



Province of Alberta

The 28th Legislature
First Session

Alberta Hansard

Tuesday evening, November 26, 2013

Issue 74e

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (Ind)
Amery, Moe, Calgary-East (PC)
Anderson, Rob, Airdrie (W),
Official Opposition House Leader
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),
Official Opposition Whip
Barnes, Drew, Cypress-Medicine Hat (W)
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)
Bikman, Gary, Cardston-Taber-Warner (W)
Bilous, Deron, Edmonton-Beverly-Clareview (ND)
Blakeman, Laurie, Edmonton-Centre (AL),
Liberal Opposition House Leader
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)
Calahasen, Pearl, Lesser Slave Lake (PC)
Campbell, Hon. Robin, West Yellowhead (PC),
Deputy Government House Leader
Cao, Wayne C.N., Calgary-Fort (PC)
Casey, Ron, Banff-Cochrane (PC)
Cusanelli, Christine, Calgary-Currie (PC)
Dallas, Hon. Cal, Red Deer-South (PC)
DeLong, Alana, Calgary-Bow (PC)
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),
Deputy Government House Leader
Donovan, Ian, Little Bow (W)
Dorward, David C., Edmonton-Gold Bar (PC),
Deputy Government Whip
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)
Eggen, David, Edmonton-Calder (ND),
New Democrat Opposition Whip
Fawcett, Hon. Kyle, Calgary-Klein (PC)
Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)
Forsyth, Heather, Calgary-Fish Creek (W)
Fox, Rodney M., Lacombe-Ponoka (W)
Fraser, Hon. Rick, Calgary-South East (PC)
Fritz, Yvonne, Calgary-Cross (PC)
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)
Griffiths, Hon. Doug, Battle River-Wainwright (PC)
Hale, Jason W., Strathmore-Brooks (W)
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),
Government House Leader
Hehr, Kent, Calgary-Buffalo (AL)
Horne, Hon. Fred, Edmonton-Rutherford (PC)
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)
Hughes, Hon. Ken, Calgary-West (PC)
Jansen, Hon. Sandra, Calgary-North West (PC)
Jeneroux, Matt, Edmonton-South West (PC)
Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)
Johnson, Linda, Calgary-Glenmore (PC)
Kang, Darshan S., Calgary-McCall (AL),
Liberal Opposition Whip
Kennedy-Glans, Donna, Calgary-Varsity (PC)
Khan, Stephen, St. Albert (PC)
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)
Lemke, Ken, Stony Plain (PC)
Leskiw, Genia, Bonnyville-Cold Lake (PC)
Luan, Jason, Calgary-Hawkwood (PC)
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)
Mason, Brian, Edmonton-Highlands-Norwood (ND),
Leader of the New Democrat Opposition
McAllister, Bruce, Chestermere-Rocky View (W)
McDonald, Everett, Grande Prairie-Smoky (PC)
McIver, Hon. Ric, Calgary-Hays (PC),
Deputy Government House Leader
McQueen, Hon. Diana, Drayton Valley-Devon (PC)
Notley, Rachel, Edmonton-Strathcona (ND),
New Democrat Opposition House Leader
Oberle, Hon. Frank, Peace River (PC)
Olesen, Cathy, Sherwood Park (PC)
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)
Pastoor, Bridget Brennan, Lethbridge-East (PC)
Pedersen, Blake, Medicine Hat (W)
Quadri, Sohail, Edmonton-Mill Woods (PC)
Quest, Dave, Strathcona-Sherwood Park (PC)
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),
Premier
Rodney, Hon. Dave, Calgary-Lougheed (PC)
Rowe, Bruce, Olds-Didsbury-Three Hills (W)
Sandhu, Peter, Edmonton-Manning (Ind)
Sarich, Janice, Edmonton-Decore (PC)
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),
Official Opposition Deputy House Leader
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),
Leader of the Liberal Opposition
Smith, Danielle, Highwood (W),
Leader of the Official Opposition
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)
Stier, Pat, Livingstone-Macleod (W)
Strankman, Rick, Drumheller-Stettler (W)
Swann, Dr. David, Calgary-Mountain View (AL)
Towle, Kerry, Innisfail-Sylvan Lake (W),
Official Opposition Deputy Whip
VanderBurg, Hon. George, Whitecourt-Ste. Anne (PC)
Weadick, Hon. Greg, Lethbridge-West (PC)
Webber, Len, Calgary-Foothills (PC)
Wilson, Jeff, Calgary-Shaw (W)
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)
Xiao, David H., Edmonton-McClung (PC)
Young, Steve, Edmonton-Riverview (PC),
Government Whip

Party standings:

Progressive Conservative: 59 Wildrose: 17 Alberta Liberal: 5 New Democrat: 4 Independent: 2

Officers and Officials of the Legislative Assembly

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel and Legal Research Officer	Philip Massolin, Manager of Research Services
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	Fiona Vance, Sessional Parliamentary Counsel	Brian G. Hodgson, Sergeant-at-Arms
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Nancy Robert, Research Officer	Chris Caughell, Assistant Sergeant-at-Arms
		Gordon H. Munk, Assistant Sergeant-at-Arms
		Janet Schwegel, Managing Editor of <i>Alberta Hansard</i>

Executive Council

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

Standing Committee on Alberta's Economic Future

Chair: Mr. Amery
Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan
Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

Standing Committee on Families and Communities

Chair: Mr. Quest
Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

Standing Committee on Legislative Offices

Chair: Mr. Cao
Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky
Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

Standing Committee on Private Bills

Chair: Mr. Xiao
Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen
Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Goudreau	Quadri
Hehr	Rogers
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

Standing Committee on Public Accounts

Chair: Mr. Anderson
Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans
Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 26, 2013

[The Deputy Speaker in the chair]

The Deputy Speaker: Please be seated.

Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

The Chair: I'd like to call the Committee of the Whole to order.

Bill 39 Enhancing Consumer Protection in Auto Insurance Act

The Chair: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you very much, Mr. Chair. I'll try to make my comments somewhat brief. I can speak in general in Committee of the Whole to this bill, can I not?

The Chair: Absolutely.

Mr. Bilous: Okay. Wonderful.

First and foremost, I think this is a positive in the right direction as far as looking at providing more affordability and accessibility when it comes to auto insurance. The interesting statistic, Mr. Chair, is that 80 per cent of Albertans carry additional auto insurance within our province, and regulating these rates is something that the Alberta NDP has been calling for for years if not decades. Again, I think helping Albertans to afford and also to understand their auto insurance rates is a positive thing, especially because so many Albertans do depend on their vehicles to get to and from work and for driving their families around. We want to make sure that, again, rates are fair and affordable for everyone.

I'd like to just walk us through a little bit of history here, Mr. Chair. You know, back in 2003 the PCs introduced what was then Bill 53 after years of calls to reform insurance regulation. We pointed out back then that Albertans paid some of the highest auto insurance rates in Canada and that at the time they were rising at quite shocking speeds. The PCs tried to address this by freezing the rates but after their friends the insurance companies had locked themselves into a 57 per cent increase over the previous year alone, which is quite significant.

When first introduced, almost all the changes that the Tories proposed during these reforms were really for the benefit of the insurance companies, not for Albertans, despite the fact that at the time, again, these companies were making record profits and premium revenues were 25 per cent over operating and claims costs. At that time the government only concerned themselves with prohibiting double-dipping and instituting minor injury caps instead of looking at the whole picture and looking out for Albertans, Mr. Chair, and the fact that they were paying exorbitant rates just to drive their vehicles.

You know, we pointed out that many of the changes amounted to nothing more than the government shifting payment obligations from some Albertans onto others instead of shifting costs away from ordinary Albertans and onto the insurance companies, who were raking in much higher profits than they were paying out in claims. Mr. Chair, we, the Alberta NDP, held the government to account and forced them to begin regulating some insurance rates

on the grid, which is now used to protect the rates all Albertans pay on the basic coverage.

It is important to know, Mr. Chair, that some of the problems that we noted with Bill 53 are persisting and continuing. We drew attention to the fact that the board reviews rates behind closed doors and that there was no opportunity for the public or consumer advocates to challenge rate increases. As we see with this Bill 39, the government is repealing complaint procedure provisions and leaving, really, a bare-bones regulation as the only means for Albertans to address these issues.

Mr. Chair, we also support a greater degree of flexibility so that, again, the rates can be responsive and reflective of the needs of the public, but we obviously need to ensure that there are some legislative safeguards.

Mr. Chair, now the premiums for basic and additional coverage are both going to be dealt with by the Automobile Insurance Rate Board. Now, considering the repeal of the dispute resolution procedure for matters relating to those rates, you know, a question is: what recourse do Albertans now have if they encounter problems with the determination of fault or the availability of insurance or any of those issues? There are still several questions, and maybe I'll just throw a couple of them out and see if there is a minister that is willing to respond to some questions.

Continuing on with dispute resolution, Mr. Chair, the grounds available for dispute resolution in the complaint resolution regulation are not as comprehensive as section 612 of the Insurance Act, which the government is trying to repeal. The previous section envisioned the public being able to access the complaint procedure for determinations of fault and the availability of insurance and several other factors. Can we be assured by the minister that these grounds will be included in the regulations? Again, with the transition that we're seeing, you know, as opposed to being in the bill, in legislation, we're often told that some of these things will be addressed in regulations, so I'm curious to know if that's one of them. Another question: why aren't there arbitration procedures in the legislation as opposed to relying on the regulation?

If the rates set by the board are not being accurately reflected, how can ordinary Albertans access a procedure to rectify this? How can Albertans get help or follow a complaints process with respect to the decisions made by the board? Again, where is the oversight for ordinary Albertans?

As well, Mr. Chair, when the hon. minister introduced this bill, he said that they'll update the diagnostic treatment and protocols regulation through the normal regulatory process. Now, apparently, this will consist of modernizing some clinical definitions. If this is all part of a normal regulatory process, can we get some information on what the changes will entail? Since Albertans need to know what their level of coverage will be and what might happen if they're injured in an accident, these changes, which might affect their standard of coverage or care, should be clearly listed and explained. What consultations will take place or have taken place to make sure that these changes are well informed and effective for regular Albertans, who need to access the insurance coverage for which they've been paying?

What input from the public will the government allow, considering that these decisions will affect individual Albertans in potentially huge ways? Will it include other regulatory changes about which Albertans need to know?

Again, there are some questions that we have with the bill as it currently sits, Mr. Chair. I do want to note that the Alberta NDP for years led the fight as far as regulating auto insurance. Again, as we know, in the past, when this government privatized our auto insurance rates, they did skyrocket within this province. We went

from one of the most competitive in western Canada to the most expensive. Again, the government, you know, finally listened to calls from the Alberta NDP to regulate not just basic coverage but to look at regulating additional coverage. As I pointed out, 80 per cent of Albertans get the additional coverage, not just the PL/PD.

We're happy to see that it's finally going to be regulated. Just a few questions on how that's going to work and, again, some questions around complaints resolution, resolving disputes, questions around how the board is going to make these decisions, and some questions around minor injury regulation.

With that, Mr. Chair, I'll take my seat. Thank you.

The Chair: Are there other speakers? The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Allen: Well, thank you, Mr. Chair. It's my pleasure to rise today and speak in favour of this. I would commend the President of Treasury Board and Minister of Finance on bringing Bill 39 forward. You know, I've heard from a number of my constituents in Fort McMurray-Wood Buffalo about the increasing costs of auto insurance in the province. This is a particular problem in my constituency as so many people must travel from other areas of the province and across Canada, in fact, in order to work in Fort McMurray. As well, those living in the area – and so many have chosen to do so now – are in more remote and harder-to-access areas of the province. Vehicular insurance is a very necessary cost to every resident of Fort McMurray-Wood Buffalo.

I'm extremely glad that insurance rates will be regulated for the province. Consumer protection, especially when it involves something so critical as the ability to get to work, and access to services in the unfortunate event of an accident are vital factors in the quality of life of my residents. I'm pleased to see the insurance industry is onboard with this bill as well. That's integral to seeing this succeed.

7:40

The implementation of the independent Automobile Insurance Rate Board, the development of the file-and-approve system, whereby each insurer needs to apply for premium adjustments on an as-needed basis as opposed to annually, and the increased solvency requirements to ensure that insurance companies remain viable greatly improve market conditions. All are much-needed changes to the insurance industry in Alberta, and it is important to protect Albertans in the event of an accident and in the everyday usage of their vehicle.

Mr. Chair, I'm a small businessperson. I've always believed that government needs to stay out of the way of business and that the market will control itself. However, in a situation like this, in a province where insurance is mandatory for vehicular coverage, then it is appropriate that we bring in some form of regulation, and this act meets that guideline and certainly is going to be most appropriate for this province, so it has my full support.

Thank you, Mr. Chair.

