment Act, 2020, or we're talking about direct democracy through referenda or a number of other questions where effectively we let the people decide, it seems they're just not happy with democracy, Madam Speaker. It seems to be socialist logic, as best I can tell, that allowing people to vote on who the Senator is and to campaign according to that is somehow undemocratic.

11:40

I think it's important we note, Madam Speaker, that the NDP legislation that they brought in in 2015, that they so proudly tout, allowed the NDP affiliates in the last general election, in 2019, to spend \$1.8 million as third-party advertisers. What's the concern with third-party advertisers all of a sudden? Ironically, even more than that, the majority of that \$1.8 million in third-party advertising from these unions is actually constitutionally a part of the NDP. It's a wing according to their own constitution. So it's not just that they have their own party's \$2 million limit that they brought in, they expanded that effectively with their \$1.8 million in excess, which is constitutionally a part of their own governance, spending twice.

Now, I heard so many references to dark money and shady money and shaded money and all sorts of different, you know, shades and colours of money that they're concerned with. I think the real concern is on the members opposite.

An Hon. Member: Dark money.

Mr. Williams: Dark money. Yeah. It's very concerning that they seem to be selective, Madam Speaker, in how they're criticizing third-party spending. The fact is that in a free democracy we should have third-party spending to allow people, citizens, whether or not they're a part of an official party or candidate, to advocate and campaign. That's reasonable. That's thoughtful. That's a free expression. We should have rules regulating it.

We believe the legislation that the government has drafted, or at least I believe so as a member of these benches, is appropriate and balanced and is taking into consideration the fact that Albertans, whether they be a part of a campaign of that candidate or that party or not, should still be able to in some way advocate for their preferred candidate or their issues within that election. That applies to the Senate as much as it does referenda, as much as it does the general election, which I know – I assume, anyway – members opposite agree with since the vast majority of them were in those seats voting for it just a few short years ago in support of third-party advertisers.

It gets down to a fundamental concern of whether or not, again, we can trust Albertans to make up their own minds, whether advertisers in campaigns are spin doctors and wizards and magicians that have some magical hold over the electorate or whether or not they're advocating their position with information put into the public space so Albertans intelligently can decide for themselves what they want to vote for, Madam Speaker. That ultimately is what this comes down to again. Do we trust Albertans to make these decisions? Is it ultimately something that they are capable of? Do they have the ability and the nature as adults formed within the province and the country where they grew up to consume that information and decide: "I believe that to be right, or I believe

that to be wrong; I believe this person to be someone of character, someone I want to represent me, or I prefer the other guy or gal”?

Those are ultimately decisions for the electorate, and we need to put in the hands of those people who are doing the campaigning in this lively democracy, rules and parameters around how they can campaign – yes – but we have to set limits, and I believe those limits are reasonable. If we were not to set limits, as the members opposite rightly say, it would create an unfair advantage. But with the limits we have and the nature of democracy that we see today in the 21st century, we need to allow third-party spending. I think it would be wrong for us not to. It’s a question that the members opposite seem to just hammer away at as though they haven’t given a moment’s thought as to why. They say: “Get rid of it. Get rid of it.”

I’m going to quote one of my favourite authors, G.K. Chesterton, the English author of the 19th century, who said: “If you see a white picket fence in the middle of the fields and the hills in England, you don’t take it down when you say: I have no idea what it’s here for. You find out who put it up and why it’s there and then you decide: okay; should or should it not be taken down?”

