



Province of Alberta

The 29th Legislature
Second Session

Alberta Hansard

Tuesday morning, December 13, 2016

Day 62

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta The 29th Legislature

Second Session

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Party standings:

New Democrat: 55 Wildrose: 22 Progressive Conservative: 8 Alberta Liberal: 1 Alberta Party: 1

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Legislative Assembly of Alberta

10 a.m.

Tuesday, December 13, 2016

[The Speaker in the chair]

Prayers

The Speaker: Good morning.

Let us reflect or pray, each in our own way. This is a time of peace and happiness, a time of reflection, and a time of compassion. Let us reach out to those who may be struggling in this holiday season. Let us lift up, give back, and help out.

Please be seated.

Orders of the Day

Government Bills and Orders

Third Reading

Bill 35

Fair Elections Financing Act

The Speaker: The hon. Member for Strathcona-Sherwood Park.

Cortes-Vargas: Good morning, Mr. Speaker.

The Speaker: Good morning.

Cortes-Vargas: It's an honour to rise today to move third reading of Bill 35, Fair Elections Financing Act – sounds good, the title – on behalf of the minister responsible for democratic renewal.

Bill 35 proposes a number of changes that will amend the Election Finances and Contributions Disclosure Act and modernize Alberta's election financing laws. These changes are important and valuable to our democratic process. Albertans, not big money, will be the drivers of our elections. If passed, not only will they bring Alberta's laws in line with the rest of the country, but they will also provide greater transparency and accountability.

The bill looks at making critical changes in three areas: contribution limits, spending limits, and third-party advertising. In regard to contribution limits Bill 35 proposes that an individual can donate \$4,000 per calendar year, full stop. The limit would apply to any funds going to political parties, constituency associations, candidates, leadership contestants, and nomination contestants. Mr. Speaker, some hon. members have objected to these limits, saying that they do not go far enough. We believe that these limits provide voters with choice and flexibility. Albertans can choose where their \$4,000 goes and how they want to spread it around. It's a reasonable aggregate limit that will help to ensure that no single person, deep pocket, or special-interest group has significant influence over a political party, candidate, or contestant. With the exception of ongoing leadership contestants, the contribution limit would be effective as of November 28, the day this bill was introduced.

Bill 35 would also change the definition of contributions. Services provided to candidates and campaigns by self-employed persons would be considered a financial contribution. The normal value of the nonmonetary services they provide would count toward their contribution limit. However, audit and professional services provided free of charge for work relating to compliance with the act would not be considered contributions. Volunteer services would not be included in the limit as long as the person providing volunteer labour is not being compensated by their employer or is not being given paid time off to volunteer. This would mean that the days of unions, corporations, and other third parties offering

paid staff to work on campaigns are over. Alberta's laws are lagging behind all other Canadian jurisdictions, including nonvolunteer services and their contribution limits. These changes would align our laws with the rest of Canada.

The second section is on spending limits, establishing spending limits in Bill 35. Political parties would have a \$2 million spending limit during the writ period. This would also include spending prior to the writ for items used during the writ period. Candidates would have spending limits of \$5,000 in an electoral division. Expenses incurred by the party or constituency association on behalf of the candidate will count as election expenses incurred by the candidate.

For by-elections a party's spending limit would be \$23,000 per electoral district. The \$23,000 amount is approximately \$2 million divided by 87, the number of electoral districts in Alberta. Nomination contestants will also be subject to a spending limit of \$10,000, which is 20 per cent of the spending limit in each electoral division. In addition, both nomination contestants and leadership contestants would be required to register and report to the Chief Electoral Officer when they announce their intention to seek nomination, begin incurring costs, or accept contributions, whichever occurs first.

For leadership contestants an amendment will also require that an audited financial statement and a copy of the auditor's report shall accompany each financial statement if the campaign expenses of the leadership contestant exceed \$25,000.

Mr. Speaker, no two candidates in constituencies are the same. To acknowledge this and help level the playing field, some expenses would not count towards campaign spending limits. These include a candidate's or contestant's travel costs reasonably related to the election contest, including transportation, meals, and accommodation; care for the candidate's or contestant's children or other dependants; expenses related to the disability of a candidate or nomination contestant; audits and other fees necessary for compliance with the act; incidental fees, expenses like parking and gas incurred by volunteers. Most of these expenses would still need to be included in the financial statement or report to the Chief Electoral Officer. Changes to Alberta's spending limits will align us with the rest of Canada as other jurisdictions have spending limits with the exception of Yukon.

There have been concerns from various hon. members regarding the quarterly reporting requirements for constituency associations. The Chief Electoral Officer did say that quarterly reporting was not providing value to his office. His recommendation was to either move to annual reporting or enhance the quarterly reporting. We chose to improve the quarterly reporting to put more information rather than less in Elections Alberta's hands to better assist them with catching inaccuracies or violations. Quarterly reporting becomes even more important with the changes proposed in Bill 35 due to lower limits and changes in contributions laid out in the bill.

The last major focus of the Fair Elections Financing Act is third-party advertising. Any third party, regardless if they are individuals, corporations, or groups, would have a spending limit of \$150,000 during the writ period. No more than \$3,000 of this amount could be used to support or oppose candidates in an electoral division. These limits will still allow third parties to express their views but will ensure that their advertising does not overwhelm the political discourse. Third parties will still be required to register with Elections Alberta when they incur \$1,000 in election advertising expenses, receive \$1,000 in contributions, or plan to do either, and to identify themselves in their advertising.

During an election third parties will also have to disclose contributions over \$250 on a weekly basis, which will then be published by Elections Alberta. Between elections third parties would also be required to report contributions on a quarterly basis

instead. Thanks to an amendment to this bill third-party reporting requirements will come into effect on November 28, the date the legislation was introduced.

Another amendment will help clarify what will be considered an election advertising expense and what will not. The cost of producing an advertisement will be considered an advertising expense along with the cost of buying the advertising space and any other costs associated with transmitting the message. However, any costs that may have been incurred while forming the opinion or conveying the policy position behind the message would not be considered advertising expenses. For example, if a third party does any polling, holds conferences, or consults with experts to help them decide where they stand on a certain issue prior to advertising their position, the associated costs would not be counted as an advertising expense.

10:10

This is a common-sense amendment. Only those costs that are directly linked to producing an advertisement will be considered an advertising expense. We are not seeking to restrict third parties' ability to conduct research or develop informed opinions. Furthermore, we have clarified through another amendment that third parties are able to express themselves on the Internet as any average Albertan might do. When the political views of a person, corporation, or group are posted on the Internet on a noncommercial basis, the rules regarding third-party advertising would not apply. This amendment better reflects how people talk to one another in this day and age and supports freedom of speech and freedom of expression while still providing transparency as to who is paying for the advertising. When big money comes into the equation, when third parties pay to transmit their message, that is when our legislation comes into play.

We have also added a provision that authorizes the Chief Electoral Officer to develop guidelines to help stakeholders understand the rules around third-party advertising. It is ultimately the Chief Electoral Officer who is responsible for administering and enforcing the act, and as such the Chief Electoral Officer will determine how the act should be applied in real-life scenarios. Guidelines could help stakeholders understand the legislation and how it applies to them. Ultimately, this may help ensure that stakeholders understand and follow the rules.

One more thing that I would like to mention, Mr. Speaker, is that Bill 35 would also ensure that corporations, trade unions, and employee organizations are no longer able to guarantee loans. Only individuals ordinarily resident in Alberta would be able to guarantee loans to a political party or make a payment on a loan guarantee to a political entity. The amount of any guarantee would apply immediately to the contribution limit of the guarantor.

Mr. Speaker, all of the changes that Bill 35 proposes will remove undue influence from special interests and help ensure that Albertans are true influencers in our political process. We began this road towards change with Bill 1, An Act to Renew Democracy in Alberta. Bill 35, the Fair Elections Financing Act, continues that work. These are vital changes being proposed to improve our system and will lead us to a better, more modern, and more transparent democracy. It takes recommendations made by the Chief Electoral Officer into account, and it will give Albertans the confidence that their concerns are being represented.

I ask that all members support me in moving third reading. Thank you.

The Speaker: The hon. Member for Vermilion-Lloydminster.

Dr. Starke: Thank you, Mr. Speaker. It's my pleasure to rise on third reading of Bill 35, the Fair Elections Financing Act. I appreciate the comments made by the hon. Member for Strathcona-Sherwood Park in addressing the Assembly this morning in her carefully prepared text. I will say, though, that there are a number of phrases and a number of suppositions that she makes within that prepared text that are completely and totally contradicted by the actions that have been taken within this bill, and I'm going to point out a few of those contradictions now.