The Chair: Thank you, hon. member.
Are there others?

Mr. Anderson: Mr. Chair, I did have a question that I was hoping the minister could answer or that somebody could answer. The question: under Bill 39 where will the dispute resolution process be after the deletion of section 612 in the act, and who will set that regulation? There is a bit of a concern just trying to understand, once section 612 is deleted, who is going to set the regulations for the dispute resolution process. There are some folks in the industry that are wondering that and how that will come about.

Maybe if you could look into that and get back to us, that would be fantastic.

Thanks.

The Chair: Are there others?

Seeing none, I'll call the question.

[The clauses of Bill 39 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? That is carried.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. I move that the committee rise and report Bill 39.

[Motion carried]

[The Deputy Speaker in the chair]

The Deputy Speaker: The hon. Member for Calgary-East.

Mr. Amery: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 39.

Thank you, Mr. Speaker.

The Deputy Speaker: Does the Assembly concur in the report?

Hon. Members: Concur.

The Deputy Speaker: Opposed? So ordered.

Government Bills and Orders

Third Reading

Bill 27

Flood Recovery and Reconstruction Act

[Adjourned debate November 25: Mr. Campbell]

The Deputy Speaker: I recognize the hon. Leader of Her Majesty's Loyal Opposition.

Ms Smith: Thank you, Mr. Speaker. I'm pleased to rise today to speak to third reading of Bill 27, the Flood Recovery and Reconstruction Act, which I understand makes amendments to the Emergency Management Act as well as the Municipal Government Act. I regret the fact that the government did not accept some of the recommendations and amendments of my colleagues, which I think would have greatly improved the act and also allowed me to be able to support it. As it currently stands, I can't support this bill.

I want to go through, in particular, some of the issues that I have with the caveats on properties and do it from the perspective of my home riding of Highwood, which was the most impacted area during the flooding. I also want to spend some time talking about the provision that would allow for provincial emergency response to be extended from 14 to 28 days and why I agreed with my colleague's amendment that it should actually have been longer.

I'll start by giving a bit of context from my own perspective of what I went through as a flood victim. I live in High River. I think that the government has missed an opportunity with this bill to be able to address many of the glitches that occurred throughout the

emergency response. It's why we put forward two flood reports over the course of the last five months. One of them was calling for a public inquiry into what happened in High River. The other was also a response with 22 different recommendations that we felt and hoped that the government would have considered when they were putting forward changes for how they would approach the issue of managing areas that are flooding.

I should tell you what happened on the day of the flood, on June 20. I remember getting a call from my colleague from Rimbey-Rocky Mountain House-Sundre. He actually sent me an e-mail at somewhere around 8 a.m. letting me know that my hometown was flooding. I ended up going onto Twitter and having that confirmed by the news reporting. I hopped in my vehicle and went down to the emergency command centre, which was at the municipal council. At 9 o'clock in the morning I'd popped by the river, and at 9 a.m. the river was already breaching. It was when I went to the command centre that they indicated that the level of flood flows that they were looking at that day were already going to be in the order of about 1,300 cubic metres per second, which was 50 per cent higher than what they were in the 2005 flooding. Remember, in the 2005 flooding we had also seen three deaths and \$165 million worth of damage.

It was at that point that I knew that we were going to be in grave danger in High River. I went over to the Snodgrass centre, which is where we were sandbagging, hoping to be able to rescue whatever properties that we could, and accompanied a flatbed of sandbags over to the High River hospital. They had already received a couple of loads of sandbags but needed to be sandbagged further. As we were sandbagging, we were getting close to noon now, and we were just barely finished getting the sandbags all around the hospital when it became clear that we weren't going to be able to do any more work.

I think there were a lot of moments of grave concern in the hospital that day as we didn't know whether or not the four sandbags we'd piled high were going to be enough to be able to keep the flood waters out. We didn't know whether or not the water had finished rising at that point. What I did notice in that hospital, though, is that the generator was right near the back door, which was leaking. If the generator had blocked out, we would have ended up having 124 patients stranded in the hospital because there was no way to access it at ground level. There was also no way for the helicopters to be able to fly in since the landing pad was also at ground level. We took turns at the back door shop-vacking to make sure that we were able to keep the water going down the drain to prevent the generator from blocking out.

I ended up getting rescued later that day. The Telus centre for the phone system went down about 5 o'clock, so I got blocked out of being able to communicate with anyone, including my husband, who I'd been separated from. It was about 7:30 that I got rescued by a couple of volunteer firefighters who came to the door. John Badduke was one of them – and I've since met him, and I'll mention him again – as well as six brave volunteers who loaded me up on a front-loader and put me in the back of a manure spreader. The media thought it was very appropriate for a politician to have been rescued on a manure spreader and told me so.

At that moment we were supposed to go back to the fire hall because we had a woman on the truck with us who was pregnant and another woman on the truck who had a heart condition, but as we were driving down the streets, there were just so many people who were coming out of their homes carrying whatever belongings they could, carrying their kids, carrying their pets that the six brave young men who were accompanying us ended up

driving around the streets for another two and a half hours picking up people, as many as they could, putting people and pets into the back of the vehicle.

7:50

We only finished when we got our third injury. One of the young men ended up breaking his foot. We figured at that point it was time to go back to the fire hall, so we did. We arrived there about 9:30, and I was fortunate to be able to meet up with my husband. It wasn't too long after that that we found out that three people died in the flood. Those are the three names that we know. There were a couple of other individuals who have been identified as also dying either as a result of the flood or shortly after whose families have not released their names.

That was the initial experience that I had. The next day I went to the emergency operations centre along with other politicians who were there. The mayor was there. The MP for the area was there as well. We heard that day that the number one issue coming in to the command centre was the issue of pets that had been stranded in people's homes. Because there was no early warning, a lot of people had left for work in the morning and had left their pets in their homes. Later that day I volunteered to be part of the pet rescue team. We needed a phone number to be able to start getting calls from people and their addresses about where their pets were, so we posted the phone number for one of the council members, Jamie Kinghorn, and we ended up getting over a thousand unique phone numbers that came in. That's how many individuals were desperate to get their pets, to give you some idea of just how many individuals needed to have their pets rescued.

I think this is the interesting thing that they learned in Katrina flood rescue, after that event, that people look at pets as part of their family. In some ways, to be able to get people rescued, you have to rescue the pets as well. I think it's something that is important for us to consider in future emergency response. If we're going to have an event like this, how do you make sure that you build that into the emergency response? It wasn't built in initially, and it did end up creating issues in the days following. It's something I would have hoped that the government might have considered addressing as part of the update to its emergency management operations.

I also discovered over the course of the next number of days that search and rescue was not called in to our area. There does appear to be a command structure where search and rescue responds to the RCMP, but when you have a local command centre, there isn't an easy mechanism for search and rescue to be activated. It may have been activated in other parts of southern Alberta, but it wasn't activated in High River. I think search and rescue would have been very helpful if they had been activated in those first few days.

We also heard as well that as the waters were receding, the authorities were going door to door, and they were breaking into homes without using locksmiths. In other instances there have been locksmiths that have been used to prevent door damage. I did raise this in the EOC. The public had been told that once it was raised with them, the doors were no longer going to be broken down, that a team of locksmiths had also been activated so that it would limit the amount of damage.

On day four I was asked to leave town. I'm going to go through a little bit of this because I think it's important to understand the impact that this has had on individuals in High River and how they're perceiving the misplaced priorities of the bill that is coming through when we had very many other serious issues that the government had the opportunity to deal with in its legislation. I left on day four. That was the day in most other jurisdictions that

people were being allowed back home. I think we all saw the coverage in Calgary where Mayor Nenshi was allowing people to wade into their homes up to their knees in water to be able to go in and get personal belongings. That didn't happen in High River. When the mayor asked me to leave, I did. I took three days' worth of clothes because I figured that was probably all I was going to need because, quite frankly, the waters had receded in High River in most of the places with the exception of one part of town.

The next morning when I showed up in High River, the emergency operations centre had been moved, and I found out that I was no longer welcome to attend any of the emergency operations updates. That led to a period of, quite frankly, chaos, in my opinion, where I ended up having to go to evacuation centres, crash press conferences, doing whatever I could to find out what the progress was on being able to move things along so people could get back into town. As MLA for the area I was getting phone calls, I was talking to my neighbours, and people wanted to have answers. But there wasn't a mechanism for me as the elected MLA to be able to get updated on a regular basis, so I ended up having to crash news conferences simply to get information.

At the same time that this was going on, the website and phone lines for the town were in a bad state because they were on Telus as well. With Telus having been down, it ended up disrupting the information channels to get information out to the rest of the residents, so I started doing telephone town halls. I think over the course of the crisis I ended up doing about 10 or 15 telephone town halls.

We set up our own website as well, where we were also posting government information as well as information that we heard from different sources to be able to give accurate information. We had Facebook.

We supported the High River flood support page. Within very short order the woman who ran that page, Colleen, had expected she was only going to help about 300 or 400 people with that. By the end of it she had something like 25,000 people who were signing in regularly to her flood support page to be able to get updates. I had hoped that the government would have recognized that this kind of information piece was one of the things that created a lot of difficulties in being able to keep community members up to speed on what was going on. It created an environment where there was growing frustration.

Now, I think we saw that by day 7 there was a standoff between residents and the RCMP in the northwest part of town. It was within the next couple of days that the RCMP announced that because things were getting a little bit hot, they had decided to go back into homes and start seizing firearms from gun owners, perhaps with the idea that somehow that would bring the temperature down or prevent any potential standoffs. I don't know. I'm still trying to get answers about why the RCMP chose to do that.

I ended up calling the Prime Minister's office at that point because I was concerned that there were things that were a little bit out of control in the whole situation. Ostensibly there was a local emergency response going on, but in point of fact the Alberta Emergency Management Agency and various provincial government officials, in my opinion, had been in charge from about day 4. It was that chaotic structure of not really knowing who was in charge that I think led to a lot of those problems over the course of that week and not being able to properly communicate. Was it the local authorities? Was it the provincial authorities? Was it the RCMP? It seemed that the RCMP was operating completely outside the chain of command. Also, the decision-making process, I believe, broke down.

The next day – I think it was actually the day that the Prime Minister came out and condemned the actions of the RCMP – was when the province took over a provincial state of emergency. I have to say that I commend the minister of High River. I think he did a terrific job over that 14-day period. There seemed to me to be a lot of progress being made. The communication improved. The amount of communication flow not only from the government website but also through the Alberta Twitter feed was tremendous. I think that the program that was rolled out for the debit cards, as I've already mentioned, was very well received and, in my opinion, very well managed.

One of the things I especially appreciated about the minister coming in at that point was that he realized how vitally important it was to bring the temperature down by allowing people to return home. I think if there had been an opportunity for the provincial government to step in earlier, it may have brought that additional perspective to it, and some of the return of residents may have happened sooner, and it may have avoided some of the standoff and pressure that happened between residents and the RCMP that occurred because of some of the delays.

Day 10 was when the first residents got let back in in the northwest part of High River. That was important because that was where the initial standoff had been with residents, so they were able to return home. It's also important because some of those homes in the northwest part are where the government floodway areas have been officially identified. There's a cul-de-sac of homes that is around the golf course where the floodway homes have been identified. I'll return to that in a moment.

Day 12, a couple of days later, was when the southwest part of the town was returned. It was Beachwood residents among the residents who were returned at that point on day 12. I mention Beachwood because I will return to them in a moment also.

Day 14 was when I returned, having worn the same set of clothes for about three times longer than I had anticipated doing so, so that was nice for me. I didn't have any damage to my home, which allowed me to have the time to be able to help my neighbours. That's how many of us felt who ended up not having any damage to our homes.

8:00

Day 23 or thereabouts was when I met with the minister for High River again because we were coming up on the close of the 14-day period where the provincial state of emergency was ending, and I did plead with him to ask the Premier to reconvene the Legislature to be able to extend the provincial state of emergency. That should give some indication of the confidence that I had in the minister for High River to continue to manage the affairs. It seemed to me that when the provincial minister came in, it did tend to recalibrate all of the decision-making. It seemed that the decision-making became a lot more clear and the communication became a lot more clear.

I was very worried about the provincial state of emergency ending before every resident area had been allowed to return home. At that point not every resident area had been allowed to return home. I don't know if the minister took that message forward, but it didn't occur, and I think that was unfortunate. I think there would have been a lot smoother transition if there hadn't been the return after 14 days to the structure where, once again, as I mentioned, it was a little chaotic.

I think what you see is that there is a pretense that the locals are in charge – that was my observation – but it was very, very clear that many, many of the decisions required the decision-making and the support of the provincial government and the AEMA. But when you have a confused reporting structure and it isn't clear

who's actually in charge, it ends up breaking down accountability, and that's, I think, one of the things that I had hoped the government would be able to fix in this legislation.