The members opposite haven’t given a moment’s thought, it seems, from what I can hear, as to why third-party advertising is something that we need to have, why it’s something we need to regulate, why it should be in the legislation, especially given their own use of third-party advertisers to the tune of \$1.8 million, at least, in the last provincial election, almost doubling their total amount spent from the \$2 million cap that they legislated. Surely in practice they agree. Surely they see that it’s hypocritical to all of a sudden now say that we’re selectively against it. Ultimately it’s up to the people to decide what to do with that information. They rightly should have it in front of them. An individual should be able to get their message out. In the nature of democracy these individuals fund raise as politicians, as elected officials. They collect donations, and they try and spend them as thoughtfully as they can to articulate what they believe the vision of Alberta should be. Our candidates for the Senate or individual groups who are aren’t a part of those candidates shouldn’t be allowed to also articulate their views of what the future of the country should be, Madam Speaker? Shouldn’t we allow Albertans to make their minds up instead of trying to micromanage them?

It truly is socialist logic, Madam Speaker. It is socialist logic to assume that the average Albertan needs a researcher, as members opposite have, to decipher the truth. They don’t need it in a general election, I dare say they don’t need it in a referendum, and they don’t need it in a Senate election. The truth is that Albertans are trustworthy. The truth is that I trust a whole whack of Albertans more than I trust myself. I think that they have a better instinct than I do all on my own. And I think it’s right for them to be making these decisions on major points, and that includes our elected representatives in the Senate.

Thank you, Madam Speaker.

The Deputy Speaker: Standing Order 29(2)(a) is available. The hon. Member for Lac Ste. Anne-Parkland.

Mr. Getson: Well, thank you very much, Madam Speaker. The Member for Peace River, this gentleman, is younger than I am. He’s sporting a beautiful moustache. I thought it was interesting that our Minister of Transportation lost it, and he found it. I love the fact that he can quote all of the previous authors that have talked about it. This man is passionate about democracy. There is no question that he is articulate for Peace River, and the folks up there, in voting for their candidate that became their voice here, are getting their money’s worth.

Now, it is interesting for me as well, being a new person in politics. I was one of those just average Albertans, I guess, watching what was out on the news and trying to form my own opinions of it, and it’s not through academic snobbery that somebody else had to articulate to me what my opinions were. It wasn’t through that type of messaging that I had to form my own opinion. It was by me doing my research, listening to the information out there. I never once went through a list to see who was actually donating to each one of these ad campaigns. When you see a pop-up on the CBC or XYZ or whatever other broadcasting corporation that’s spewing that stuff out there, your kind of mass consumption: if you don’t like the message, you change the channel. Given all that information, the electorate have made their decisions.

When it comes down to the Senate, I think that’s something where we want to make sure that we have the best candidates that we can put forward. I believe – and the Member for Peace River might correct me – it went away for a bit. It was only a four-year period when it kind of went away, and I think there was a resurgence, that we wanted the Senate to come back, that we could actually pick our own Senators. That was something the electorate wanted again as well. That’s why a lot of us are here representing our constituents.

The interesting part that I find: if I’m following some of the members opposite’s logic, there’s this dark money stuff, apparently. I’m not sure if it’s a *Star Wars* euphemism or where they are getting this from, the dark side and the light side. I’m not sure how that works. But if I were to follow the logic, the way it was before, there was dark money. Then they got elected, but they got elected during the dark-money period. Then all of a sudden, now that they were elected, they changed it. Then during the clean-money period, or whatever they’re referring to it as, they got unelected. So how does that work? Now we’re going back to the dark period? If anyone was talking strategy, if I were them, I’d be doubling down, going: you bring on that dark money because the last time that we got elected, we were there. So I just cannot follow the logic.

When it comes to the senatorial election, I’m looking through Bill 27. I’m not seeing the same things jump off the page that the members opposite are having problems with, and I think a lot of this comes down to the way their party functions and the way they see things. There’s this old euphemism: if you want to catch a thief, you’ve got to think like a thief. They’re seeing things from a different perspective. When I got that first insight was when one of their former members, a private member, had sent out an e-mail message to us new guys saying how bad it was to be a backbencher, as they called it – on our side we call them private members – to be bullied and not have expression or an opinion. If that’s part of how they’re seeing the lens, that’s how they see democracy.