The entire premise of the hon. member's speech and, in fact, the entire premise of the government side on this is that big money should not decide elections. As I stated when we debated this in committee over the summer, if there was ever a demonstration that big money does not necessarily decide elections, the last election we held should be proof of that. The candidates, the parties that spent the most money in the last election were not necessarily the ones that were successful. In fact, in most individual constituencies the candidate who spent the most money was not necessarily the successful candidate. It was a very small number out of the 87 constituencies in which the candidate that spent the most was, in fact, successful at the ballot box. To suggest that big money always decides elections and that we have to necessarily do something about that: that myth, hopefully, was put to bed by the last election. But somehow this government still thinks that we need to do a lot of things that are of questionable necessity to move into the realm.

In fact, if we were to look at the spending limits that have been proposed for parties, in the last election the party that spent the most won only 10 seats. Both the governing party and the party in the Official Opposition spent less than half of that party. So to suggest that big money always decides elections is, quite frankly, simply not true, and to take measures that are to supposedly repair that situation is questionable when in the most recent election that we had, that was clearly not the case.

Let's move forward to the specific areas. As I said in my speech on second reading – and I'll repeat it here because it seems that it has not necessarily registered with the other side – our caucus and, I would say, most hon. members and most Albertans support the concept of lowered contribution limits and the concept of spending limits in order to put some sort of parameters around the process. But the balance has to always be struck that if there is too restrictive a level of spending and of contributions, the dollars will simply find another way to influence the process.

This bill does not take big money out of politics. What this bill does is that it takes big money out of sight, and that should concern all of us. The Chief Electoral Officer was very clear when questioned on this to indicate that increasing restrictions on spending, increasing restrictions on contributions in every other jurisdiction where they've been applied has taken the money that has normally been put into areas that are reviewed and are monitored and are reported upon and moved it into areas that are not reported upon and not reviewed. It has decreased transparency rather than increased transparency. There has to be a balance that is struck.

Now, are the numbers that have been proposed within this bill the right balance? I guess time will only tell. But, certainly, the Chief Electoral Officer, especially when we were discussing what is still very much an emerging and evolving field of third-party contributions, indicated that putting too onerous a set of restrictions on those bodies and those entities, which are closely monitored and which have to report, simply means that the dollars will find their way into the system through means that are not reported. So to pass legislation that, in fact, encourages that to happen, to me, is counterproductive to the aims and the goals of this legislation.

Let's talk a little bit about contribution limits. Much has been said and much was just recently said by the hon. member who just moved third reading that the \$4,000 limit provides choice and flexibility to the donor, saying it as if under the current regime, there is no choice and no flexibility. Well, to suggest that somehow this regime provides enhanced choice and flexibility over a regime where there are only two limits – one is \$15,000, and one is \$1,000, but every other way that you can contribute to a political entity is unregulated – is simply not a true or not an accurate description of what is going on. As has been pointed out painstakingly by multiple speakers in the House, the \$4,000 limit when applied to constituency associations and coupled with the \$50,000 spending limit would allow for three individuals to completely bankroll a candidate's campaign over the course of a four-year election cycle.

You know, in her moving speech on third reading – and I don't have the exact Blues in front of me, but as I understand it, it was that no single person has significant influence over a candidate. No, not a single person, but certainly three single people could have significant influence over a candidate. Now, this was a flaw that was pointed out to the government members on the committee during the summer months, and then they immediately made some changes to bring back the \$1,000 constituency association limit to remedy that scenario. But when it was brought back to the House, all of a sudden that \$1,000 limit was gone, and we were right back to \$4,000 across the board.

10:20

This is a significant flaw, Mr. Speaker, in this legislation. To suggest that this flaw has somehow been remedied by the legislation is simply not accurate, and to suggest that we have now removed a scenario where a single person could have significant influence is just simply not true. That is a concern, and it's been pointed out and clarified. Yet this government continues to maintain focus on their speaking notes, focus on their key messages, that were prepared, I would suggest, sometime ago, that they have not waived from. I guess to a certain extent we should applaud that singularity of purpose, that clarity of vision. Nonetheless, the facts fly completely opposite to that.

Let's move on then, Mr. Speaker, to spending limits: \$2 million for a party in an election, \$50,000 for a candidate, \$23,000 in a by-election, \$10,000 in a nomination. These figures are largely arbitrary, especially the one for candidate campaigns, where the number went from \$40,000 to \$70,000 to \$40,000 and \$50,000 to \$70,000 and \$80,000, and now we land on \$50,000, with a basket of exemptions that are somehow supposed to provide for the variations in the different constituencies around our province. Well, I can tell you that to single out things like travel and meals and incidentals, that's not the biggest variability of what makes different constituencies very, very different in terms of campaigning and in terms of running.

Mr. Speaker, we suggested an amendment that would tie the campaign limit to what has been worked on and what has been developed as a very careful algorithm and a very careful formula by our former Clerk to determine MSAs, and that amendment, of course, was rejected by the government.

The mover was correct in saying that no two candidates or constituencies are the same, but to single out things like travel costs as being the main variation is simply not true. For example, how many newspapers do you have in your constituency? The hon. Member for Battle River-Wainwright, for example, has 13 weekly newspapers, I believe, in his constituency. To run even two ads in the two weeks leading up to that chews up a significant number of dollars. I have seven weekly newspapers in my constituency. One of the issues there is that if you advertise in one or two of them and

not in the others, you hear about it from the editor and the publisher, many of whom are friends. So, Mr. Speaker, to suggest somehow that removing travel costs and meal costs and other incidentals from the overall equation provides crossprovince equality and equity from candidate to candidate, from constituency to constituency simply fails to recognize some of the realities of campaigning in Alberta.

The other concern that I have, Mr. Speaker – and we spoke about it yesterday – is the invasion by this legislation into the nomination process and, therefore, into the operation of individual political parties. The fact that it is now something that this government thinks is a good idea is something that should cause Albertans grave concern. This is something that, as the Chief Electoral Officer pointed out to the committee, may not even stand up in court. It may not even be constitutional. And we know that it will cost significant additional dollars to the taxpayers of Alberta.

When the hon. leader of the Liberal Party, the Member for Calgary-Mountain View, stands up, someone who has been largely in support of this bill, even signed on to the press release announcing this bill, and says in debate that this is a step too far and that this is a solution looking for a problem that has not been defined, he is absolutely correct.

To include nomination contests in this is an unnecessary additional expense, it is an unnecessary additional burden to those who wish to participate in the nomination contest, and it has a very practical problem for the Chief Electoral Officer in having to review what could be as many as 1,300 forms that have been filed and to do it in a very short period of time given that the time from nominations to the dropping of the writ for an election is often a very short span.

The government failed to answer my questions when I asked: well, what would happen if a candidate's return on their nomination report was found to be in error or there was found to be some sort of spending or contribution violation? What would happen then? Would they be disqualified from the election? What if the election had already occurred by the time the return had been processed? Would that candidate then have been disqualified? Would the results of the election in that constituency be annulled? Would a by-election be required?

None of those questions were answered, and they are legitimate questions. They are legitimate questions that are hard to answer because this has never been done in another jurisdiction. As the Member for Calgary-Mountain View said, this is a bridge too far. This is going too far into the realm of individual political parties.

Finally, Mr. Speaker, quarterly reporting. Again, this is perhaps the most egregious example of where the party in power is exercising their authority and their majority to put an undue burden on other political parties that have, in fact, active constituency associations and where, I very clearly pointed out, most of the constituency associations of the government in power are not active at all. The only thing you have to be able to do if you're the CFO of most constituency associations for the New Democratic Party is to be able to make the number zero and do it repeatedly. That's the only thing that you really have to do.

On the other hand, we have volunteers working on our boards who have to be able to file reports within 15 days of the end of each quarter, and now we're told by this government that we're going to make that reporting more meaningful. More meaningful. Now, more meaningful, to me, usually means more detailed, that there is going to be more in the report, that there are going to be additional requirements. When they know full well that that is something that has very little effect on the CFOs on their side and a great deal of effect on the CFOs on parties on this side of the House, that has a fundamental sense of unfairness.

As I've said in this House before, I believe that Albertans have a great sense of what is fair and what is unfair. Some of what happened going into the last election, some of what happened that made the amount of money spent in the last election immaterial was that Albertans felt that some of what was done by our party, the party that was governing at the time, was fundamentally unfair. It was unfair to other parties that are represented in Alberta, and it was unfair to the Alberta electorate. And the voters of Alberta spoke. They spoke loud and clear. Well, Mr. Speaker, this is also fundamentally unfair. Now, the voters of Alberta may or may not notice this as much as they did those measures, but I can tell you that this is fundamentally unfair. We will remind the voters of Alberta about these fundamentally unfair measures that were taken by this government when we go to the polls the next time, in 2019.