As it turned out, it was day 25 that the residents of Wallaceville and Hampton Hills were able to return and day 26 that the residents of Sunrise were able to return. We already saw in the return of those residents that it was a world of difference experience for them than it had been for the previous residents. There weren't any porta-potties put into the area for them to be able to return and start cleaning out their homes. There was a confused message about whether or not it was safe for them to go into their homes. They were told that the soil was contaminated, that their homes might contain methane, that they couldn't bring in volunteers because it was too dangerous. People started cleaning out their homes anyway, not having proper protective gear because many of them didn't receive welcome packages. That is the experience of people who were in the worst situation in our town.

Because they had been out for so long and because their homes had sat in water for so long, you were beginning to see mould set in. My firefighter friend John Badduke took me into his home, which was in one of these areas, and he showed me his walls. There were two different kinds of mould on his walls, blue and red mould, that no one had ever seen before, and he wasn't even sure whether or not his home could be repaired. The water had gone up to the second floor in his home, and he was now in a position where he didn't know what his path forward was.

In the time since the last residents entered into their homes, I saw just an amazing outpouring of support and volunteerism like I never could have possibly imagined. When all was said and done, with Mission Possible having come into High River, with Mormon Helping Hands, with Samaritan's Purse, with Salvation Army, with Red Cross, with multiple other organizations, there were some 25,000 volunteers who came in to help people muck out their homes. I have to say that I do not think we would be where we are today if we had not seen that incredible volunteer effort.

The problem that I observed, though, is that there wasn't a very clear co-ordination between the emergency operation centre, which was focused on public security and public infrastructure, and all of these volunteer organizations who wanted to help, who wanted barriers taken out of the way so that they could help. I thought that that would have been an area we would have been able to see the government address in this bill, but it is an area where it seems that they were silent. It's still an area, I believe, that they need to take a closer look at.

My understanding in U.S. emergency operations is that organizations, particularly the Red Cross, are integrated heavily into the overall emergency response so that you do have that seamless flow of information back and forth. It's just simply not possible for the government to activate enough government employees to be able to repair in this case some 5,000 homes that had suffered damage. The only way we could have gone on to the road to recovery was to be able to rely on that incredible volunteer spirit that came into our community. But there were glitches, and those things need to be addressed.

In the time since the major part of the emergency ended and they've shifted into recovery and reconstruction, the calls and e-mails that have come into my office have been involving temporary housing, the contract that was given to Tervita to clean up homes, the contract surrounding school portables and the delays on that, the glitches in the disaster recovery program, and getting payments. There are also still so many individuals who are displaced, our seniors. We've got a number of tenants who are

displaced. We've got temporary foreign workers because Cargill and Western Feedlots are both in the area. Many individuals are still without homes. There are issues for landlords. Because of the structure of the DRP program, it has left a number of landlords without being able to get any support to be able to rebuild their rental units, which is then displacing some of our lower income High River residents and creating problems with small businesses being able to start up. All of these things are connected, and all of these things, I think, are the ones that our residents are looking to the government to find answers for.

I have raised the issue before of the 1,900 claims that had gone in to the RCMP for doors that were damaged, windows that were broken, and other damage that was caused on the entry into people's homes. I was disappointed to read in the last couple of weeks that despite the announcement a few weeks ago that those claims would be paid, the RCMP is now saying that things are caught up in legal and it's going to take up to two years to resolve. The issue of the RCMP command structure and how they fit into the EOC when you have a local emergency response, a provincial emergency response going back to a local emergency response is something that absolutely has to be figured out in the event that we have another incident like this. I think that this unanswered question has left a lot of uncertainty in communities about what role the RCMP will play when we have another one of these disasters. Again, it's one of those areas I wish the government had taken the lead on trying to develop some policy or legislation around so that we could get some clarity in this area.

The things that I'm mentioning are the issues that come into my constituency office and the things that are causing the most concern for High River residents. I think you can probably tell from the things that I've talked about that there's still a lot of trauma in High River. I get more positive comments into my office these days than negative. I get a lot of people who have the ability to float on their credit cards and lines of credit their own reconstruction of their homes. But it's those who are at the lower end of the income scale, living paycheque to paycheque, people who are on fixed incomes, the really difficult cases that my office staff are working on on a weekly basis with the minister for High River's office staff to try to be able to work one-on-one to be able to resolve them. I've appreciated the fact that the minister has taken those seriously. We certainly haven't turned the corner completely in High River. There certainly are a lot of serious concerns.

This is the reason why we put out a call for a public inquiry into what happened in High River, not only because there were three deaths. It does seem to me that when you have deaths in these kinds of incidents, they should be examined so that you can look at ways in which you can prevent it from happening again. I think from what I have gone through today, you'll see that the priority that I heard from constituents who experienced this is, number one, they want to see more policy and legislation around the issue of emergency preparedness. What are we doing to ensure before the fact that we've got local municipalities who have gone through the emergency preparedness, who've identified individuals who are going to lead it, who've identified protocols and responses? If we're going to maintain the structure that we have, where in the event of a serious incident it's the local municipality who takes the lead, I don't know that we've addressed this part of the problem.

8:10

There are only a handful of municipalities who can manage their emergency response on their own. Calgary is a prime example. Medicine Hat is another example. Fort McMurray is another example. When a municipality gets large enough that not

only do they have only a portion of their city impacted in the event of a flood but they also have a large number of emergency and first responders to be able to manage things internally, it's a very different experience than in a town like High River, of 13,000 people, who relied very heavily on the expertise of those outside our community not only because we didn't have as many first responders but also because all of our first responders in town were also victims themselves. The vast majority of them were facing issues of their own homes and in some cases businesses being wiped out, and having to be able to put that aside for what turned out to be, I think, 103 days of total emergency response was an awful lot to ask of a small town. So emergency preparedness and what the provincial government can do to assure emergency preparedness: I would have liked to have seen more done on that.

Early warning is another area where we needed to do more work. When you hear reports like the Discovery Channel documentary that said that scientists knew two days in advance because of the snowpack and the weather warning that we were going to be in trouble in southern Alberta, how is it that that information didn't get communicated to the local authorities? How is it that as the MLA for the area, living in that town, my first official contact with the government was at 2 o'clock in the afternoon, after I'd already been trapped in the High River hospital for two hours, to get an update from the Health minister about what was happening at the High River hospital?

These kinds of protocols have to be worked out. We need to have a system of early warning so that every decision-maker and every representative is aware when things are going to occur in their community so that you're not finding out after the fact. I've heard subsequently of parents' concern that their kids were still being loaded up on school buses to be taken to school after the official emergency response had already come out. How does that happen, when you have an emergency response in an incident like this where all of the key decision-makers in all of the different institutions don't have an integrated system of being warned? How is it that there isn't a siren system or a call-out system or an e-mail system? These are the kinds of things that my residents are asking about, and I don't think that the government responded in legislation to try to clarify some of that. That's what the residents of High River are looking for.

The issues of preliminary response, of ensuring that when everybody is kicked into emergency mode, there is a clear understanding of how the different agencies are going to work together. How does a local government communicate with the provincial government? How does the RCMP fit into that structure? When does search and rescue get called in? How do you ensure that every hand is on deck that can be on deck to make sure that you're dealing with all of the issues in the preliminary response?

Communications is an enormous issue, especially for a small municipality. Let's remember that we've got over 350 municipalities in Alberta. We've got 66 that are at risk of flood and others that are at risk of tornado or fire or some other calamity. They're going to face the same issues that happened in High River of how to actually communicate to a diaspora population that gets evacuated all over the province, indeed all over the country, and be able to effectively get information out of them so that you can close those information gaps and they're brought up to speed on the most relevant information.

I think that people look to Mayor Nenshi in Calgary as a model for how crisis communications should be conducted. Mayor Nenshi in Calgary was doing updates three times a day whereas

the information coming out of a small municipality, where you don't have the round-the-clock media coverage that occurred in Calgary, made it a lot more difficult to get the information out. To me, it's incumbent upon the provincial government to figure this piece out because if you can figure it out for a community like High River, you can also figure it out for the other 350 communities that might one day be at risk of suffering the same problem.

The fifth area, and I've already mentioned it, is the operation of the emergency operation centre and the broader community. There are so many individual, independent volunteer groups that are going to spring into action the next time that this occurs. I had two researchers from New Brunswick come to interview me in my office wondering why it was that we had such an incredible outpouring of community support in the event of this crisis. I asked them what they meant by that, and they said: "Well, if this happened in New Brunswick, I don't think we'd see the same kind of response. People would just wait for the government to come and help them. What is so different about Alberta?"

I think in the era of social media, where you've got Twitter and you've got Facebook, you've got the ability for people to self-organize. We have to be prepared for the fact that people are going to show up, people are going to want to help. You can get truckloads of food and supplies organized and sent all over the province. Whether it's the work that my colleague from Airdrie and my other colleagues in the Wildrose caucus did to organize caravans of trucks that went to the Morley reserve and Siksika or whether it was the incredible amount of support that came down to High River, Calgary, and other parts of southern Alberta, that is going to happen again, and the government has to be aware of how they're going to be able to integrate that and work with those community groups when this happens again. I think that that is a piece that the government hasn't given serious thought to, and I think it would be a missed opportunity if they didn't end up dealing with that in the next crisis.

Mr. Speaker, how much time do I have? Are you telling me I only have four minutes? Oh, no. You're waving to somebody else. That's all right. I'll keep going.

Mr. Anderson: Forty minutes.

Ms Smith: Forty minutes. Okay.

I've told you what I had hoped I would see with the government's response, and we didn't get those. Hopefully, it's not too late. I've put it on the record, and maybe we'll be able to have an opportunity to have a conversation about these things again. I've already indicated to my town after I got elected that I would be giving them some of my observations in writing so that they can consider that for their own emergency response, and I'll make a copy available to the government as well so that they can consider some of the things that I've mentioned.

Turning more specifically to what the government bill did actually deal with, I still find that they ended up getting it backwards. The big problem with the government's approach is that after everything the residents went through – and this is why I went through in some detail what our residents went through. There's a great deal of trauma that people are still experiencing. We're only five months after the fact. I've got countless stories of people who are still in temporary housing, people who are still looking to the new year to be able to get their homes back to a point where they're livable, people who are still in the middle of trying to figure out whether or not their homes can be repaired or

whether they have to be bulldozed. This is the situation that people have found themselves in.

The government's approach in this bill is to really blame the homeowner. It's not the homeowner's fault that they purchased a home in an area that had gone through all of the municipal approval processes, whatever provincial approval processes there needed to be. Many of the residents in High River and I think many of the residents who were in the government's now-identified floodway areas bought their homes in good faith, thinking that they were going to be safe. The approach the government has taken is to lock in flood maps that are in some cases 20 years old, that are not reflective of what has occurred in some of these communities to be able to protect them, and to punish even further people who are already traumatized and trying to face some pretty important life decisions about what their next steps are going to be.

We would have taken a different approach, and we have said this from when we issued our flood report all the way through the debates that you heard on this bill and all the way through press conferences and press releases, and we're going to say it again and again. The approach that we believe the government should have taken was to update the flood maps first, looking at the data that we have based on the most recent event. We thought that government should have then done flood mitigation or at least made very clear what kind of flood mitigation projects they were going to do and then reupdated the flood maps because every flood mitigation project you do is going to impact how safe it is to build in certain areas. It's going to impact what is flood fringe. It's going to impact what is floodway.

Then we thought that the next step after that, after you had done the flood mitigation and done the updated flood map, you would identify the very small areas which were floodway, where you couldn't protect homes, where you couldn't protect businesses, and then work with those homeowners to be able to buy them out and remove them. The difference in our approach would be that rather than have 254 homes that need to be moved under the government's plan, it would be a far smaller number once you had done those kind of changes, and it would make a huge difference.

The fourth thing, I think this is something that we've only heard a little bit about from the government, but I think it goes to this issue as well of why we can't blame the homeowner. If homeowners in Canada and in Alberta were allowed to get insurance, then we could have made the argument, perhaps, about why they shouldn't have been able to qualify for flood relief. The fact of the matter is that Canada remains the only G8 country that does not have a flood insurance program. This, to me, is one of the areas where we have to find a way to bridge that gap. If other jurisdictions have found a way to do it, if commercial properties have found a way to be covered under flood insurance – and they have – then there should be a way for us to be able to work with our federal counterparts and the insurance industry to be able to have a flood insurance program.

8:20

The reason that this is so important is that once you get the insurance companies interested in protecting the property and value of the homeowners' properties that they're insuring, they also, then, have an interest in making sure that there are flood mitigation measures taken at a community-wide level to be able to protect those investments.