11:50

I know why I picked the UCP to run for, and I know why our government is bringing forth legislation like this to bolster the democratic process, because people do have a voice. We know that we don’t know everything. We’re only elected representatives. When there are the critical items that we want to put out there, it goes to the referendum. It goes to the vote.

Thank you, Minister, for bringing this forward, and to the Member for Peace River: I’ll cede any other time if you can, please, articulate anything more on these items. And please tell me what this dark money stuff is because I’m thinking that it’s a *Star Wars* episode, Madam Speaker.

The Deputy Speaker: The hon. Member for Peace River.

Mr. Williams: Thank you, Madam Speaker, and thank you to the Member for Lac Ste. Anne-Parkland for the question and comments. The truth is that you can't follow the logic, my hon. colleague, because it's socialist logic. It just doesn't make a lot of sense. They can't seem to, you know, stick to one idea. They're for third-party spending when they legislate; they're against it now.

The fact is that the reasoning behind their current position is not as important as the consequences of the current position and the conclusions that Albertans will draw from it, even their own electors. There are a number of electors in Edmonton who care a lot about who the Senator is. Now, we did have an appointment of Paula Simons to the non-Liberal/Liberal caucus of the Senate. Far be it from me to criticize her august body of work as a journalist criticizing Conservative governments across the country over and over again, but I do think it is fair to say that Albertans want to be able to choose who the Senator is, and they want to be able to do it in a way where they can understand.

The Deputy Speaker: Any other members wishing to speak to the bill in second reading? The hon. Member for Calgary-McCall.

Mr. Sabir: Thank you, Madam Speaker. I rise to speak to Bill 27, Alberta Senate Election Amendment Act, 2020. We have seen this piece of legislation, I guess, for the second time in six months. Bills 26, 27, and 29: all these pieces of legislation have absolutely nothing to do with democracy.

[Mr. Hanson in the chair]

There's one theme in these three pieces of legislation, and that's that they are allowing dark money, they are allowing big money back into politics. With this particular piece of legislation there was no media briefing. There was no news release allowed by the government. I believe there was no technical bill briefing. In that sense of all those things where we would be able to hear from the government, the government front bench, about the intention of the legislation, about why they think having third-party advertisement is important, then we are left to speculate. We are left to speculate based on the previous position taken by members of the front bench.

In this case, for instance, the Justice minister not long ago – that's, I guess, on a video, where he was debating alongside the Premier and former Leader of the Official Opposition Brian Jean, where he said something to the effect that dark money shouldn't be part of politics, shouldn't be part of democracy, and all those good things. Now we are seeing a bill from the same member which does essentially the same thing that a couple of years ago or three years ago the member was speaking against.

This bill has nothing to do with democracy. We know from the history of politics around Senate elections that Alberta is the only province which ever had Senate elections, and this thing goes back to the late '80s. The most recent one, I think, was in 2012.

[The Deputy Speaker in the chair]

But the thing is that if there is a desire to reform the Senate to make it democratic, I would agree with the government that that's a laudable goal. That's something that I agree with them on. Sure. The Senate needs to be reformed. If there is some way that we can put public accountability, if we can come up with some kind of election process for the Senate, that's a good thing.

But unless and until we do that – and the Minister of Justice for sure knows this – the Senate is a constitutional institution, and the Constitution of Canada dictates how Senators will be elected. It sets out the regional composition of the Senate. It sets out age restriction. It sets out who can be a Senator, their net worth, their qualification. Like, all those things are set out in the Constitution. At the end of the

day it's the Governor General who appoints Senators on the advice of the Prime Minister, and that's the process. That's in the Constitution. That's in our supreme law, and no Legislature, no Parliament can make laws that will change that process unless there is a constitutional amendment to change that process.