In the meantime, Mr. Speaker, I cannot support this bill in third reading. While I support the idea of lower contribution limits in general – and I actually think \$4,000 is not a bad compromise number – and in general most of the spending limits, I think, are a reasonable place to start, although I think we have to watch very carefully to see where the dollars will go, the intrusion into nomination contests, the fact that three people can bankroll an entire campaign over the course of a four-year election cycle, and, finally, the lack of removing quarterly reporting, which was agreed to unanimously by the committee, are all measures that we tried to amend in this bill and that the government rejected. Because they refused to listen to these reasonable amendments, that would have made this bill better and would have reflected much of the discussion that happened during the course of the summer by the Ethics and Accountability Committee, I cannot support Bill 35, and I will be in opposition to it on third reading.

Thank you, Mr. Speaker.

The Speaker: Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Thanks, Mr. Speaker. I rise today to speak to third reading as well on Bill 35. I listened with fascination to the government whip present that speech in regard to the moving of third reading and, quite frankly, was still a little bit shocked that even after all this time, months of debate in committee, days and hours of debate inside this Assembly, the members across the way would still have the gall to rise in this House and try to say that members of the opposition were not for lowering contribution limits, were not for fixing big money in politics.

10:30

Mr. Speaker, as you know and as has been established clearly, without a doubt, this side of the House has led the way on that topic, and I know I'm always excited to see the NDP follow us. That's usually when they get something right. From the very beginning of this process all opposition parties were okay with getting spending on political donations in control. This party, the Wildrose Party, fought for that long before the NDP even thought of it, again following us. I think it's great. I think the members across the way should follow us a little bit more. They would often, probably, get legislation better because this side of the House speaks to Albertans. That side of the House, as you know, rarely does.

With that said, though, we need to also recognize that the argument presented by the government, that this was all about getting big money out of politics, is ridiculous and has been shown to be just not the way that it is, Mr. Speaker. This government has brought forward legislation against the will of every member of the committee, including their own members, and has raised constituency association donations by 400 per cent – 400 per cent –

taking the donation limit in constituency associations from \$1,000 to \$4,000. It has also been painstakingly shown by all parties in this Assembly how that will allow one or two or three individuals to be able to have complete influence on MLA campaigns when it's coupled with a \$50,000 cap. In fact, that could just be one family, a husband and a wife and a child, who could do that.

That was brought up in committee, the members agreed with us at the time, and then it went to cabinet, and – I don't know – somewhere along the way the decision was changed. I would say that it was the government whip normally, but the government whip was on the committee and agreed with us at the time. I don't know if there's another level or how it works with the NDP, Mr. Speaker. I don't know if you know. But let's be clear on that, and then we move on. This party and every opposition party has stood and said that they want to lower donation limits, and we're willing to work on spending caps.

The fact is that the governing party, the NDP, has refused to get big money out of politics, not just because they've increased constituency association donations by 400 per cent but because they've left their ability to continue to use the taxpayer purse to their advantage, to continue to use the taxpayer purse for political advantage to the governing party despite the fact that every party that was on the committee disagreed with that at the time.

This government, Mr. Speaker, shockingly, has spent \$10 million in the last year advertising their carbon tax, \$10 million for probably the single most hated piece of legislation in modern times by the people of Alberta, a piece of legislation that is damaging and hurting every member of this province in devastating ways. They spent \$10 million of taxpayer money, after taxing them with an unpopular tax, to advertise the tax. So big money clearly is still in politics. The hon. Member for Drumheller-Stettler's motion in regard to this, that the government members said that they supported, has been completely ignored to continue to keep big money in politics for the incumbent government. I have said from the beginning of this that it appears the government is attempting to stack the deck in their favour. It appears the government is attempting to rig the process with this legislation to their advantage.

Now, I would have liked to have been proven wrong. I certainly would have liked to have been proven wrong during this debate. Mr. Speaker, we have given plenty of opportunities for the members opposite to prove us wrong. Instead, over and over and over they voted down reasonable amendments that would make it fair, make democracy fair. The name of their act, this bill, has nothing to do with fair. It's pretty clear. But they had an opportunity to do that. Instead, members continued to vote against making things fair, continued to work to stack the deck, to rig the system, to kneecap opposition parties when it comes to how constituency associations work, to increase donation limits in areas where it's beneficial to them, to make government advertisement easier during political processes, another thing that's an advantage to them.

It's extremely shocking and disappointing, stunning, particularly when you look at some of the amendments that have been brought forward that would make things easier for volunteers to participate in our political process, to make it easier for people that are not successful in being MLAs but who still want to run for parties to be able to participate in the political process. They've made things harder for people to participate in nominations. They've made things easier for incumbents to be elected on all sides, which is disappointing, something that I am fundamentally against. They have harmed democracy in our province. That will be their legacy with this bill.

Now, the hon. Member for Vermilion-Lloydminster, from the third party, who just spoke, is a hundred per cent correct. We will be reminded. We will remind the people of Alberta during the next

election what has taken place here. The people of Alberta like things to be fair. The fact that this government would use their majority to attack democracy – to attack democracy. It's one thing to push through an ideological agenda with a majority. It's another thing to attack something as fundamentally important as democracy is to our province. It's shocking, and it's appalling, in my view.

Again, members from all parties on the opposition side brought forward reasonable amendments to deal with some of these things, to give every member across the way an opportunity to say: "No, we're not trying to rig democracy. We're not so scared about our election chances next time that we're going to manipulate the rules to our advantage. Instead, we're going to work to make sure that democracy works well in the future."

Mr. Speaker, they're so focused on their 2019 election chances that they're forgetting that when they are back in opposition, in the end they will hurt their own party because this legislation will hurt the smallest parties the most, not the larger opposition parties. We'll get around it, and we'll get the job done and replace this government. This will hurt the smaller parties, something that this party across from me has traditionally been in this province and, I promise you, will be again, particularly if they keep moving this type of legislation.

But the number one thing that has always concerned me is the amount of time that was spent at committee focused on something else that stopped us from getting this right, that stopped us from working on third-party issues, which is an important part of this bill, on which we now are likely going to see constitutional challenges, court cases, because of how badly the government has dropped it. Nomination issues: we also may see some court cases along the way because of how badly the government dropped the ball on this.

The reason we saw that, Mr. Speaker, is that members across from me, the members in the government, spent their time at committee trying to stack the deck and get their campaign expenses paid for, which stopped them from being able to do the important work in committee to make sure we get this right. Now we're rushing through legislation, knowing that it's probably going to end up in court, all to try to advantage the governing party, all because the work wasn't done because the governing members across the way spent their time trying to get their campaign expenses paid for. It's shocking.

What's most interesting, Mr. Speaker, is that the members across the way – and I have their voting records on this issue here in front of me – fought long and hard over the summer on this issue, and in the end the opposition, by staying in the fight as long as they could on behalf of the good people of Alberta, were able to stop that silly, ridiculous idea, and it just shows me that this government is moving too fast. They need more time. They obviously have no idea what they're doing.

With that in mind, it is pretty clear to me that the only intention that the government has with this is to rig the system to their advantage. It's absolutely ridiculous. As such, I do believe that this bill should be hoisted, and I will move the appropriate amendment.

The Speaker: Hon. member, we will refer to the amendment as amendment HA. Please continue.

Mr. Nixon: Thank you, Mr. Speaker. The reason I am moving a hoist amendment, again, is because it is clear to me the government has not taken the time to adequately look at their legislation and to take into account the consequences that this legislation will have on the people of Alberta. Instead, the government has been blindly focused on trying to advantage themselves with this legislation.

It's the same pattern that they did in committee. Mr. Speaker, in committee the Member for Edmonton-Whitemud, the Member for

Edmonton-Ellerslie, the Member for Edmonton-Decore, the Member for Calgary-Hawkwood, the Member for Strathcona-Sherwood Park, the Member for Calgary-Bow, the Member for Calgary-Shaw, and the Member for St. Albert all voted to get their campaign expenses paid for, to get their party's campaign expenses paid for.

10:40

The Member for Calgary-North West, who was an opposition member at the time and is now a government member, moved forward a motion shortly after that, a rescinding motion, to give those members an opportunity to rethink their decision. I agreed with the motion and supported the motion, but the Member for Red Deer-South, the Member for Edmonton-Ellerslie, the Member for Strathcona-Sherwood Park, the Member for Calgary-Bow, the Member for Calgary-Shaw, the Member for Leduc-Beaumont, the Member for Edmonton-Whitemud, and the Member for St. Albert all voted against that. In fact, those members spent the remainder of the summer and the remainder of their time on committee fighting to make sure, again, that they could get their campaign expenses paid for.

Then time went by. The opposition continued to stay in the fight on behalf of the people of Alberta, and ultimately, because I think the government got caught with their hands in the cookie jar, they wanted to see the committee be able to provide them legislative cover to be able to do something so ridiculous to the people of Alberta. But they got caught. The opposition did their job and were able to stop the silliness that was going forward.