I fear that the approach that the government is taking is one that is going to be unnecessarily costly. They've already identified the potential for \$275 million worth of buyout value of those homes that are in the floodway, yet they're not applying the rules

uniformly across the board. That's what's causing frustration for people in my community, especially in the community of Beachwood, which I'll mention in a minute. If you make exceptions for Fort McMurray because they've done mitigation efforts and because they're built in a floodway and they've got a lot of property value and you're making an exception to identifying that as a floodway because it would be too costly to do otherwise, if you're making exceptions for Drumheller, if you're making exceptions for Redwood Meadows, then it stands to reason that you should be able to have a program that is flexible enough that when communities take efforts to do mitigation, they can also seek a way of getting these caveats removed from their properties.

I want to turn to the issue of Beachwood. I already mentioned that Beachwood was one of the communities that returned by day 12. These are individuals who were back in their homes. For the most part these homes received relatively little damage. Many of the homes were able to get insurance coverage because they had sewer backup, and part of the reason why this area that the government has identified as floodway was actually one of the areas that was least harmed is because they had already done significant work building a berm to protect the community.

It was after the 1995 flood that the town continued flood mitigation strategies, that included building a number of dikes along the Highwood in the town of High River after the flood of 2005. They committed further to protecting Beachwood Estates subdivision with a tight-wrapped dike. The reason this is important is because they actually had a report, the Golder report of April 2008, that verified that this tight-wrapped dike around this community would not have any impact on any of the other communities further downstream. This was even litigated. It was brought before the Alberta appeals board to be able to challenge the issue of the flood and make sure that the installation of it was not going to impact other communities, and the appeal board approved the dike. The policy then stated that the flood hazard study would be updated, but it didn't happen. The local flood hazard study and the maps were not updated even though this community mitigation took place.

As a result, we've got a situation where because essentially of an administrative misstep, an administrative error, we have an entire community that has been arbitrarily drawn into a floodway zone on the basis of outdated maps that don't recognize its mitigation efforts, and it's going to cost the government a lot of money to buy these residents out. There are over 30 homes in this area. They are high-end homes. The value of the homes in total is somewhere in the order of \$30 million.

The town of High River has already voted to improve and restore the parts of the berm that were damaged. They've been asking the provincial government to acknowledge the mitigation efforts that were taken in '95 and taken in 2005 and verified by the Alberta appeals board so that they could take this area out of the floodway zone and, for a mere \$500,000, upgrade the berm so that it can be protected. To me, this seems like a pretty simple calculation. You spend \$500,000 to avoid having to pay out \$30 million. You acknowledge the fact that the investment has been made, that mitigation efforts have been taken, that you have made just a simple administrative error, that this area should never have been a floodway in the first place.

This is the reason why this party and my colleagues have been saying that the government got it in the wrong order. Beachwood makes the case perfectly. The mitigation efforts were done, the maps should be updated, this area should not have caveats on the homes, and we should be able to protect these properties.

I'm a property rights advocate. I have always been a property rights advocate. It is one of a number of reasons why I got into

provincial office. I have to tell you that passing a bill that unnecessarily obliterates \$30 million in property value leads me to believe that this government is seriously out of step with what it is that I am hearing our residents telling us.

It's not just Beachwood that's in this situation. There is an entire group of communities in Calgary along the river called the Calgary River Communities Action Group, and they're arguing for exactly the same thing that the community of Beachwood in High River is asking for: identify flood mitigation projects that will give community-based mitigation, then update your flood maps, and then identify these homes which have to be removed.

The approach the government should have taken from the very beginning is: how do you minimize the impact on private property values? How do you protect the maximum number of individual residents and businesses and properties? Unfortunately, the approach the government has taken has been one where they are obliterating far more property value than they need to. It's going to be far more costly than it needs to be from a taxpayer point of view. You can make some very strategic investments in community-based infrastructure mitigation and be able to save tens of millions if not hundreds of millions of dollars worth of property value.

The other reason why these maps don't make sense and why there is still a lot of confusion about the government's approach is the issue of flood fringe. Wallaceville is another example. This is an area that technically by the maps is called flood fringe, yet if you look at what happened in this most recent flood, it was the hardest hit area. There were a couple of others that were very hard hit, but this was the one that was coded the hardest hit area. The vast majority of residents there want to have their area redesignated as a floodway. The town has even debated whether or not they should redesignate the area as a floodway. If you look at the maps, this is where the water naturally wants to go, through the area where these homes were built.

I would say that the government is making an error in not deferring to listening to what the local town council is telling them about the need to take a special look at this particular community. This is sort of on the opposite side. In the one case you've got an area that was the least impacted, which the government by its old, outdated maps is saying is a floodway, and they want to get rid of the homes. You've got another area where the government's outdated maps say is a flood fringe, so they're not listening to the pleas of town council to consider how they might be able to change the designation on these homes so that they can actually be bought out to protect the community.

Then there's another area, Sunrise and Hampton Hills. I mention them because that is the area that didn't get to return until day 25 and day 26. This was an area that was never supposed to flood in the first place. This is an area where, instead, water ended up going in most of these homes up to the second level, and because they've got OSB joists, the company that makes those joists won't guarantee the structural soundness of these homes now that their joists have been immersed in water. Because they sat in water for 25 or 26 days, they ended up with a great deal more issues of mould.

Our docs in our community wrote a letter saying that toxic mould, black mould, can set in within five or six days. Keep in mind that these homes ended up sitting and boiling in all that hot water and all of that sewage and all of that water for 25 or 26 days before residents were allowed to get in. In some cases, because of the delays in Tervita being able to get in to assess and start remediating their homes, it literally took months for some of these homes to begin the remediation process.

I talked to my firefighter friend, John Badduke. After \$168,000 being spent to be able to repair that home – he showed me pictures of his home – the mould has grown back. So we've got a situation now where the government is actually spending hundreds of thousands of dollars to repair homes that can't actually effectively be remediated rather than taking the approach that perhaps they should have looked at whether or not these homes should have been demolished so that they were able to save more money.

8:30

In addition to this, the developer in this area wanted to start things rolling again in Hampton Hills. He wanted people to be able to look at High River as a place that was going to be back on the rise, putting more homes on the market so that people would move there. The government's maps identify this as an area that is white. It's not floodway. It's not flood fringe. There are no additional mitigation efforts that these homeowners are required to take. But guess what the developer was told when he put forward his application to be able to get homes built? He was told that he wasn't going to get the approval to build a single new home unless he could guarantee that that area would never flood again.

How is a developer supposed to be able to make a commitment like that, when what is really needed in this area, as we saw, is a community-based mitigation project? There needs to be a berm built along one of the main highways – we call it 498 – so that you could actually prevent the water from coming across into that bowl. Because once it came across into that bowl, it just sat there, as we saw, for 26 days. They ultimately were pumping out water at a rate of 140,000 gallons per day. We know that that is what will happen in the worst-case scenario.

We've now left a situation where because of the outdated flood maps and because of a little bit of confusion about who is responsible for mitigation and whether or not there is going to be mitigation – this happens to be a mitigation project that will require the MD of Foothills to be onboard with doing it because it's not actually in High River – these homeowners are trying to rebuild their lives with homes that are so severely damaged that they can't actually be reclaimed. They don't have the ability to get them bulldozed and rebuilt because that's not one of the options that is being offered to most of the homeowners in that area, and the government has not committed yet publicly to any broad-based community mitigation measures so that the new developer can start rebuilding homes.

This is exactly the problem that happens when you develop a policy backwards, and that is what the government has done. They have prematurely identified areas for floodway buyout and flood-fringe additional requirements without actually identifying the first step. The first step is the flood mitigation, the second step is to update the flood maps, and then the third step is to make sure that you are identifying the homes for buyout.

The reason why I'm surprised that the government took the approach that they did is that it's like they didn't read the George Groeneveld flood report that came out in 2006. If they had read the report of their own colleague, the former MLA for Highwood, there are some things that stand out that are striking about the approach that was recommended here versus the approach that the government took.

In the first case, former MLA Groeneveld recommended that Alberta Environment develop a map maintenance program to ensure that the flood risk maps are updated when appropriate. We've had speaker after speaker on the other side tell us that the floodway maps never change, and even though the river is moving, somehow that doesn't affect floodway or flood fringe designations. That's not what this report said. It said:

Situations may arise where an existing flood risk map no longer adequately represents the flood risk for a location. This may result from changes in the river or immediate area, updating a rural flood risk map or errors in the original study. Flood risk maps should also be reviewed regularly particularly after extreme flood events when public and municipal government interest is high.

The cost for this would have been \$50,000 annually for one full-time equivalent employee to make sure that we had flood maps that were up to date and to have a process of constant renewal.

Recommendation 3 identified that we also need to be able to have rural flood risk areas “that require flood risk mapping and develop a program to prepare the maps.” There are about 50 areas that “were identified as requiring flood-risk mapping, but only 25 had any existing information on flooding that could be used,” once again reaffirming how important it is to have a program to constantly update the flood maps. In this case that program, it was suggested, would cost a million dollars to be able to do.

It also is, in recommendation 5, recommending that

Alberta Environment continue to collect high-water elevation, aerial photography and other appropriate data whenever a significant flood occurs and share this information with local authorities. [They] should . . . explore and evaluate other methods of collecting flood data such as satellite imagery,

once again reinforcing the need to have constantly renewed and updated maps to be able to have accurate flood risk.

Recommendation 6, recommending that they “make historic flood information available to the public on its website,” including historic high-water levels, flood risk reports, and flood photography. The government has started doing that, but if you’re not going to continue doing this renewal process, then it makes that recommendation less valuable than it otherwise would be.

We also have recommendation 7, recommending that

the Minister of Environment designate a flood risk area after . . .

after

. . . the responsible local authority has had the opportunity to review the maps and provide comments on the technical elements. The recommended time period for designation is within six months of receiving the maps.

What I found interesting about this recommendation is that it identified that there already is a section, section 96 of the Water Act, that would give formal acknowledgement of the flood risk area by the provincial government. The report questioned why it is that there were no regulations in place to govern this section of the act.

This section of the act I find very interesting because the minister, as of 1996, already had the power to be able to identify flood risk areas under the Water Act, section 96(1).

If the Minister is of the opinion that there is or may be a risk to human life or property as a result of flooding, the Minister may designate, subject to regulations,

- (a) any . . . land in the Province as a flood risk area, either generally or on an interim basis, and
- (b) specify . . . acceptable land uses.

If the minister has made a designation, then it would have a regulation that would give some limitations on “new Government works or undertakings” that would be carried out in that area. Financial assistance would not be given to people who engage in uses

- (b) . . . other than a use specified under [the] subsection . . . and
- (c) money and services and Government disaster assistance programs [would] be restricted with respect to flood damage

in the area except as designated by regulations. I don’t know why the government never used this power that it had under the Water Act to be able to identify flood risk areas.

What I found really interesting is that it says that

The Minister must . . .

must

. . . consult with the local authority that is responsible for a proposed flood risk area before making a designation under subsection (1).

To me, that is what is really missing from what the government is passing in Bill 27: this respect for local autonomy, the respect for the local knowledge, the respect for people who actually understand the areas that have been impacted by flooding.

This is why I wonder if that’s, again, part of the trend that we’re seeing with this provincial government. They seem to always find ways to centralize decision-making. They seem to have lost faith in local government and local authorities. This is one of those areas where local government and local authorities actually have more knowledge than the individuals who are distant by hundreds of kilometres and trying to make these decisions from afar. I would have preferred for the government to take the approach that they would – must – consult with the local authority before designating these floodway areas.

I can tell you what would have happened in High River. What would have happened in High River is that they would have heard loud and clear from the town council that Beachwood, because of the mitigation measures that had been taken, should not be in a floodway area, Wallaceville is one that should be open for discussion, and there needs to be mitigation efforts taken to be able to protect Hampton Hills and Sunrise, one of the hardest hit areas in the community.

The fact that this is not a requirement for the government, to get the buy-in from the local authority before designating these floodway areas, is, to me, one of the errors that the government is making in the approach that they’re taking going forward.

The other recommendations that are in the report from Mr. Groeneveld all flow from, I think, the proper assessment, getting things in the right order, and I think, once again, it explains to me why the government is going to face immense push-back from residents who are impacted by the decisions that are being made today in this bill.

8:40

To put on homeowners an arbitrary deadline of having to make a decision by November 30, which is coming up now in just four days, only five months after these major incidents, with so much information that is still unknown – it’s still unknown what mitigation projects are actually going to be implemented, still unknown what the flood mapping would look like after those mitigation measures are implemented, unknown whether or not banks will refinance homes that are in floodway and flood fringe areas, unknown whether or not individuals will be able to get insurance on homes that are in floodway and flood fringe areas. We would recommend – and you’ve heard my colleagues say it as well – that the government extend the period to allow people more time to be able to see what some of the government’s decisions are going to be and also to be able to have the opportunity, once this bill passes, to look at the regulations to see if we are able to carve out some additional protections for property owners of the property value, where we can take those mitigation efforts to be able to protect those communities.