I remember with former Prime Minister Harper, that was one of the things that they talked about during the election, that they would reform the Senate. The Premier was part of that cabinet, and they were in government for a long time, almost 10 years. They never talked about opening the Constitution and making the Senate accountable, making the Senate democratic. Under their 10 years the Senate process was the same. From Alberta one of the contestants was Mike Shaikh. I believe that Mike Shaikh was third in that election, and somehow he wasn't appointed. For him that process certainly was not followed. It was not followed then. It was not followed after. After Mike Shaikh we have two more Senators that I can think of that were appointed to the Senate.

At a time when Albertans are struggling with the pandemic and they're losing jobs and they're facing many other issues, we are debating a bill that will have no impact whatsoever on Senate appointments because at the end of the day it's a constitutional appointment.

12:00

The process for that is written in the Constitution, and that's that the Governor General will appoint Senators on the advice of the Prime Minister: 24 each from Ontario, Quebec, the Maritime provinces, and western provinces and nine Senators from the rest of Canada. That's the composition that's in the Constitution, and there are certain other requirements that are already there. This piece of legislation doesn't do anything to that appointment process.

What it's doing here is that they're giving a free hand to these third-party groups to raise money left, right, and centre. Bill 26, that we were debating earlier, gives these third-party groups a limit of \$500,000. Out of that, \$350,000 they can spend without being accountable. They can raise that without even telling who they are raising it for. As if that was not enough, they are opening up another account for them where they can spend another \$30,000 on Senate elections, too, on an election that has no constitutional value, that is not binding on the Prime Minister, that is not binding on the Governor General, that doesn't alter the process of Senate. But here we are. The government wants to open another account on top of that \$500,000 for third parties so they can spend separately on the Senate election, too, \$30,000.

They're talking about freedom of expression rights. When it's freedom of expression for their wealthy donors, for their wealthy friends, corporations, they're in favour of it, but when everyday Albertans – if they choose to protest, they bring forward Bill 1 and literally block every street, every walkway where they can declare that you can't protest here. But here they think it's important to give the wealthy few all kinds of freedom of expression without any accountability whatsoever.

At the end of the day, this bill is only opening up a new account for third-party advertisers on top of that \$500,000 that they got under Bill 26. They can have another account of \$30,000 to spend on Senate elections. They will be able, these groups, to raise money from corporations, something that Bill 1 in 2015, First Session of the 29th Legislature, banned. The corporate and union donations were banned. That was the first act of the 29th Legislature. But they are creating loopholes. They're not loopholes; they're opening doors, actually, to that dark money, to that big money. They are allowed in politics, they are allowed in democracy, and instead of any ideas, it will be those donors, those wealthy corporations who will influence and determine the outcome of the democratic process.

Although it's named the Alberta Senate Election Amendment Act, 2020, all it does is that it opens a dark-money account for third-party groups, and it's not about strengthening democracy. Like, I have witnessed, lived . . .

The Deputy Speaker: Standing Order 29(2)(a) is available. Seeing none, the hon. Member for Edmonton-Rutherford.

Mr. Feehan: Thank you, Madam Speaker. I appreciate the opportunity to address, for the second time tonight, a bill on referendums. It excites me to give the Member for Peace River another opportunity to mischaracterize and to argue against points that were never made, so I'll be anxious to hear some of his thoughts later on. You know, perhaps we can actually put the points out there, and perhaps this time he'll be able to pick up some of the things that are said.

I know there are many things that could be talked about in this particular bill, the concerns that are there, and I will try to keep my comments fairly brief, certainly for me, this time and just speak to one or two of the aspects of the faults of this bill and the concerns that are there.

I know that there have been objections on the government side to the idea that we are opposing third-party advertising in this Senate election. I think they're missing the point when they make that characterization, so I just want to take a second to set the record straight for the many thousands of people watching us here this evening . . .

An Hon. Member: Millions.

Mr. Feehan: The millions. Sorry. I'm sure. There are 4.1 – right? – in the province now. Thank you.