My point, Mr. Speaker, is that the same stuff is happening right now. The same stuff is happening right now with this legislation. The government is continuing to try to gloss over it, to try to distract people by saying that the opposition is not for lowering contribution limits, which is not true. They're trying to gloss over that when, really, they need more time to be able to make a decision. By hoisting this bill to a later date, we're able to provide the government with more time to do the right thing for the people of Alberta.

Clearly, the behaviour in committee, Mr. Speaker – I know you would agree with me – shows that the government has struggles to make decisions, the government members, and that their focus is often on what appears to me to be very selfish reasons, to benefit their election chances. That's not what this piece of legislation should be about. This piece of legislation should be about giving Albertans an opportunity to renew some of the democratic reforms after many, many years since that's been looked at under the previous government's rule.

The reality is that this legislation is a direct attack on democracy. It's a direct attack on the constituency associations of this province. It's deliberately being put forward in a way that will detriment smaller parties and other opposition parties and in a way that would attempt to advantage the government.

It's going to make things harder for the Chief Electoral Officer, who has already said that. Some of the things that have been brought forward in this legislation, Mr. Speaker, the Chief Electoral Officer referred to as useless, so they should not be here. There's no benefit at all to the system. Some of the things being brought forward by the government members in this legislation will now cost taxpayers significantly more money, with no benefit to the taxpayer, lots of benefit to the incumbent party during elections but no benefit to the taxpayer.

In regard to nominations the members across the way have not provided one example to justify the cost to taxpayers, to justify the significant increase in the budget of the Chief Electoral Officer that will come as a result of their decision. Not one reason. The Member

for Calgary-Mountain View rightly pointed out that this is a solution looking for a problem. So why would the members continue to do that?

They also have not stood up and justified at any time being about to raise the contribution limits when we have told the public that we are here to lower the limits, when the government is doing exactly the opposite. Mr. Speaker, \$1,000 and \$4,000 are a significant increase, 400 per cent, of course, as you know, without a doubt, and that's what this legislation is doing. I think there's no way the government can continue to justify with any sort of seriousness the idea that this is only about getting big money out of politics.

With that said, Mr. Speaker, unlike committee, where the opposition fought till the very end, this process, unfortunately, is running out of time. We've given the government every opportunity to do the right thing on behalf of Albertans. We've given the government an opportunity to stop attempting to stack the deck in their favour or rig the system in their favour and to really show that this is about democracy. Unlike when they tried to line their campaign pockets with taxpayer dollars and we were able to stop it, this time it appears the government will continue down this road.

I encourage all members to vote for this hoist motion to be able to give the government an opportunity to do the right thing on behalf of Albertans. I certainly do hope that's what happens though the behaviour that I've seen from the government to date does not provide me with a lot of hope, Mr. Speaker. I think that it is very clear that this is about the government members. It's about their re-election chances. It's about trying to manipulate the system back to their advantage.

Now, Mr. Speaker, let me be clear with you. It will not work. The people of Alberta will not fall for it. In fact, I actually think that in the long run, it will damage the government's reputation, certainly, across the province, and Albertans will send them a clear message in the next polls.

Honestly, Mr. Speaker, there is so much other stuff this government has done to the good people of Alberta that has damaged them, hurt their families that this will probably just be one of the smaller things in the pile that the people of Alberta will send them a message on, but we will know in this Assembly, as the Member for Calgary-West pointed out many times during the debate, that this has been done to rig the system to the advantage of the NDP government. It is extremely disappointing, and as I've said the whole time, each and every member across the way should hang their head in shame.

The Speaker: Are there any question or comments to the Member for Rimby-Rocky Mountain House-Sundre under 29(2)(a)?

The Member for Edmonton-Ellerslie on the amendment, correct?

Loyola: On the amendment, or on the motion. Thank you very much, Mr. Speaker.

The Speaker: Hon. member, you're not speaking under 29(2)(a); you're speaking to the amendment, correct?

Loyola: Yes.

The Speaker: Thank you. Please proceed.

Loyola: Thank you very much. Good morning to all the members of the House through you, Mr. Speaker. It's always a pleasure to get up in the House and speak to bills, legislation that we're attempting to get passed. Let me say this. When I've gone out to speak with Albertans regarding the Election Finances and Contributions Disclosure Act, I've talked to people about the fact

that there has never been a comprehensive review of this act, that we had a government in place that had many, many, many, many, many opportunities to make changes to the Election Finances and Contributions Disclosure Act, but they never made any. Under that piece of legislation, a wealthy individual could give up to \$15,000 to a political party, and that would double when it came to an election year. People were just astounded. They just couldn't believe that we live in a democracy where that kind of money would be able to influence the electoral process.

Now, I'm happy that we as a government have decided to reduce that amount from \$15,000 to \$4,000 in a year, with no doubling up in an election year. When I go out and talk to Albertans about that, when I'm out on the doorsteps and I let them know about that, they're incredibly happy. They're incredibly happy. I also tell them about how now people have an opportunity that they can donate some of that \$4,000 to an electoral district association, to a candidate in an election year, to a leadership candidate if they so choose, to a nomination candidate that would be running for the position before the election would come. All those things are widely received because people know that if their cap is \$4,000, they can choose how they want to spend it, and the tendency would be that they wouldn't put all their money into one of those options. They would most likely spread it all around. They would spread it all around, Mr. Speaker, because they would have the choice and the flexibility to do so if they so choose. This is really important.

10:50

The other thing that's really important is that we're putting spending caps on campaigns. Before that, someone could run an election and spend however much money they wanted to spend. If you just look through the report of the Chief Electoral Officer about the last election, you can compare how much some of the people who ran for the third party and for our Official Opposition spent in comparison to some of the people over on this side.

Now, I've heard it said many a time: oh, so big money doesn't decide an election. In the last election people were fed up, and they decided that a change needed to happen. Historically when you look at the influence of big money in the electoral process, you will see that big money would influence the process. So I'm so happy that our government has presented this fair elections act and that we're doing a number of things to make important changes to our democracy here in the province of Alberta, things that Albertans agree with. If you go out there and you talk to Albertans about it, they agree with these changes.

Now, the other thing I want to stress is that the Chief Electoral Officer recommended that he would suggest moving to annual reporting. This is true, but he also said that you could either do that or you could enhance quarterly reporting. So we chose to improve quarterly reporting, to put more information rather than less information so that this would best help Elections Alberta in catching inaccuracies or violations. As we've heard it stated many times by several members of this House, Albertans prefer having more information than less information. Having more information during quarterly reporting will actually benefit the process because Albertans will have all the information at hand so that they can understand how political parties are being financed and who's giving that money. This is actually something that Albertans have asked for, transparency.

We've also asked for transparency when it comes to third parties and the contributions . . .

Mr. Nixon: Point of order.

The Speaker: Point of order noted, hon. member.

Point of Order Relevance

Mr. Nixon: We'd love to hear about the hoist that has been moved by me. There's nothing relevant that the member is talking about, specifically about the hoist. If the member would like to talk to the main bill when we're done debating my amendment, I very much look forward to hearing his comments on that, but there's nothing in what the hon. member is presenting in regard to the hoist or the arguments of why this should or should not be a hoist.

Mr. Bilous: Mr. Speaker, this is not a point of order. This is quite absurd, as all members are given quite a bit of latitude in this House. He's clearly speaking to the bill and why members should not vote in favour of a hoist to delay this. He's talking about all the good work that's gone into this legislation and how Albertans have asked for it.

This is not a point of order, and the member is wasting the House's time.

The Speaker: In this particular instance I agree. The member has still got time left in his notes, and I'm sure he will be speaking to the amendment. There is no point of order.

Please proceed.

Debate Continued

Loyola: Thank you very much, Mr. Speaker. So where was I? Maybe I should start from the beginning. I'm only joking.

I was talking about third-party financing and third-party elections advertising and political advertising. When I go out there and speak to Albertans, they insist that when they hear on the radio a particular advertisement . . .

An Hon. Member: From your government.

Loyola: . . . from any position out there, they want to know who's funding that particular advertisement. They want to know. So in no way are we suppressing freedom of speech, Mr. Speaker. In no way. [interjections]

The Speaker: Hon. member, I'm sure you're getting to the hoist part.

Hon. members, please keep the voices down. Let's get this thing rolling here, please.

Get to the hoist amendment.

Loyola: Thank you very much, Mr. Speaker. I don't want to waste any more time of the members here, but I'm making all these assertions because – and remember that every statement that I've made I've brought back to individuals that I've spoken to personally in my constituency, on the doorstep, people that I've connected with all over this city and all over this province that have said that they want these things and that not only do they want these things, but they want them now.

For that reason, Mr. Speaker, I am voting against this hoist amendment, and I encourage all of the members in this House to vote against it.

The Speaker: The Member for Rimbey-Rocky Mountain House-Sundre on 29(2)(a).