There is already, quite clearly, some precedent for doing so. The government made a calculation on Fort McMurray, Drumheller, and Redwood Meadows, where they looked at the

impact that it would have on the community versus the kinds of efforts that had already been taken. I can tell you that in High River our residents and our town council are asking for the same consideration. I believe that the communities in Calgary who are going to be impacted by this bill are asking for the same consideration. In the 66 other communities, many of whom have not been impacted by flooding this time around, the government is setting themselves up, I believe, for the same kinds of arguments and concerns and frustrations that our residents are facing in southern Alberta.

I recognize that this isn't something that's in the daily news, that for most individuals, who don't have the residents in their riding and don't have these calls coming into their office, it may feel like the government has moved on and the rest of the province has moved on. But I can tell you that unless the government gets this right, they're going to set themselves up, I think, to have some serious issues in dealing with these kinds of incidents when they happen the next time around. We're going to have another serious flooding event, if not in southern Alberta next year then in some other part of the province.

By locking in with this kind of approach, I think they've locked in a flawed approach. I would hope that the government is flexible enough to understand that when this decision is made and this bill is passed, they may need to come back and make some revisions. The job of the government, in my opinion, when these kinds of incidents happen, is to try to do what they can to be able to get people back to life as normal. It's certainly what the Premier promised. I don't think that when we began this whole process, people anticipated that arbitrary decisions would be made that would cause them to have to make this kind of life-changing decision in such a short period of time in the absence of or at least seemingly divorced from good information, that would allow them to be able to protect their homes, protect their communities, and be able to rebuild and move on.

We'll continue to raise these issues as they come up. We hope that we're wrong. We hope that most people will be able to move on in the event that this bill does pass. We hope that there is some opportunity in the regulations to be able to have the government reconsider how a community would be able to do mitigation so that these flood caveats can be removed. But in the meantime I worry that they have set up a lot of individuals for a lot of unnecessary heartache, that could have been avoided if they'd just done things in the right order.

With that, Mr. Speaker, I am going to conclude my remarks. I will not be supporting this bill. I wish that I could support it because I think that the kind of approach the government intends to take could have been one that we would have been able to support if they had made sure that they had put residents first, property values first, and mitigation and proper flood mapping first. They seem to be in such a rush to get this bill passed that they're making a lot of mistakes, and I'll be voting against it.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. leader.

Standing Order 29(2)(a) is available after the leader's speech if anyone is so inclined.

Seeing none, I'll recognize the Member for Livingstone-Macleod. Thank you.

Mr. Stier: Well, thank you, Mr. Speaker. Good evening, everyone. Thank you to our leader, who has just spoken in such great detail. It's hard to do justice to such a subject after such a great presentation.

I believe I have about 10 minutes, Mr. Speaker, if that's correct.

The Deputy Speaker: Fourteen and a half.

Mr. Stier: Thank you very much. I'll try to fit this in, then, if I can.

I rise tonight, as you all know, to speak to Bill 27, which has been named the Flood Recovery and Reconstruction Act. As probably most of you know, my constituency of Livingstone-Macleod was also deeply affected by this year's flood.

Just to bring you up to speed on that, in case you weren't aware, there was significant damage to a lot of the communities in my area, in the north Millarville, Turner Valley, Black Diamond, where major bridges and roads were wiped out and homes were flooded. Millarville had a lot of rural areas wiped out, and a river actually changed its course totally and bisected some properties. They're still trying to deal with that. Of course, to the north end of my riding, I bound up against the town of High River. I did spend many days and hours there helping friends and neighbours and people that I've known for many years with their difficulties. It was just a very, very heart-wrenching thing to experience.

Further to the south in my riding we also had the areas of Longview and Blairmore, down at Crowsnest Pass and Fort Macleod, all affected by flooding but, certainly, nothing to the extent that was evident in High River. I still today, when I drive by the temporary housing facilities there at Saddlebrook, become quite solemn when I look to see that there are people there still living in temporary shelters because they have no home to go to. It's very difficult to see that.

Anyway, Mr. Speaker, with all that in mind, though, I find it now a little disheartening, frankly, that the government would bring forward a bill and name this act the Flood Recovery and Reconstruction Act when it appears that it's really got little to do with flood recovery or reconstruction, actually, the way I read it. After careful review I believe this bill is mild housekeeping at best, and it seems to barely scratch the surface. In my opinion, it will leave Albertans who have to deal with this problem of flood recovery and reconstruction even more confused, actually.

Ever since the government of Alberta announced its policy in mid-July to attach strings to the disaster recovery program funding, strings that included adding caveats to property titles for those that are located in floodways, many flood-impacted Albertans have lived in fear of applying for the program, actually. They've lived in fear of making decisions without clear, concise information, and they've lived in fear of even cashing their cheques from the DRP. The key worry is the unpredictability of the future property values after such decisions have to be made. As I've heard from my constituents, this fear still exists, and I don't believe there's really anything in Bill 27 that's going to alleviate that fear.

Now, Mr. Speaker, I understand that there is a need to ensure taxpayers are protected from the costs of future floods and that adding caveats to some properties that receive government relief can play a part in that. We understand that. But while Bill 27 allows for caveats to be placed on homes that have received funding for previous flood relief, it doesn't provide any clear criteria or guidance for them as to the circumstances under which a caveat can be filed, nor is it clear in the act how it may be removed. The fact is that when families are attempting to evaluate their situations that will affect the future value of their property, they deserve clarity, and the government isn't providing any clarity with Bill 27.

You know, the caveats were mentioned by the associate minister for flood recovery for the southeast in his opening remarks on this bill, and he was very clear that, in fact, the caveats will not be able to be removed if they've accepted DRP assistance. He restated it a couple of times in his remarks. It seems to me that

this measure, if it is imposed – and it will be with this act – will result in a permanent reduction in property value. As you know and as our leader said, we stand for property rights. In my opinion, this is a government taking and, therefore, it should be compensatable as may be confirmed by the Property Rights Advocate.

8:50

Despite that, though, Mr. Speaker, and my own amendments and the lengthy debate by all opposition parties to rectify this situation, Bill 27 remains unaltered, providing for those caveats without any clear definition in respect to floodways. The cabinet and the Minister of Municipal Affairs will now be in charge of controlling, regulating, and prohibiting development in these floodways across Alberta.

The associate minister, again, in his opening remarks mentioned this issue with regard to the definition of floodways. He said that the reason that they weren't in the bill is that it would be an ESRD issue. Well, the fact is that we had taken the ESRD definitions, and we had suggested in our amendments that these very definitions were from them and that they were government created. They weren't our own invention. The fact is that the government still in those debates decided not to accept them. Instead, we're allowing the cabinet to designate what is and isn't a floodway. It could be said in the future that there might be some very, very difficult problems in resolving issues without clear definitions in this legislation. I've worked with legislation before in my municipal days, and without clear definitions it leaves you open to questions.

Another fact that only adds to the confusion around Bill 27 is the lack of updated flood mapping in Alberta. Currently the government is basing their application and funding process on faulty maps and is not taking future mitigation into account. Now, we've talked about these maps for weeks and weeks on end, and I think it's nothing new. I worry that the communities, though, and individuals will be treated unfairly if the regulations are adopted before we sort that out. We've said this time and time again. The updated mapping of floodways is needed now. A clear definition of floodway is needed now. This is much more necessary than giving more power to the cabinet and Minister of Municipal Affairs, frankly.

Another issue that is extremely sensitive is the buyout program, especially for rural landowners. Many lands in my riding have been drastically affected. As I said earlier, some have actually had their properties bisected by rivers that have changed course, yet this bill still leaves these landowners totally disrespected. No guidelines or policies are contained here to assist them in providing clarity to their situations either. These people are in a desperate situation. They had to be helicoptered out of their homes. That river still flows ahead of their driveway, and they have no way in or out. I'm very concerned that this has not been addressed, and I hope that in some manner we can get to the regulations soon and have some of these situations rectified.

Moving forward, then, Mr. Speaker, section 2 also proposes giving sweeping powers to the minister to trump the MGA entirely if there appears to be an emergency. The Minister of Municipal Affairs will be able to grant new, special powers to municipalities, and these unspecified special powers appear to be modified from the MGA and exempt from the MGA and often outside the MGA. They, therefore, seem like they're special powers that are secret in nature. The minister can just issue a ministerial order to make it happen with a wave of his magic wand, and that is what is going to take place. These powers don't seem to have a sunset clause, either. Although sunset provisions

are enabled in this bill, we still wonder just how that may work. It leaves one to wonder: what new, special powers does a municipality need in an emergency that are not already provided under the MGA or the Emergency Management Act? Those acts have been in place for years. One has to wonder: what is the government intending? Yet this is not clearly stated in the act we're dealing with tonight, either.

Moving on, Mr. Speaker, the proposal to amend the 14-day state of emergency period by extending it to 28 days appears arbitrary. The government is making rules up as they go along. Twenty-eight days is still not long enough in a case like High River. We saw this already. Letting municipal government decide when it is ready to resume command, perhaps by extending every 14 days, might be better. I'm certainly open to hearing suggestions on how that could be amended. It certainly doesn't seem right as it stands today.

Lastly, Mr. Speaker, the cut-off date for applications, which I mentioned just recently, is fast approaching this weekend. Most residents have yet to apply, are bewildered as to why they're being coerced into making such a drastic decision so quickly. It's only been four months since this disaster struck, and many property owners are still not able to return to their homes. Some are even residing in temporary camps, as I talked about earlier. They're unable to realize any hope in the foreseeable future for having a clear path to rescue them from this plight.

Previous disaster recovery programs did not have such a quick deadline, and one has to wonder why this government is imposing such a drastic rule when the people in southern Alberta, who have suffered so much, are having to make life-altering decisions without sufficient information to base them upon. I'd like to just take a moment to go back on that because I still have files in my office since I was elected, previous disaster recovery program files that were never resolved. They had, I believe, up to two years. Why is it that the applications for this are going to be cut off in four months when it's the biggest disaster – the biggest disaster – the country has seen?

To conclude, Mr. Speaker, we had an opportunity to amend this document, I think, and to secure a more clear, concise set of rules for the Flood Recovery and Reconstruction Act. We could have set a clear, concise set of rules in this legislation to address the problems that I've outlined here and during the early debates on this bill. But I'm afraid to say that this document would appear to yet remain as one that falls far short of the mark that should have been required. Therefore, in closing I'm saying that I find this bill insufficient, and I cannot support it as it is.

Thank you very much.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker. The hon. Member for Olds-Didsbury-Three Hills.

Mr. Rowe: Thank you, Mr. Speaker. I'm pleased to stand and speak to third reading of Bill 27. The hon. Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta spoke in the House yesterday. I was not in the House to hear those comments that he made yesterday, but I did read *Hansard*, and some of the comments that were made were good. Some explanations were given, and we appreciate that. I am pleased to see some positive steps forward, but I am still very concerned that flood mapping updates are not a priority.

I think it's worth repeating that we remember that we are dealing with the largest assets that most Albertans will ever own, so placing caveats on property must be done very, very carefully,

recognizing that while doing that we are trying to protect all Albertans as taxpayers.

We as the opposition put forth what I would term good amendments that enhance the bill and help protect those Albertans' investments and help them to make what, surely, in a lot of cases will be life-altering decisions. It's very important that – let me back up just a little bit. When I attended the flood mitigation presentation in Calgary a number of weeks ago, I have to say that I was very impressed. Some real good options were put on the table. The ditch, Duff's Ditch, if you want to term it that, around High River: it worked for Winnipeg; I don't see why it wouldn't work for High River. Upstream dams, storage dams: all of those things are really good, I think, mitigation proposals. We only hope that they will be followed up on.

But in looking at that, it raises the question: are we putting more confusion in the minds of homeowners who look at these things and say, "Well, if I'm in a flood zone or flood map area right now and if they do that mitigation, I'm going to be okay, so I'll just rebuild my house and everything will be fine," only to find out that they're still in the zone and that they've still got a caveat on their house? They're being forced into making some decisions on a very rapid basis, I feel.

Further, we did ask that some definitions be put in the bill. Those definitions would be very helpful, I think, for homeowners deciding on how they will proceed. We in the House have been on this for four months, so we're beginning to understand all this terminology. What is a floodway, a flood fringe, an overland flow, design flood, design flood levels, encroachment conditions? All of those terms are becoming almost second nature to some of us, but the average homeowner has no idea what those definitions mean. We were not allowed to put those into the bill, and that's further confusing them. I just want to reiterate that up-to-date flood mapping is absolutely critical going forward, and I would hope that the government will listen.