. . . because I know it won't be heard by members of the government. But certainly the audience can pick up the point that the issue isn't that there are third-party advertisers; the issue is the fairness and balance that are created when you create a bill of this nature. Of course, we want people to be able to express their point of view, pro or con, on any referendum we might happen to have. I said that in my previous speech as well. But for it to be a fully satisfactory democratic process, we would want to see some form of balance between the amount of monies put on two sides of a debate. The way that we – you can't always achieve that, ultimately. We know that.

But I think it's requisite upon government to try to bring some effort toward balance. In the past we have tried to do that by not eliminating the amount of money that any individual can put into a debate but, rather, to just limit it so that there is an amount of money that is generally accessible to the vast majority of people in the province to contribute so that they can all have something of an equal influence on the discussion and therefore the outcome of the debate. That's what's fundamentally important here. It's problematic when the ability to influence debate is not even.

12:10

Now, what we want to see is that there is, in fact, an opportunity for people to participate but not an increased opportunity for some people who happen to have deep pockets. That's the issue at hand here. How do we prevent – in a democracy we want everyone to participate and kind of be at the same starting line and have the same reasonable opportunity to run the race as the other people, but if we have a situation where one person is on a bicycle and the other person is in a Formula 1 car, the contest is not reasonable. You can say, "Well, you both have a chance to race," but it's not a reasonable race. What we'd just like to see is some attempt to approximate reasonableness. We know we can't have ultimate control over it,

but we would hope that the intent of the government is that at least the opportunity is for everyone to be in the same kind of vehicle as they enter the race.

That's, I think, the primary issue that I want to talk about here. That is, in this particular case the government is neglecting the question of balance and fairness. I think it's very important that we understand that, you know, balance and fairness are really important philosophical aspects of the work we try to do here in this Legislature and in our democracy in general. We don't want to have a situation where some people in society, because of their power, their prestige, their money, or other kinds of things, can overinfluence the discussions that we have. We know that happens in some parts of the world, where really only one voice is heard and all of the arguments are really only presented by one segment of society.

One of the things I think we pride ourselves about in Canada is that we at least have a hope that all members of society actually can contribute, whether they happen to be wealthy people or they happen to be unwealthy people, whether they happen to come from a particular part of our geography, whether it be rural, small town, or big cities: all of those things. We want people to feel like you're equal; you come to the table with as much respect for your thoughts and your opinions and your attitudes as somebody who might have a different geography, a different education, a different wealth, or any other kind of difference at all. It's that desire to see the full contribution of all citizens that we're trying to preserve in our concerns here.

In this particular case what's happened is that the doors have just been blown wide open for some people who, because of the great fortunes of life, have ended up in a position where they have extreme amounts of money, more than other people. I really am concerned because I really feel like this is the Americanization of our political process, just the same as I know the government is trying to Americanize our health care. That is very concerning to me.

I know that as I was growing up and we went from having two television stations to three, it was a big issue. It was a lot of fun to have that third station. Then we went on to having a couple of others, but what was unique about the third, the fourth, and fifth ones was that they weren't Canadian stations; they were American stations. KXLY coming out of Spokane. One of the things we saw when we got this new introduction to a different way, an American way, of being was heavy political advertising that many of us found quite objectionable in its tone and its direction and its reliance on inequality and unfairness between the parties involved. That's what we're trying to avoid here in this situation.

When you allow for multiple events to be happening at the same time and you allow for Senate elections and for referendums and for local elections all to be happening at the same time and you're allowing people to put different pots of money into each of those elections at the same time and you're making the limits on how much they can put in huge numbers, like \$30,000 for Senate elections, \$500,000 for referendums, and unknown amounts for local elections, you're going to be in a position where the few have rights and privileges that are not afforded to the many. That's just really the basis of my objection here this evening.

With that, Madam Speaker, I would like to adjourn debate. Thank you.

[Motion to adjourn debate carried]

Mr. Schweitzer: Madam Speaker, I move that the Assembly adjourn until 1:30 p.m. on Tuesday, July 7.

[Motion carried; the Assembly adjourned at 12:17 a.m. on Tuesday]

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