Mr. Nixon: Absolutely. Thanks, Mr. Speaker. I listened with great interest to the Member for Edmonton-Ellerslie. Particularly, the core of his argument is that the people he's speaking to inside his constituency would expect him to vote against this hoist because

they want things done immediately. It seemed to me that he was indicating that primarily around contribution limits, capping certain spending limits during the electoral process.

Mr. Speaker, as you know, it's been clearly shown that this side of the House wants the same thing. My constituents want the same thing. But I can tell you that I know without a doubt that his constituents will be just as concerned as my constituents are with his attempt and this government's attempts to rig the system to their advantage, which is the point of this hoist. This is the reason why this process should be stopped, not forever but to get back to a committee, to get back to a process where we can fix the terrible mistakes that are being made by the NDP and by this member, the attack that is happening on democracy, which I pointed out very, very clearly – and I will point out that the member never addressed that anywhere during his comments – the attack on constituency associations, and the attack on volunteers.

The core of my argument as to why this should be hoisted, Mr. Speaker, as you know from my comments from just a few moments ago, was around the behaviour of this member and other members during committee, that shows the need to slow the process down, that this government needs help to get things right. There are so many examples since this government has been elected. They often hurry, go too fast. They go headlong into things. You know what? I don't care about this government's reputation or what's left of it, but I do care about the people of Alberta. So while they're going headlong into these things and destroying their own reputation along the way, they're hurting my constituents and the people of Alberta, which is why there needs to be a hoist.

Now, this member across the way, the Member for Edmonton-Ellerslie, led the way during committee to get his campaign expenses paid for, led the way to get his political party's campaign expenses paid for. Passionately. Passionately. Read *Hansard*. It's absolutely shocking. It's absolutely shocking, which is the core of why I brought forward the hoist.

Clearly, this government needs more time for the people of Alberta, for the opposition to be able to help steer them to do the right thing, to help make sure that they don't continue to make the terrible mistakes that they keep making, that are hurting families, hurting Albertans, hurting the people that I'm elected to represent and defend proudly inside this Chamber. Just like during committee, as I defended my constituents against the Member for Edmonton-Ellerslie and his colleagues as they tried to take their taxpayer dollars and pay for their campaign and political expenses, I am doing the same here today.

Now, that member – and I'd be curious to hear his comments – has not risen once to talk about the serious issues with this bill, to talk about the serious things that this bill does to the people of Alberta. Instead, that member, like his colleagues, continues to rise in the House and say that this is about getting big money out of politics. Again, Mr. Speaker, that's something that every party has already agreed to. The question now to the member and the reason that this hoist motion should pass to give the government more time is: why all the extra stuff that's making things harder for political parties? Why the attack on the small political parties? Why the attack on volunteers in our system? Why raise the political donation amount for CAs when you told the people of Alberta that you're lowering them? The people of Alberta know the difference between \$1,000 and \$4,000. Why make it so that only one or two people can totally fund one MLA's campaign? Not once has a member risen there.

11:00

I will note, Mr. Speaker, that in committee, as we debated the ridiculous motion to get his campaign expenses paid for, he sure

had a lot to say about that. He talks a lot about talking to his constituents. I'd like to know what his constituents think about him trying to get his campaign expenses paid for. I'm sure his constituents would be extremely concerned about that and would recognize that I'm right by moving this hoist because, clearly, this government can't be trusted.

This government can't be trusted with their decision-making. Their focus is on themselves and not on the people of Alberta. Their focus is on making the process easier for them and not on the people of Alberta. Their focus is on their re-election chances and not on the 100,000 people that are out of work, not on making our election system work, not on being fair to candidates that participate in the process. Their focus is on interfering with individual political parties to try to advantage their party, not on lowering donation limits, because they're increasing them by 400 per cent.

Not once did that member, when he rose, address that. Instead, he went back to the same government talking points that we've heard time and time and time again in this House – they're getting old; you should e-mail whoever sends them to you and get some new ones – and that is that they are trying to get big money out of politics. If they were trying to get big money out of politics, Mr. Speaker, they wouldn't be raising the limits.

The Speaker: Thank you, hon. member.

The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Mr. Speaker. I appreciate the opportunity to speak. When I think of this bill, I think of it in terms of the good, the bad, and the cynical. There are some good things in this bill. Getting big money out of politics is something that I campaigned on. It's something I believe in very strongly and personally. My party members have told me time and again that they want it, and reducing the donation limit from \$15,000 to \$4,000 is a good thing. That's a positive thing, as are spending limits within the bill. That does in fact get big money out of politics. Given those two things, I did want to support this bill. I wanted to see a bill that I could support, that I could get behind.

I think we had a real opportunity to fundamentally transform how Alberta's democracy works. That was the promise of the Select Special Ethics and Accountability Committee, which was created, you'll all recall, in conjunction with the government and the Official Opposition. It was an all-party committee involving all members of the House. Had we done that, the government could have won. They could have been seen in the eyes of Albertans to have done the right thing. They could have established election laws that stood the test of time, that allowed Albertans to participate freely and actively in democracy without giving an unfair advantage to any one group and, equally, not disadvantaging one group. Most importantly, Albertans would have won in that scenario, Mr. Speaker, not just political parties. Albertans could have won.

That committee was a chance to reset democracy and to create a long-term legacy for this government, but instead they chose the cynical path. Instead, they chose to lock in their own advantage while they can, and in so doing, they have diminished democracy in this province. They have done that by reinforcing in Albertans' minds that the only thing politicians do are things for themselves, that when they get into a majority government, they just ram through whatever is best for them. That is sad, Mr. Speaker. It is troubling, and it didn't have to be this way. It really didn't.

This government had a chance. It was elected on this wave of optimism, this time for change, and they could have fundamentally changed Albertans' perceptions of politics. That would be good for not just this government; it would be good for democracy. It would

have been good for our province. That, Mr. Speaker, is why I'm so profoundly disappointed to have to vote against this bill, to vote in favour of the amendment on the floor from the hon. member, and to vote against this bill, ultimately, at third reading.

Increasing constituency donation limits from \$1,000 to \$4,000 goes exactly against what all members on the Select Special Ethics and Accountability Committee, including eight New Democrats, voted for. They voted and accepted a very reasonable opposition amendment to continue to keep constituency donation limits at \$1,000, as they are now. As we've said many times in this House, what this change does, combined with the \$50,000 spending limit, is that it allows just three people – three people – to fund the campaign of a given MLA. If three people give \$4,000 a year for four years, that's \$48,000. That is the full cost of one MLA's campaign. If we wanted to get big money out of politics, you would have accepted my very reasonable amendment, which was accepted in committee.

I can't understand why that change happened, and I have yet to hear from any of the private members on the ND side why they changed their mind on that beyond thinking: well, I guess I just have to do what I'm told. You did what you were told in the committee. You read the briefing note you were given. You read the speaking points you were given. You read them out. You didn't offer any thought or perspective, and that, again, is frustrating. It doesn't have to be that way. As private members of the Assembly you have remarkable power. You have the most power in this entire building to represent the views of your constituents. Stand up in this Assembly and cast a vote. That is the most powerful thing you can do. Instead, you've chosen to just fall in line.

Including party nominations in campaign disclosure and spending limits not only disadvantages those of us who regularly have nominations – and I have yet to hear how many provincial NDP constituency associations held contested nominations for the 2015 election. I don't know any. Maybe there were some.

Mr. Malkinson: There were many.

Mr. Clark: I'd like to know how many. The Member for Calgary-Currie tells me there were many. I imagine you have better access to that data than I do. I have yet to hear anyone from that side stand up and tell me how many. How many of you in this room are here because you were the winner in a contested nomination for the 2015 election? How many? Hands up. There's one. Any others? [interjections]

The Speaker: Hon. members.

Mr. Clark: Thank you, Mr. Speaker. The point is that other parties, including ours, regularly have contested nominations. As a result, this disadvantages those parties that do.

More importantly, though, far more important than those internal party mechanics, Mr. Speaker, is the fact that people who are underrepresented in politics – and this is the part that baffles me the most. People who are underrepresented in politics – women, people of colour, indigenous peoples, people on low incomes – are already disproportionately underrepresented in the Legislative Assembly. This creates a barrier for those people to participate in the electoral process because now they need to also be able to raise money, fill in all of the paperwork from Elections Alberta, comply with the rules. I can tell you for a fact that that is going to put people off running for a nomination, people who ought to be involved in the process, and for the NDP to be creating that situation is unconscionable.

Adding four times the amount of work for the dedicated volunteers who manage our constituency association finances is

unconscionable. That locks in the NDP's central-command-and-control model for other parties as well. We will absolutely comply, Mr. Speaker. That's who we are. Of course we're going to comply with the rules. Of course our constituency associations will file the massively increased filings that are going to be required quarterly. Of course we will because if that's the rule, that's what we will do.