9:00

I still have friends that live in High River who haven't been compensated for doors that were kicked in in the searches of the homes. Nobody has stepped up and said: yes, we'll compensate you for that. Everybody is passing the buck. The provincial government says: we didn't order it. The RCMP says: we can't pay for it. The federal government is not doing it. They're still sitting here four months later not knowing whether they're going to be paid or not. I think that's unacceptable.

In short, I won't beat this over and over again. Our leader spoke very eloquently for some time on it. My colleague spoke on it, mentioned many of the things that I'm concerned with, too. So I'm going to cut this short. I will say that I will reluctantly – and I say "reluctantly" because some of the good things that we wanted to do with this bill were not accepted – support the bill in the end.

Thank you.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. I also rise to speak in third reading of Bill 27. This seems like a fairly small bill that will enshrine in law several disaster recovery and flood prevention proposals that the government put forward this summer in response to the June 2013 flood. Not all proposals are new, however. Some, such as requiring municipalities to no longer approve new developments in the floodways or filing caveats against titles to land in the flood fringe or floodways, were the

recommendations of the 2006 provincial flood mitigation report, also known as the Groeneveld report.

One of the most striking features of this bill is the greatly expanded regulation-making authority it gives the government. While the government's news release on Bill 27 highlights several very specific measures that the legislation will allow, the fact is that the changes will give the government authority to do these things and so much more. That's the concern we have here, Mr. Speaker.

In total the bill contains several different amendments to the Emergency Management Act and the Municipal Government Act. Section 1(2) of the bill amends section 6 of the Emergency Management Act by adding after clause (c) clause (c.1) and (c.2), which will grant the province additional regulation-making authority over eligibility for disaster assistance, additional funding for home flood prevention, and the placing of notices on the land titles of homes in flood hazard areas. The government will use section 6 to deny future disaster assistance to homes that remain in the floodway, require homes in the flood fringe to undertake many more flood-proofing measures to be eligible for future disaster assistance, and establish a land title based notifying system to alert potential homebuyers if a home located in a flood hazard area is eligible for future disaster recovery.

Going back to the 2006 report, prohibiting new developments in floodways was a key recommendation of the 2006 flood mitigation report. Here's what the report had to say on the subject.

Selling flood-exposed crown lands abdicates the responsibility to keeping Albertans safe to private landowners, and while the government as the first seller can ensure that the initial purchaser is aware of the risk, there is no certainty that the risk is communicated to future purchasers, renters or lease holders.

Selling lands in flood risk areas is the opposite of flood mitigation. The province loses its say in the use of these lands and any protective measures would need to be taken through cumbersome mechanisms such as legislation or regulations. Undeveloped flood plains are the natural and most effective form of flood mitigation, and this recommendation will protect those areas. Long-term leases of crown land could be considered for appropriate uses such as parks, agri-business and golf courses.

The sale of flood-prone crown lands creates the potential for increased financial liability for the province in terms of Disaster Recovery Program funding that must outweigh the short-term financial benefits of the sale. Any sale, while ensuring the buyers are aware of the risk before purchase could still be seen as condoning development in flood risk areas.

Had the flood mitigation report of 2006 been implemented, I think there could have been much less damage done by the flood of 2013.

Mr. Speaker, the Alberta Liberals have been calling on this government to engage in proper flood mitigation for more than a decade, and I'm encouraged that this government is finally moving on this important issue. I can recall how in the 2012 budget estimates my colleague from Calgary-Mountain View demanded of the hon. Minister of Municipal Affairs whether or not he would continue to allow municipalities to develop on their flood plains. He also asked when the government was going to take action to ensure that the public is not on the hook for the preventable property damage. It's good to see this minister is finally supporting a ban on developing on the flood plains. It is unfortunate that he did not come to this position before the 2013 flood.

The first thing I wish to address, Mr. Speaker, is that taxpayers shouldn't have to compensate homeowners who knowingly choose to live in a floodway. Simply saying that these home-

owners will not receive compensation in the future will not be effective. We may say that we will not compensate these homeowners, but the political pressure on a future government to compensate these homeowners will be immense. This government needs to recognize that the only way to ensure that taxpayers do not pay for the properties is to not allow people to build in the floodways.

Mr. Speaker, I also wish to stress that potential homebuyers should have the right to know if a home they are considering purchasing is eligible for future disaster assistance. The problem is that the bill indicates that the regulations will define “floodway.” What that means and what exemptions or distinctions are made for places already built in such floodways is critical and has a significant impact on potential homeowners. Leaving the clarity of what is a floodway to regulation will leave homeowners with little certainty and subject to the whims of the minister

Mr. Speaker, I’m deeply troubled by the fact that the government has for all intents and purposes announced and implemented many of these proposals before enabling legislation was even introduced. The government did the same thing this spring with Bill 12, the Fiscal Management Act. In that case the government unveiled an entirely new reporting system for Budget 2013 before the Legislature even had a chance to debate the enabling legislation for it. While this government has a majority and can enact any bill they like, even against the strongest opposition objections, I would remind them that they still do need to bring bills before this House before acting as though they are the law.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I’ll recognize the next speaker, the hon. Member for Cardston-Taber-Warner.

Mr. Bikman: Thank you, Mr. Speaker. I’d like to thank the Leader of the Official Opposition for her restraint and her heartfelt report. I learned a lot. I’m sure that everyone who interrupted their reading and conversations to listen to you were as moved and enlightened as I was.

Bill 27, the Flood Recovery and Reconstruction Act, demonstrates the crass, insensitive arrogance of this government. For emphasis they reject wise amendments proposed by someone as directly affected as victims or hands-on helper volunteers who laboured in the muck and mire to serve their fellow man. Shame on all the Kool-Aid drinkers following their leaders lemminglike over a cliff of wasteful, thoughtless knee-jerk voting against helpful suggested improvements to their act.

Only government carelessly spending taxpayer money would choose to waste \$30 million when \$500,000 would produce a far better result. For less than the cost of the MLA Taj Mahal if acted on in 2006, the Groeneveld report recommendations would have saved \$5 billion or more. Now, that’s a good return on investment and would have spared lives and much heartache.

In case you weren’t sure, I will not be supporting this flawed, incomplete, dysfunctional, and unfair act.

9:10

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I’ll recognize the next speaker, the hon. Member for Drumheller-Stettler.

Mr. Strankman: Thanks, Mr. Speaker. I, too, would like to rise and give my opinions on this bill. I’d like to echo the sentiments of the Member for Cardston-Taber-Warner in his comments to the

Member for Highwood in her experiences in this incident. In my constituency I know I’m prone to extremities, and not those. Normally we’re in a situation of less water rather than more.

But I do have to speak to the extremity of what went on in that area. In the case of Drumheller the members of the town council in years previous, since 2005, were proactive about following the as of yet unreleased Groeneveld report and therefore saved the town and the taxpayers of Alberta a considerable amount of money and heartache and dispossession.

I may have some years on the member that’s proposing this bill, but I do have some experience in regard to the idea of being proactive rather than reactive. I think that’s simply what this legislation is is a poor knee-jerk reaction to an event that is completely unseen and unheard of. It’s to the chagrin of Albertan taxpayers that this legislation is brought forward. There are some good portions of it, and there are some bad.

The town of Drumheller is a town that is now facing a backhanded sort of result of a reactive piece of legislation that an inexperienced member decided to bring forward in that the revenues and the property values in that town are now somewhat seemingly frozen because they don’t know exactly what their designation is. There’s been an exemption put on the town, and that was only at the political whim of the minister and could possibly be removed or misplaced at the whim of someone who wishes to react. That’s the position that those people are put in.

In the situation of my counterpart from Rimbey-Rocky Mountain House-Sundre the floodway has actually moved. In the case of Drumheller that may happen in another certain situation, so the residents of Drumheller would be placed again at the behest of the political whim of – who’s to know who the minister may be in that day?

I just wanted to make those comments known in the Chamber. I would relinquish my position to the next speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

I’ll recognize the Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you very much, Mr. Speaker. I rise to speak to the third reading of Bill 27, the Flood Recovery and Reconstruction Act. I guess I’ll start by expressing my disappointment, Mr. Speaker, in how reluctant the government was in not accepting many of the proposed amendments by the opposition as far as improving this bill and actually giving it some teeth and making it substantial.

I’ll outline why, but at the outset it seems to appear that this bill is little more than a reaction to the terrible tragedy that happened this summer but doesn’t actually address the substantial issues that have been outlined on numerous occasions in numerous reports over many years. Yet the government is still reluctant to listen to their own MLAs, their own reports, and actually take proactive steps not to ensure that this tragedy couldn’t happen again but to mitigate the damage and loss that can be prevented and could have been prevented before the floods of this year, which I’ll outline.

You know, to begin with, Mr. Speaker, it’s quite disappointing, to be quite honest, and I think that there are many Albertans as well that are going to be disappointed with this legislation as it’s currently written. Again, we’ll see, unfortunately, should or when the next major event occurs. It’s frustrating when you can see that something is going to happen again down the road and you don’t do everything in your power to prevent or to cut down on the damage, the destruction, and the consequences. You know, restricting development in floodways is good, and that principle we do agree with. Most experts also agree with that, not to build in

floodways, and it's probably one of the most cost-effective strategies that we have at our disposal.

You know, one of the big challenges with this bill is, again, that the current bill relies on outdated flood maps. These outdated maps did not help prevent some of the catastrophic losses that we experienced in June. The government is still not giving any concrete information on how they're going to update these problematic flood maps. Now, the Alberta NDP brought forward – and I believe it was me that spoke to it – an amendment ensuring that we define what a floodway is and what a flood zone actually is so that everyone is on the same page, so that it's very, very clear we're all using the same definition when we're moving forward.

Again, you know, Albertans need information and need updated information when they're deciding where to purchase their home and whether to repair their existing property or if there are going to be measures that they need to take into consideration, depending on where they're buying and where they plan to live. Especially when we look at the number of people who migrate to Alberta, it's quite significant, Mr. Speaker.

Our position is that these definitions cannot be left to the discretion or the whim of the minister, that they need to be spelled out in this bill, in legislation, so that it's clear not just today, not tomorrow but moving forward, Mr. Speaker. I think that that's very, very important. You know, we were calling for the definition of these floodways because we believe in true accountability and transparency, where, again, actions speak louder than words. Unfortunately, with this government refusing to put these definitions into the legislation, they're anything but being transparent or protecting Albertans. I'm sorry that we don't trust this government to make those definitions and to act in the best interests of Albertans. I mean, it's quite clear why not.

Again, there have been several reports and recommendations from 1973, '83, 2006, yet this current government continuously drags their heels on taking preventative measures. You know, we've heard other members of the opposition talking about the costs of mitigating in advance or prior to a flood or a natural disaster of this consequence. It would have saved the government, taxpayers, and Albertans millions of dollars. I mean, it's not just about dollars, Mr. Speaker. We're talking about people's lives that were completely flipped upside down, things that were completely destroyed or lost, from personal assets to keepsakes. It had, as we all know, devastating consequences for many, many Albertans, and my frustration is when we look back and we take a step back and say: "Okay. How could we have prevented this, or how could we have mitigated against this? What could we have done?"

9:20

I appreciate that I'm harping on that, but moving forward, you know, it's going to be extremely frustrating if in the next natural disaster or event we're in a similar position, where we're talking about it in the House and looking back to this year, to this bill, and saying: "Why wasn't more done? Why didn't they put more teeth into this? Why didn't we look at doing a better job at mitigation?" Whether, again, we're talking about mapping, whether we're talking about berms or waterways or ways to mitigate against potential flood or damage, we could have it right now. This was really the opportunity, the fifth opportunity, I should say, again because of all the years that I've already outlined, where there should have been more action and wasn't.

You know, as I and my colleagues have said previously, Mr. Speaker, there are a number of experts and studies that show that the damage that was sustained this year, in 2013, could have been greatly reduced, again, if the government had implemented recommendations from previous reports and kept more updated

flood maps. I think it's quite absurd for a person to take the position that flood maps don't change or that floodways don't change. I mean, as we continue to develop in this province, that has an impact, obviously, not to mention climate change and other impacts that do alter our floodways, our flood mapping, and I'll get to some examples.

I know that the Member for Highwood knows first-hand that there could have been a lot more mitigation and prevention done. Some of the areas in High River that should have never flooded flooded. I was quite amazed, actually, when I went down to take a tour of High River. The hon. member took me around and gave me a tour, looking at the different communities within High River, and what amazed me the most, Mr. Speaker, are the areas that never should have flooded or were not in floodways or flood zones. Some of them got hit the hardest that never should have had a drop of water. I completely appreciate the frustration that many members have in this House with the government, with many Albertans saying: why wasn't more done?

Reports that were done in 1973 by Montreal Engineering, in 1983 by Alberta Environment, and in 2005 have been used by experts since the flood this year to argue that a flood of this magnitude was actually predictable and that it wasn't that rare. I'll address the issue of claiming that this was a 1-in-100-year flood, which I think is a very naive way of looking at a natural disaster or giving people a false sense of security.

There was a report as well in 2010 that warned that Calgary would suffer more frequent and severe floods. The report cost, I believe, around \$80,000 and was prepared by Golder Associates, consultants in Calgary, to guide emergency response planning and flood mapping.

Other recommendations that experts have made – and, again, we're relying on experts, not just on people making this up. John Pomeroy, Canada research chair in water resources and climate change and a professor at the University of Saskatchewan, says that integrated weather and water prediction models – so between the feds, the province, the municipalities, and even potentially universities – needed to give better warning but also to assist in planning for future flood plains, safer reservoir management, better forest and agricultural management for long-term flood and drought mitigation.

As I had mentioned, the 1-in-100 or the 1-in-1,000 years: again, a dangerous way of thinking, which actually goes quite contrary to many of the reports, some that I just cited, and even to the 1983 flood hazard survey, which the PCs commissioned themselves.

What's frustrating and, I think, frustrating for a lot of Albertans, Mr. Speaker, is that there seems to be a trend when it comes to this PC government and how they govern. Something happens, whether it's an incident, an accident, a natural disaster. Then there's a report, and then the most crucial recommendations don't get implemented and are ignored. Down the road this similar situation occurs, and we go back into the cycle of doing this, where, again, you know, taking direct action seems to be ignored by this government but would do much to reduce impacts of future incidents.

With this bill, we're left with, in my view, what is the shell of what it could be as far as giving us some crucial details, again, in the definition of the flood maps and floodways and flood fringe zones. Here we are asked to accept and support a bill with very vague language, you know, and provide our approval or not for whatever comes out of this. I mean, that's very troubling, Mr. Speaker, in that we have a real opportunity to take positive action. I think what many of the members, from the opposition anyway, are advocating for are some definitions, defining some terms,

knowing exactly what we're talking about so that we're all speaking the same language.

You know, Mr. Speaker, what we have is a government that ignored the 2006 recommendations, which, again, many members have cited, to institute a continual map maintenance program instead of opting for a when-appropriate model, that clearly wasn't maintained when appropriate, with our friends in High River being a tragic example of this, where many of the safe areas on the flood map written in 1992 were the ones that were hit the hardest.

Here we are with a government that asks us to trust them with more power with respect to floods and definitions, but they've ignored all the evidence in the past – all the reports, all the recommendations, all the warnings – yet still try to frame this as, you know, a once in a hundred or a thousand years flood, which is quite frustrating. To put it quite simply, Mr. Speaker, Albertans see that much more could have been done prior to this June.

Again, I can appreciate that there are certain parts around the province, like places in Calgary, for example, where we're not necessarily going to be uprooting people and moving them, but one expert, Professor Ed Watt from Queen's, a civil engineer actually, ended up telling us that we should be keeping people from the water, not trying to keep water from the people, which seems to make sense for the most part where we can, acknowledging that there are areas throughout the province where that's not going to be possible.

You know, we should, moving forward, be working on ensuring that there is no more building in floodways, and unfortunately the legislation stops short of that and allows this government to decide what happens, where it happens, leaves the power with this government.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, are there other speakers?

The hon. Minister of Municipal Affairs to close debate if you so desire?

[Motion carried; Bill 27 read a third time]

9:30 Government Bills and Orders
Committee of the Whole
(continued)

[Mr. Rogers in the chair]

The Chair: I'll call the Committee of the Whole to order.

Bill 40
Settlement of International
Investment Disputes Act

The Chair: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you, Mr. Chair. I rise to speak in committee on Bill 40, Settlement of International Investment Disputes Act. Now, this bill is problematic, and I'll try to outline as concisely as possible the concerns that I have with it. I can appreciate and understand the desire for security and consistency for international businesses that the bill is aiming to help and what it's aiming to do. However – and I say this with respect to the bill's sponsor – the province of Alberta should come first, first and foremost. The way the bill is written, it's not a good deal for our government or for the people of this province.

[Mr. Amery in the chair]

There are two main reasons why I'll be opposing this bill. I believe my colleagues have spoken to this. The first is a specific focus on the centre itself, which I'll explain in detail in a moment, and the second relates more to the broader implications of this bill. The arbitration centre that's brought in by this bill, the International Centre for Settlement of Investment Disputes, or ICSID, if I've pronounced that correctly, has major issues in and of itself. You know, my first concern is the quality of arbitrators that may decide Alberta's future. Now, one arbitrator the centre employs is actually a person by the name of Orrego Vicuña. Now, some members of the House may not know who that is or the issue that we have. Mr. Vicuña was an ambassador for Chile under the Pinochet dictatorship. By signing this bill, we're saying that it's okay for him as one of the arbitrators to decide, when Alberta legislates in its own interests, whether it's done something wrong. We have very big concerns about letting one of Pinochet's friends decide our province's fate, and Albertans, you know, should be shocked that this PC government doesn't.

Now, for those of you who haven't looked at your history books in a while, Pinochet was a very brutal dictator in Chile, and we have serious concerns about, you know, one of his ambassadors being one of the arbitrators for this centre. What I'm talking about here is that fate is really no hyperbole here when we talk about this person being in a position to decide the fate of the province. Honestly, there's no maximum price tag on the decisions that are going to be made by this centre. What we're talking about here is potentially billions and billions of dollars out of Alberta's pocket if someone like Vicuña decides that we're in the wrong.

[Mr. Rogers in the chair]

In addition to that, Mr. Chair, we can't even say just how poor the decisions of this centre might be because the centre doesn't have to release claim value. Basically this current government is locking us into an agreement, and we can't even get a full picture of how bad the deal may or may not be. Even for this current PC government this level of secrecy is quite extreme.

Examples that have leaked out from ICSID decisions: we know that they've reached into billions of dollars. We're talking about big potatoes here, Mr. Chair, so the issue that I have and that my caucus shares is that we're signing over the power to review decisions in our own courts to a branch of the World Bank, and whatever they say goes. For example, not only might one of Pinochet's friends get an opportunity to decide whether Alberta owes billions of dollars, but we can't appeal that decision within Canada. That's our first problem.

The second problem is the larger issues with some of the free trade agreements that have been negotiated. Again, we're asked in this bill to accept a method of dealing with international investment disputes, but the arbitration method is also directly relied upon in our free trade agreements. We can't look at this in isolation. For example, our recent foreign investment promotion and protection agreement, or FIPA, with China uses the centre as one option for an arbitration forum, or once this bill is passed. The Ministry of International and Intergovernmental Relations has told us that they've been encouraged by the federal government to pass this bill. We can only assume that the push from the Harper government to sign on to the centre, which has been around since the '60s and Canada has held out on ratifying until now, which is important to note, is based on a recent signing of new free trade agreements with China and with Europe.

Now, our trade partners want this as an arbitration forum. This current PC government here in Alberta is all too happy to oblige.

On our side we want strong relationships with our trade partners as well. We simply want to be able to protect our natural resources and ensure that the long-term prosperity of the province is decided through our own laws and not handed over to a foreign body to have that kind of power.

Under our recent free trade agreement with China, for example, Mr. Chair, if the government does something that the Chinese oil company doesn't like, we could be taken to arbitration. That arbitration would be dealt with under the rules of our free trade agreement, so it could go to the centre, which would mean that it is not appealable in Canadian courts yet enforceable within our courts. So a foreign company could or would literally be able to take over Alberta government assets, with no power of review in our courts. That's a massive loss of our sovereignty.

Now, here's the thing. There's a clear alternative available here, not just the other arbitration centres but allowing the province to work with companies and deciding what fits with them. We're not suggesting that we limit choice for corporations here. We just want to make sure that the province doesn't get locked into something that could be an extremely bad deal. That is our really big concern here, Mr. Chair. We do need to look after the interests of Albertans and Alberta, first and foremost. I believe we're painting ourselves into a corner for those two reasons. One, the arbitrators selected for the centre: very questionable, especially with, again, a previous ambassador to the dictator Pinochet. As well, the process by which the centre makes decision could end up costing Albertans and taxpayers billions of dollars if the centre sides not in Alberta's favour.

The question is: why are we allowing these decisions that cannot be appealed or potentially overturned to be made by a third party? That causes some real concerns. I mean, we're talking about the sovereignty of our province here, Mr. Chair, and my fear is that what this bill is going to do is really going to put that in jeopardy.

For those reasons, Mr. Chair, I cannot support this bill. Thank you.

9:40

The Chair: Thank you, hon. member.

Next speaker?

Seeing none, I'll call the question.

[The clauses of Bill 40 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? That is carried.

Bill 41

Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013

The Chair: I'd recognize the hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Mr. Chair. We are on Bill 41 now? Is that what I heard you say?

The Chair: Bill 41.

Mr. Wilson: Okay. Great. Thank you.

I have an amendment that I would like to propose to this bill, please.

The Chair: While we circulate that, we'll pause for about 30 seconds, hon. member. For the record, this will be amendment A1.

Please proceed, hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Mr. Chair. I'll be relatively brief as I describe this. This is the only amendment that I have to Bill 41. It's very straightforward in its intent. In Bill 41 one of the things that it talks about is that section 4 is amended by adding the following after subsection (1): "(1.1) The membership of the Council must include persons with disabilities or individuals who have involvement and experience with disability issues." I've got to say that I wholeheartedly agree with this addition to the act. I believe that it makes perfect sense to have an individual who is dealing with or has dealt with disabilities involved on this board.

What this amendment is intended to do is include an individual who is contracted as a service provider to also have a seat at the table on this board, based on the increased advisory role that this board is going to have. The way that this act is written, it's intended that it's going to have more of an advisory role to play with government. I and my caucus mates, I believe, feel that it is eminently reasonable that one of the 15 seats at the table be reserved for an individual in this province who is currently providing services to individuals with developmental disabilities in the province.

There is a lot of change that has happened in the system. There is going to be a continued transition as this government changes the way in which services are delivered in this community. I think that having a seat at the table so that they can offer perspective as to how decisions that are made may impact not only the level of service that those in the disability community will receive but how things are being laid out, how actions are being taken, all of the above – there's just a different level of perspective that someone who is in a service provider role will be able to bring to the table. I believe that's an important voice to have, and I look forward to the minister responding to this proposed amendment.

Thank you, Mr. Chair.

The Chair: Thank you.

The hon. Associate Minister of Services for Persons with Disabilities to respond if you're so inclined.

Mr. Oberle: Yes. Thank you, Mr. Chair. I thank the hon. Member for Calgary-Shaw for this amendment and for his thoughts around it. I'm a little curious. I think the current wording of section 4(1.1) says: "The membership of the Council must include persons with disabilities or individuals who have involvement and experience with disability issues." I wonder if that doesn't go far enough for the member, and if not, why not? I'm just kind of struggling here. I may be a bit reluctant to go further because of the potential for a conflict of interest, where a person that has a stake in the system advises the other council members on how to design the system. I'd certainly be open to some comment there.

The Chair: The hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Mr. Chair. This was a consideration as the amendment was drafted. My intent, I guess, was to address, first off, the way in which the act is currently worded. My idealistic view of the way in which this act is worded would suggest that subsection (1.1) here would suggest that it would be an individual with disabilities that would be on the board as one of the 15. So adding a second seat as someone who's strictly in a service provider role I thought would add more value.

To address the conflict of interest side of things, seeing as what this council is doing is not necessarily a binding role to govern-

ment and they are just one vote on a council of 15, I found it a bit of a stretch, I guess, in the way that my mind works, that that would genuinely be able to swing advice to the Premier, advice to the council. Seeing as they are in an advisory and nonbinding role to government, there would not be a direct conflict of interest in anything that that individual who's providing services under contract to the government would bring to the council.

I hope that addresses the associate minister's questions.

The Chair: Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Chair. My colleague in my own caucus referred to it as an idealistic view, and I'm going to refer to it as a pragmatic view. I would ask the minister to consider this option or argument, which is that although the act itself wants to get people with experience, clearly I think there's a presumption that employees of the ministry would definitely have experience. This amendment acts as a piece of insurance per se that people that would be in the employment of the ministry would not only have experience but that experience would probably have been updated and be current. It allows for that continuity of experience. Maybe as members or volunteers come and go, having someone on this council who is employed would sort of ensure that that experience level is represented in one form or another. I think we talked about this when the bill was originally tabled, how difficult it is sometimes to deal with volunteers and how volunteers are stretched thin in many circumstances.