But I can tell you as an emerging party that this particular provision is directed absolutely straight at us. There's absolutely no question. We don't have the resources of the larger parties to hire staff to take care of quarterly reporting for constituency associations. Now, we will comply with it. Make no mistake. We absolutely will comply. But – make no mistake – this is about short-circuiting the growth of emerging parties, the NDP locking in their advantage as government, locking in large parties. Our system works best when new parties emerge to challenge the government to reflect the views of Albertans. Albertans will see this for what it is.

They cherry-pick the recommendations of the Chief Electoral Officer, this one included. The Chief Electoral Officer recommended that we eliminate quarterly reporting for constituency associations, and the Select Special Ethics and Accountability Committee, nine New Democrats included, agreed with that recommendation and voted unanimously to eliminate quarterly reporting. Instead, they've gone in the other direction and ramped that up by at least four times if not more. I made amendments on quarterly reporting and on reducing the \$4,000 constituency reporting, and those were rejected by this government.

11:10

When it comes to third-party advertising, better known as PACs, or political action committees, this legislation creates a fertile ground for those political action committees to spring up, with the sole purpose, unfortunately, of tearing down one party or another, tearing down one candidate or another. And they've done that by constraining the campaign financing system so much that Albertans who want to participate have no choice but to put their money outside the system.

It's not just about acknowledging that those things are going to happen and exist and disclosing – by the way, I absolutely agree with third-party donation disclosure. I absolutely do. What worries me very much is that in the rush to constrain the system to exactly the maximum that the NDs can extract from it yet disadvantage everyone else, they've created a fertile ground where third parties and PACs will rise up, will create American-style politics in this province. That, I know, is not what Albertans want, and I fear very much, Mr. Speaker, that that's what's happening here, that that is what's going to happen. I think the NDs are playing with fire. Albertans are going to see that.

The cynical, Mr. Speaker: they're locking in their own advantage, creating cynicism, and exacerbating the unfortunate perception Albertans have that politicians will only do what's in their best interest, not the best interest of Albertans. Albertans want a fair fight. Albertans want a fair fight. They don't like it when the person in charge puts their thumb on the scale to their advantage. They don't like that.

There's no question that the NDs are trying to constrain the growth of the Alberta Party, trying to constrain the growth of the Alberta Liberals and other small, emerging parties that may rise up over time. Rules are much more difficult to comply with for smaller parties. Now, we will comply, Mr. Speaker. Unquestionably, we will comply.

With that, Mr. Speaker, I will vote in favour of the motion that the Member for Rimbey-Rocky Mountain House-Sundre has put on the floor. I wish I didn't have to. I really wish that we were here

celebrating the successful passage of an important bill, but unfortunately the NDs have taken advantage of their position in a majority government in such a way that I simply cannot support the bill.

Thank you, Mr. Speaker.

The Speaker: Are there any questions or comments for the Member for Calgary-Elbow under 29(2)(a)?

The Member for Calgary-Hays. Are you speaking to the amendment?

Mr. McIver: To the amendment, Mr. Speaker.

The Speaker: Thank you.

Mr. McIver: Thank you for recognizing me, Mr. Speaker. It's my privilege to rise in support of the amendment before us, put forward by the hon. Member for Rimbey-Rocky Mountain House-Sundre. For a whole number of good reasons the government needs more time to actually think about what they're trying to do here. Let me give you some examples where they will be found wanting and they will be found, really, in contempt of Albertans in that they're trying to tip the playing field in their favour.

Let's start with the fact that the premise of the bill, that the government likes to talk about, is to take big money out of politics. Well, what the big print giveth, the small print clearly taketh away because, again, annual donations to a constituency go from \$1,000 to \$4,000. How does that reduce the money in politics? You know, maybe the government members need to think about that a little bit and think about how that relates to the honesty of what they're putting forward here. I think six months thinking about this would actually do them some good, Mr. Speaker.

Let's talk about that \$4,000 number for a little bit because somebody did some work on this. If anybody listening wants to know why this is clearly tipping the scale in the NDP's favour, during the 2015 election the highest donations received: the NDP received six donations over \$4,000, just six, where the Wildrose had 30 over \$4,000, and the PCs had 66 donations over \$4,000. So here's where it is. The NDP got six, 30 for the Wildrose, 66 for the PCs.

So who does this favour, Mr. Speaker? Those people listening won't have any trouble figuring that out. They are tipping the scales in their own favour in a very demonstrable, unarguable way, that the public record supports, and the public will be very unhappy if the government doesn't take six months to reconsider what they're doing here. You know what? The facts actually confirm that the NDP is trying to tip the scales in their favour. It won't be very pleasant for them when Albertans figure out that they are actually trying to mess with democracy.

They're messing with democracy in a whole number of ways. The fact that they are allowing essentially unlimited spending by third parties: I appreciate that the \$150,000 is per third party, but there's no limit on the number of third parties – anybody that can raise \$150,000, has a friend who can be up front to raise another \$150,000 and another friend that can raise another \$150,000 – yet the government has limited each of the political parties to \$2 million during the campaign period. In other words, those people actually trying to get elected and make it a battle of ideas in the public realm, which is what an election should be, will now be overwhelmed by people that haven't put their names forward in the contest. That's the risk that this government is prepared to take with Alberta's democracy. In fact, they're inviting it, Mr. Speaker.

You know what? With the rules that are in place now and have been in place, the government could make a legitimate argument, which, frankly, our party and all the other opposition parties have

agreed with, that \$30,000 is too high a limit. We've all agreed to that. What they haven't dealt with is the fact that they are now making it – I'll tell you what the other system did have. Everybody that gave money: it was reported directly by which party or which constituency they gave the money to, so members of the public could see who's supporting people and make their own judgment about whether the amount of influence was legitimate or not, whether it was too much or not enough, or whether there was something wrong there. Now you'll never be sure because people will be able to give money to third parties. Of course, you know, I appreciate that that'll be disclosed, too, but by the time people figure out which third party is giving money to whom and for what purpose and who gave money to the third party, the election will be long over, and people won't be able to make those judgments.

Mr. Speaker, again, this government is doing their best to tip the scales in their favour and their favour alone. The fact that they haven't properly limited government spending during and near the writ period: again they've demonstrated this month, this week that they're prepared to stomp all over a fair fight in the fact that they've spent now \$9 million pushing their carbon tax, that nobody likes or very few people like in Alberta. That, by what's in this legislation, is more than the four parties, the other four parties in this House, if they all spent the maximum \$2 million under this legislation – the government this month and last month spent more on the carbon tax than that combined and another million dollars on top. They are willing to overwhelm with their government advantage everybody else's voice. If that also doesn't make it obvious to anybody listening to this that they are tipping the scales, the playing field in their favour, I can't think of another. Those are two indictments that are absolutely inescapable.

Six months for the government to think about this, six months to maybe take it back to committee, where some good work was being done, six months to make sure that it's fair in the eyes of Albertans will do this government a world of good. It may even allow them to see, to have some clarity on the damage that this piece of legislation could do to the very concept of democracy.

You know, democracy is not something to be sneered at or laughed at. It's actually the difference between countries that people want to live in and countries that people fight to get out of so they can come to countries like Canada and the United States and Britain and others of the world's great democracies. People choose to go there because in a democracy there's a much higher chance that the rule of law will prevail, that you'll be safe, that your kids and your family will be safe. This NDP government wants to stomp all over and wipe their feet on democracy. That's what this legislation does. Six months for them to think about it will actually be good for them because it will give them a chance to see this with some clarity and understand what a despicable piece of legislation this is.

11:20

You know, I understand making the rules fair for everybody. That would be good, but this doesn't do it. Again, they've set the limits for constituency donations four times as high as they are now, and they have actually tailor-made it to do the least damage to the NDP and the most damage to their biggest competitors. Black and white. Black and white. It's so wrong, so unfair, so designed to tip the scales in their favour that no one could deny it, Mr. Speaker.

Then we get into the fact that – here's another reason why they need six months – the committee was warned that some of the changes in this legislation will not stand up to a constitutional challenge. Freedom of association, freedom of expression are issues. This is begging for a constitutional challenge, and we don't

know how much that will cost Alberta taxpayers and how much egg will be on the government's face. Yet if they had six months to think about it, maybe they would take that out.

My colleague from Vermilion-Lloydminster made a very long amendment, that he tried to push through, one that was important to keeping the government out of a party's internal business because at that level, before someone's even nominated to a party, essentially they're private citizens. Yet this government is trying to reach into the lives of private citizens before they even become a nominated member of a party. They're trampling people's privacy. They're trampling the ability for private clubs to operate in a private way.

There have been things said over time about where a government's nose belongs and where it doesn't. It doesn't belong in the private business of private citizens. This legislation sticks this government's nose right in the lives of private citizens before they're nominated: another reason why thinking about this for six months more will not only be good for this government, but if they change their mind and decide to straighten up and fly right legislatively, it will be in the government's best interests, Mr. Speaker.

They may have a chance of having some credibility, when they get back to their own constituencies, that they haven't actually tried to be unfair with the democratic process, the very process that makes this country and this province a great place to live, a place where the rule of law prevails, where equality of all people prevails. Yet they want to tip the scales in their favour. Mr. Speaker, unfortunately, they've been caught. They've been caught tipping the scales in their favour. My colleague who moved the amendment here – I guess it's a good thing. He's embarrassing the government. He's embarrassing the government by making them look at their own legislation and see just how damaging it is, how unfair it is, and how unworthy of this Legislative Assembly this piece of legislation is.

Again, Mr. Speaker, part of that reaching into the constituency contest actually allows the government to find out who is donating to parties, who supports them, and to intimidate them. Again, we've heard from members that are supporters of ours, that have been on boards of our constituencies that they're dropping off because they've been told by government officials that if their name is on a list, they won't be nominated to be on agencies, boards, and commissions and that it may be harder for their companies to do business with this government. This legislation actually enables that very intimidation.

Six months to think about that, Mr. Speaker, is something that may have the government come to their senses and decide to do something much more reasonable, much more fair, much more respectful of democracy, and much more respectful of the very Albertans that we should all be here to represent and to look after the best interests of, making sure that when they pick their next government by picking their next MLAs, the contest, both province-wide and in each of the constituencies, is a fair fight, not one tilted with this terrible piece of legislation, this piece of legislation that, obviously, the government has tailor-made to suit their electoral chances in the next election and tip the scales in their favour and move the playing field in their favour.

Mr. Speaker, I'm going to support this amendment. I'm going to support this amendment because while I don't have a whole bunch of faith, I live in hope that the government may actually see right from wrong and make the changes that would make this right, the changes that desperately need to be made in this piece of legislation.

The Speaker: Are there any questions or comments under 29(2)(a) for the Member for Calgary-Hays?

Mr. Bilous: Mr. Speaker, I'd like to ask for unanimous consent to move to one-minute bells.

[Unanimous consent granted]

The Speaker: Are there any other members who would like to speak to the . . .

Mr. Nixon: Question, sir.

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

[Several members rose calling for a division. The division bell was rung at 11:25 a.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Aheer	Hanson	Nixon
Clark	Hunter	Panda
Drysdale	Loewen	Schneider
Ellis	MacIntyre	Starke
Gotfried	McIver	Stier

11:30

Against the motion:

Anderson, S.	Hoffman	Phillips
Babcock	Horne	Piquette
Bilous	Kleinstauber	Renaud
Ceci	Loyola	Rosendahl
Connolly	Malkinson	Schmidt
Cortes-Vargas	McCuaig-Boyd	Schreiner
Dach	McKittrick	Shepherd
Dang	McPherson	Sucha
Drever	Miller	Swann
Fitzpatrick	Miranda	Westhead
Goehring	Nielsen	Woollard
Hinkley	Payne	

Totals: For – 15 Against – 35

[Motion on amendment HA lost]

The Speaker: Now on the motion for third reading of Bill 35, the Fair Elections Financing Act, as proposed by the Member for Strathcona-Sherwood Park on behalf of the minister responsible for democratic renewal.

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

[Several members rose calling for a division. The division bell was rung at 11:31 a.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Anderson, S.	Hinkley	Payne
Babcock	Hoffman	Phillips
Bilous	Horne	Piquette
Carlier	Kleinstauber	Renaud
Ceci	Loyola	Rosendahl
Connolly	Malkinson	Schmidt
Cortes-Vargas	McCuaig-Boyd	Schreiner
Dach	McKittrick	Shepherd
Dang	McPherson	Sucha
Drever	Miller	Swann

Fitzpatrick	Miranda	Westhead
Goehring	Nielsen	Woollard

Against the motion:

Aheer	Hanson	Nixon
Clark	Hunter	Panda
Drysdale	Loewen	Schneider
Ellis	MacIntyre	Starke
Gotfried	McIver	Stier

Totals: For – 36 Against – 15

[Motion carried; Bill 35 read a third time]

Bill 27 Renewable Electricity Act

The Speaker: The Minister of Energy.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. It is my honour to rise and move third reading of Bill 27, the Renewable Electricity Act.

This is a historic occasion for our province. After years of announcements about studies, discussions, plans to plan frameworks, and even short-lived cabinet positions to pursue renewable energy in Alberta, we can stand proud and proclaim that this government, our government, is taking action that will bring more widespread renewable deployment to our province. We are introducing the first piece of renewable energy legislation in Alberta history. The idea of a policy framework to encourage the development of renewable electricity energy in Alberta goes back to at least 2005, when it was recommended to government that the province develop and implement such a framework.

Well, it's been a long decade. It's been a long 10 years for Albertans excited about the opportunity for more of our electricity to be produced cleanly here in Alberta. It's been a long 10 years for developers looking to bring their investment capital to our province to create jobs and generate clean energy, and it's been a long 10 years for landowners awaiting opportunities for supplemental farm income and for rural municipalities awaiting the considerable new municipal renewable energy projects that will bring and support the community services they provide.

But we have made it to today, and today we are enacting the framework that we need to create a series of renewable electricity programs to achieve our 30 per cent target. With our target of 30 per cent renewable energy by 2030 we are creating the opportunity for the largest market for new renewable energy investment in Canada. By legislating that target, we are maximizing the conditions for investment and economic development and jobs and for the lowest cost renewable energy projects. We are talking \$10.5 billion in private investment, 7,200 jobs. That's what we hear from the experts and stakeholders and investors that we listened to.

Also through this framework we are enacting the structures we need to maximize the amount of new, clean, renewable electricity generation we can get for our investment of carbon revenues from major industrial emitters. This bill has been carefully written to deliver the lowest cost renewable energy projects to supply our target. The provisions in this bill are the result of considerable engagement with stakeholders and advice from noted experts in electricity and renewable energy development.

With this bill we move forward with Alberta's renewable energy opportunities at last. We leave behind the myths and disproven, disparaging innuendo. We leave behind the era of inertia and inaction. We enact one of the key planks of the climate leadership plan. We are reducing our greenhouse gas emissions and curbing

our air pollution. We are diversifying our economy, and we are creating good, clean jobs in renewable energy development, operations, and maintenance while ensuring reliable and affordable electricity for Albertans. We look forward to continuing to work to bring these benefits to Alberta.

Thank you, Mr. Speaker.

11:40

The Speaker: The hon. Member for Chestermere-Rocky View.

Mrs. Aheer: Thank you, Mr. Speaker, and thank you to everyone for the opportunity to speak to this in third reading. I just want to say that I know for myself and on this side of the House our key plank is for Albertans, hands down. Our key plank is about protecting Albertans, about protecting their jobs, and about making sure that there is transparency, something that is wholly lacking in this piece of legislation. As an Albertan and a mom, a sister, a wife, a legislator, a musician, a business owner, and a teacher I have to say that I have a great deal of disappointment with the lack of collaboration that I have seen in the hours and hours and hours and hours that we've stood in this House and debated on these bills. In every other role in my life there are always going to be confrontational situations. There are always going to be things that come up that people don't agree on. You can come to an understanding – maybe you agree to disagree – or you go back and forth and find some sort of middle ground, and you still remain civil and kind and thoughtful and open minded.

I'm truly appreciative of the members that actually stood up on the government side of the House and spoke to this bill. I would have preferred if they had actually read the amendments that we had brought forward before speaking on them or to the bill, for that matter, because the amendments that we brought forward were there to actually add accountability and transparency, mechanisms for metrics, mechanisms to make sure that there were reasonable ways for the government to show Albertans that what we're doing there is in the best interests of Albertans. That's my key plank. That is the key plank of the Wildrose.

I've said this before: we are small but mighty over here. I am absolutely blessed to be surrounded by people who have become my mentors and are extremely intelligent on these files, have the academic background to support the information that they bring forward. You know, we've done so much research. We've stood in this House and brought forward so many reasonable amendments to help this bill be better. The bill, in its essence, to me, is not a bill that I would want to bring into legislation, but given that it's here, we have tried at every opportunity to give some credibility to the legislation that this government has brought forward. We have spent hours talking to stakeholders, especially when some of this legislation lands in your lap and you're dissecting it, reaching out to them to try and find out what it is that we're doing here, hours and hours and hours in here trying to wade through this bill, which basically should be called an arbitrary target bill. You want to know – I'd like to know – what's really behind this bill. It's a question that I keep asking myself. The government has set arbitrary targets. Do you want to know who the target is? Albertans. Albertans are the target. Albertans, my family, your family, Mr. Speaker, everybody's family.

All I can think of is that the only reason that the government moved to a capacity model in the first place is because it's just given the government a licence to subsidize the renewable sector. I mean, you cannot get to this arbitrary target of 30 per cent with a deregulated market, or a free market. This legislation is going to cost Albertans in their pockets every day, and this government will have that legacy. Albertans are the target. They're certainly not the

key plank of this government. You know, the hard part and the part that's so sad is that the government is fine with that. It charges the taxpayer and the ratepayer. I mean, what is the government thinking? Or worse, they were thinking, and they knew that by tearing up those PPAs, it would trigger this domino effect and this ridiculous legislation. The government is going to build their green legacy on the backs of Albertans who are suffering, who are losing their jobs. We see a government that cares more about the climate leadership action plan than they do about the well-being of the people that they represent.

What about the stranded assets? The plan, as I understand it, is that the government is going to take \$3 billion from Albertans for this slush fund, this green slush fund. This resulted in the destruction of the PPAs, which is about \$600 million to \$900 million approximately plus the \$1.4 billion in losses for the coal phase-out. You add to that the cost of the massive infrastructure, the subsidies that we know are going to be going to these investors that are going to be coming into our province – that is going to be on the back of the taxpayer – and the subsidies that are going to be required to actually keep these mechanisms running. The market cannot.

Also, on top of that – and I think this is extremely striking – when you hear the words “fair and reasonable,” “fair and responsible,” I would think that at every opportunity, Mr. Speaker, this is something we would want at every phase of legislation. Doesn't that just describe to you, in a nutshell, transparency and accountability? Those two words, for me, are words we use in our household all the time. We use it with our kids. We use it in the things that we do, how we live our lives.

It's certainly a mandate that I would like to live by, yet the government feels that at any point in legislation it may be redundant. Okay. I personally would honour the fact that a government would like to be redundant in being fair and responsible. That, to me, is a good redundancy. We've seen a lot of other redundant things here that I wouldn't agree with. That is one that I would agree with. Why, why, why would you remove the words “fair and responsible” from any piece of legislation ever?

Then, on top of that, we see reduced accountability with the MSA – this is the electricity police – and oddly enough it's only in renewables. Why? Because then the MSA cannot do its due diligence in making sure that the renewables portion is actually doing what they're supposed to do. It is called economic withholding. That is what the MSA did. That is why they were able to police, Mr. Speaker, all of the other companies when they tried to overcharge Albertans during peak times. That has been removed from this legislation along with “fair and responsible.” I'm telling you: Albertans are hearing this. They know what's going on. They are not happy, and that is an understatement.

How is it that the ISO, an arm's-length portion of this, is now all of a sudden able to hold securities and interests in generation? Now, how does that work? Nobody has been able to explain that to me well quite yet, and I am extremely concerned about that aspect.

I think the simplest thing that we asked for, that got voted down as well, is that we asked that the minister's website post any upcoming projects that the government is looking at, and they wouldn't even do that. Why? Well, I think Albertans can probably figure out why. If they don't post it, they don't have to honour the entire idea of accountability and transparency to Albertans about who it is that they're bringing in on these projects.

The minister mentioned about \$10.5 billion of private-sector investment. Excellent. We love that. That would be wonderful. But I'm just curious. These people who are going to be incentivized to come in and invest in Alberta: I'm sure that you will have it on your website that this government likes to tear up contracts. When you

sell a car that's been in an accident or anything like that, you have to disclose the mistake. You have to disclose that you've been in an accident. This is an accident of mass proportions. So I'd like to know where that's going to be disclosed. Is that going to be on, like, the header: "Come invest in Alberta. We tear up contracts"?

What about peaker plants? Have you thought about that? This is an important aspect. When you're bringing renewables online, it's going to be an important aspect.

Anyway, I feel it's very important that the government understand that what we are looking at here is a lack of accountability and a lack of transparency. I'd love to count up the number of hours that we have stood up on this side of the House talking about this, trying to bring credibility to this legislation.

Again, I just have to end, Mr. Speaker, with that it's extremely disappointing to me that, at least in some instances, we couldn't come to some agreements on these amendments that would have made this very, very poor legislation better. Thank you.

11:50

The Speaker: Hon. members, is there anyone who wishes to speak to Bill 27, Renewable Electricity Act, in third reading? The hon. Member for Innisfail-Sylvan Lake.

Mr. MacIntyre: Thank you, Mr. Speaker. Well, we have before us a pretty significant bill with some pretty far-reaching implications, and I'm going to present an amendment this morning.

The Speaker: Yes. Please proceed.

Mr. MacIntyre: Thank you, Mr. Speaker. I move that the motion for third reading of Bill 27, Renewable Electricity Act, be amended by deleting all of the words after "that" and substituting the following: "Bill 27, Renewable Electricity Act, be not now read a third time but that it be read a third time this day six months hence."

The reason for this hoist amendment is because of the far-reaching implications of this bill and the obvious lack of consultation and planning and analysis that this government has not done. If we go through this bill – and I have gone through this bill countless times now – we have just a few things to point out here. In the beginning of this bill we have a target that says: "at least 30%." We have no information, no analysis, and there have been no independent studies presented by the government on how they arrived at a 30 per cent number other than a suggestion from some hon. members that it sounds good to say "30 by 2030." But that's not really good enough from technical or financial points of view.

Furthermore, the act says, "At least 30%," which, of course, then leaves the door wide open for even a greater amount than 30 per cent when, in fact, technically our grid would be substantially unstable beyond that. That tells me right away that there was not, obviously, consultation done with the technical experts in the field of our grid. Otherwise, the government or whoever authored this would have known that pushing the envelope, actually, beyond 25 starts to get technically touchy.

Then we come to the issue of fair and balanced, where this bill strikes a section from the Electric Utilities Act where the ISO must act in a way

that is fair and responsible to provide for the safe, reliable and economic operation of the interconnected electric system and to promote a fair, efficient and openly competitive market for electricity.

This bill strikes the fair and reasonable, fair and balanced requirement. That, in and of itself, ought to be enough of a red flag for this bill actually to be struck down. Why in the world would any government in any democracy want to remove the word "fair" out of a bill, out of an existing act? Why in the world would any

democracy in the world want to remove "fair and responsible," "safe, reliable and economic," and "efficient and openly competitive market for electricity"? Why ditch that? Is this really a New Democratic Party that's in government here when they're striking things like "fair and responsible" out of legislation in our province?

Then we come to the lack of economic assessment. We tried to put forward an amendment that would require an economic impact assessment, but of course the government didn't want to have that. Before going down this track, ISO, in the development of their proposals, really needs to do economic impact assessments, even social impact assessments. Environmental impact assessments are done, but how about economic impact assessments? Of course, if you don't have to be fair and reasonable, then why on earth would you ever want an economic impact assessment, right?

Albertans really, Mr. Speaker, have a right to know what the impacts are of the agreements that are going to be made by this government with renewables corporations and generators in the whole development of this 30 per cent by 2030 business. This government has been proceeding headlong into its ideological agenda without a whole lot of checking the facts, doing assessments, doing analysis, talking to the experts. The purpose of this hoist is to give some time for Albertans to actually be consulted, some time for Albertans to actually speak to this government, not just experts, because I'm hoping that they would do such a thing, but also everyday Albertans.

We had a situation in this bill where we tried to put forward an amendment because there was a section in it that said that "the Minister may establish" certain program objectives. We wanted that changed to "will establish" or "shall establish and make public" those kinds of program objectives, and strangely the government voted that amendment down. They didn't want the minister to be compelled to set clear objectives and make them public. Very strange.

A total of 11 amendments were voted down, and all of those amendments had as their purpose accountability, transparency, clear objectives, performance measurement, that sort of thing. All in all, every amendment was ratepayer and taxpayer facing, making sure that Albertans knew the facts, making sure that Albertans were involved in the process, making sure that Albertans had everything that they needed. Interesting. [An electronic device sounded] That's just ducky.

Then we come to a fairness adviser, yet the fairness adviser's work wasn't even going to see the light of day. How fair is that? Not fair at all.

Then respect for landowners. We tried to introduce an amendment that would ensure that landowners' property rights were respected, and it was amazing the vitriol, I will call it, from the other side over something they also campaigned for, like we did. That was just the strangest thing. I will chalk it up to it occurring after midnight, and, you know, weird things happen after midnight in this place.

On and on we saw it. We tried to introduce some things requiring performance bonds and reclamation bonding, making sure that at the end of the life cycle of these projects there was something in place regarding reclamation specifically. No. The government wanted to vote that down, too. Very strange. Very strange.

It leads me to suspect, given the power that the minister is going to have to push renewables, given that the Market Surveillance Administrator will have no power whatsoever to look into complaints against renewable projects, the secrecy, the hiding of things, the lack of reporting required, the lack of analysis required, the lack, generally, of accountability . . .

The Speaker: Hon. member, if I could interrupt. I thought that for a moment you were going to have duck for Christmas dinner rather than turkey.

The House stands adjourned until 1:30 this afternoon.

[The Assembly adjourned at 12 p.m.]

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