By doing this, it's an option that allows the ministry, when these councils are constructed, to keep a certain decorum or a certain level of experience within the makeup of these councils. I think that would be a tremendous advantage for the ministry in the consultation process and dealing with these councils.

Thank you very much, Mr. Chair.

The Chair: Thank you, hon. member.

Are there others? The hon. Member for Calgary-Shaw.

Mr. Wilson: Sure. Thank you, Mr. Chairman. Again, just to be brief, you know, I think that as we went through the spring, we learned that the service provider network in this province – that is, you know, the 280-plus independent businesses that are operating – have a very reasonable and somewhat strong voice in this province. I know that the ministers do consult with them on various levels.

But, that being said, this council really – there are critical roles in the province. There are those who are clients of the system, there are the families of those who are in the system, there are the self-advocates, there are the guardians of those in the system, and then there are those who are contracted to provide services to those in the system. I think that if we can hold a seat at the table for those who are providing the services, again, it just strengthens the body as a whole and will add perspective to what this council can provide to the Premier when they provide their annual report.

Thank you.

9:50

The Chair: Are there others? The hon. associate minister.

Mr. Oberle: I get the intent thoroughly, Mr. Chair. I'm really struggling with it. The role of the council is one of a high order, and we talked about dealing with the United Nations declaration on the rights of persons with disabilities, talked about Alberta building codes, those sorts of things. Indeed, a broad array of

voices would be welcome and necessary and certainly would play a role.

But the member knows that I intend also an operational role for the Premier's council in that I would love to discuss operational details: business plans, intended budgets, those sorts of things. That would really fringe on a conflict of interest if there was a service provider in the room that could benefit from that conversation. I would have to ask them to recuse themselves. They couldn't participate in it. That would seem kind of odd.

I just want to point out – the other member there talked about an employee – just for clarification, all of the members of the council are outside of the government. We do have a secretariat that provides services to them, a whole office, but the board itself is composed of nongovernment employees.

The Chair: Thank you.

Are there others on amendment A1?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

The Chair: Back to the main bill. The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you very much, Mr. Chair. I have an amendment.

The Chair: Okay. Can you circulate that? About a 30-second pause, please.

Hon. member, are you introducing this on behalf of your colleague?

Mr. Bilous: Yes, Mr. Chair. I'm introducing this amendment on behalf of the Member for Edmonton-Strathcona.

The Chair: Okay. Wonderful. We'll note that for the record, and we'll call this amendment A2.

You may proceed to speak. Thank you.

Mr. Bilous: Thank you very much, Mr. Chair. I'll walk the hon. members through this. The Member for Edmonton-Strathcona moves that Bill 41, Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013, be amended by striking out section 4 and substituting the following:

Section 7 is repealed and the following is substituted:

Annual report

7(1) The Council shall, for each fiscal year, submit to the Premier an annual report consisting of a general summary of its activities and recommendations regarding government policies affecting persons with disabilities.

(2) A report submitted under subsection (1) shall include, but is not limited to, recommendations regarding the alignment of government policies affecting persons with disabilities and the principles of the United Nations Convention on the Rights of Persons with Disabilities.

(3) On receiving a report under subsection (1), the Premier shall lay a copy of it before the Legislative Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

(4) Within 30 days of a report being laid before the Assembly under subsection (3), the Premier must respond to the recommendations contained in the report prepared under subsection (1) and make that report public when completed.

Now, Mr. Chair and hon. members, the amendment looks quite lengthy, but it's honestly not that complicated, and I'm happy to walk members through this.

Essentially, it does three things. It's adding a requirement that the annual report made by the council on the status of persons with disabilities include recommendations. It adds a requirement that the recommendations adhere with the UN convention, and it adds a requirement that the Premier respond to those recommendations. So not sweeping changes when we look at it.

First, let's talk a little bit about the reports. The agency produces an annual report. Okay. That report is already required in the bill to be tabled in the Legislature, so we've got public reporting there. This amendment including recommendations will mean that, rather than having this council simply make quiet suggestions to the government about where it may improve or do things better, it will add some public accountability to it, Mr. Chair. I recognize that this isn't necessarily a perfect solution, but it does add more meat to the council.

We see this as important because the council has in long past done some very good work with recommendations. They released the 2002 Alberta disabilities strategy, which put forward 168 recommendations. Now, despite that being public, we haven't been able to find government follow-up that shows their progress on the recommendations. So what we're looking for here, Mr. Chair, is a way for the Legislative Assembly to know how the government is responding to these recommendations, if they're moving on them, in what time frame because, again, there have been great recommendations put to the government in the past. This is a way for the Legislative Assembly to keep the government accountable or to know what their actions are following recommendations.

I'll give a few select recommendations here. "A commitment . . . to embrace the principles of universal accessibility and a process put in place to remove physical barriers from public spaces." Mr. Chair, as of this January, a full 10 years after those recommendations came out, the Alberta Committee of Citizens with Disabilities is still stating that there are crucial holes in our access, most notably in the ability to access health care. That's one example where there would be a process and follow-up.

Another recommendation or requirement: "the Government of Alberta . . . ensure that the needs of persons with disabilities related to their daily living activities are met." We know how that was run over during the summer with the massive cuts to community access for the developmentally disabled.

Another example: an overhaul of the appeals process after decisions are made. That is still arguably in shambles at the moment, Mr. Chair.

Publicly reported recommendations aren't foolproof either, but at least they will help to give advocates of persons with disabilities in the province an extra resource and an ability to follow up. Since that report, by the way, it seems like they've been silent in terms of public recommendations.

We're hoping, obviously, that this amendment is accepted, Mr. Chair, and that it emboldens the council to come forward with more recommendations in the future because looking back at it, that disability strategy is something that the council should be very proud of. Again, we're just looking to be aware of the follow-up, not necessarily obligating the Premier or the government to take those recommendations but at least for Albertans to be aware on certain recommendations what action has been taken, if any, or what steps. I think that in some ways it could be argued that that's to the advantage of the government as well because they're able to demonstrate the steps and actions that they have taken on recommendations.

The second part of this amendment, Mr. Chair, is the inclusion of recommendations related to the UN's convention on the rights of persons with disabilities. A lot of ground is the same in terms of

making these recommendations public and adding accountability that it provides. We feel that if the government is going to be honest in their commitment to the convention, they should embrace this sort of report card on any areas they need to improve that these recommendations could provide. Again, it's a way to be, well, both transparent and accountable.

We feel the convention is a good benchmark to live up to – and we're talking about the UN convention – and it would be a good idea to get an accounting on where the holes are at. We also see it as vital that recommendations are made on it because it appears, you know, that there are examples where the government misunderstands what the convention really means and what it's attempting to do. An example here is that last week the associate minister stated that somehow their decision to break a promise to people with developmental disabilities and close the Michener Centre was empowered by the convention.

10:00

What the convention really respects is choice for people with disabilities, Mr. Chair. Article 19 of the convention states that we must ensure that "persons with disabilities have the opportunity to choose their place of residence." When you promise to residents that they can see out their lives at the centre, a place they call home, and then give them the boot, you're eliminating that choice; you're not empowering it. Clearly, we need to be double-checking this work and this government's work and holding them to an international standard, and this is one way to do that and a good idea.

Finally, we made it a requirement that the Premier respond to recommendations. We think that this is fitting given that her name is on the council. The requirement for a response doesn't force the Premier to immediately have all the answers or force the Premier into immediate action. What we're talking about is a response to recommendations. Honestly, Mr. Chair, I look at that no differently than when constituents write to any one of the 87 members that our offices respond to our constituents and to Albertans. So this is a very similar approach.

The other thing that it does is that it gives recommendations some immediate consideration, you know, empowering the council that is making the recommendations by valuing them and getting a response back to them.

No dramatic shifts, all in all, in the purpose of this amendment, so it shouldn't be too controversial. Again, the purpose of this amendment, Mr. Chair, is really to provide the tools for the government to ensure that they live up to their promises. We're talking about improving accountability and public accountability with these amendments.

Thank you, Mr. Chair.

The Chair: Thank you, hon. member.

The hon. associate minister.

Mr. Oberle: Yes. Thank you, Mr. Chair. I will be voting against this amendment, and I urge my colleagues to do the same. First of all, there's no shortage of report cards on how the government is doing, including the annual report of the Premier's council, which is tabled in this Legislature. The member in his speech mentioned several points where there are report cards.

There is no way that you could take the Premier's council, which is not a quasi-judicial process, and force, really, people who in many cases, you would hope, have full-time jobs elsewhere, without being quasi-judicial to have the powers of investigation, the powers to conduct hearings, the powers of research so that they could make recommendations. You're placing a role on the

council that's not at all intended here. They are a partner and an adviser in this. To task them with recommendations really would make them somehow officers of this Legislature or some other quasi-judicial body that has some power over the government. That's a role that even the council itself would decline.

I strongly urge that we reject this amendment, Mr. Chair.

The Chair: Are there others? The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you, Mr. Chair. The council makes recommendations already to the Premier and to the government, and as the associate minister said, it is tabled in the Legislature. But what we're talking about is when they make the recommendations. We're not adding any more work to the job that they're already doing. What we're doing is giving them a way to make those recommendations public and to put a little bit of onus on the Premier and the government to respond to the recommendations.

Again, I'll clarify that in 2002 the Alberta disability strategy put forward 168 recommendations, and a lot of them were very, very good. All that this amendment is doing is putting in place a mechanism to ensure that the government and the Premier respond to those recommendations, Mr. Chair. I think, again, that if we're asking these people with full-time jobs to sit on this committee and make recommendations, well, let's first of all make sure that the public is included and aware of the recommendations they're making. More so, let's ensure that the government is responding to those recommendations so that these very folks know which ones are being implemented, which ones are being ignored, and where they are in the status of them. I don't think it's adding any more work to the council itself. What it's doing is providing more of a public accountability.

Thank you.

The Chair: Are there others?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 lost]

The Chair: We're back to the main bill. The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Allen: Thank you, Mr. Chair. As this bill, at two and a half pages, is very brief, so will my comments be. I just wanted to take this opportunity to rise and commend the government and the Associate Minister of Services for Persons with Disabilities on this co-operative and inclusive amendment act. I've heard from several in my constituency that this will go a very long way in ensuring that the needs and services provided to persons with disabilities will be adequately heard.

The inclusion of the United Nations convention on the rights of persons with disabilities is an important and crucial piece to add to this legislation. I view the ability for the Premier's Council on the Status of Persons with Disabilities to provide input into the development of business plans for government departments that directly affect them as extremely important. It's crucial to the betterment of all of Alberta that everyone affected by policies or a particular piece of legislation have their voices heard.

My constituency is made up of a very large cross-section of all Albertans. This amendment will go a very long way to ensuring that those with disabilities are given an effective voice in decisions that directly affect them. I assume, at the same time, that it allows for these councils to make region-specific recommendations, because we all know there are no cookie-cutter solutions for the entire province.

I especially like the addition under section 3(a)(ii) of clause (i), stating that the council will "advise the Government on reviews and development of policies, programs and initiatives and their implementation with respect to the effect on services to persons with disabilities." Occasionally we have new policies put forward, and their impact on persons with disabilities is negative. The ability for this to be reviewed by the council prior to the change in policy helps to mitigate this possibility.

Finally and most importantly, I'd like to applaud the decision to ensure representation on the council of those directly affected by or involved with disability issues. This is so important. The ability to speak from personal experience is integral to ensuring that all aspects and experiences are included. I'm very pleased to support this bill, and I think it is important that all members here vote unanimously to pass this legislation. It is important, inclusive, and will ensure that constituents in my riding who have involvement and experience with disability issues will feel assured that their interests are being respected.

Thank you, Mr. Chair.

The Chair: Thank you, hon. member.

The hon. Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Chair. I also rise to speak on Bill 41. The treatment of our persons with developmental disabilities community by this government leaves much to be desired. This spring the community was put into disarray as this government announced \$42 million in cuts. These cuts came without consultation and without warning. The PDD community has developed a mistrust of this government and a genuine concern that their issues are not being taken seriously. The concern is that the government views them as a community to be dictated to rather than partners in developing a positive environment for those in Alberta with developmental disabilities.

The mistrust that this community feels for the government combined with their unique vulnerabilities means that the PDD community is in need of strong and compassionate advocates.

10:10

The Premier's Council on the Status of Persons with Disabilities plays an important role in being advocates for the PDD community and the disabled community more broadly. We encourage the government to take seriously the recommendations of this board.

I'm pleased to note the expanded mandate that the council has been given. This is a positive development that should support the efficacy of this council. Unfortunately, however, advisory boards have a history of being little more than window dressing in Alberta. The onus will be on the Premier, the Minister of Human Services, and the Associate Minister of Services for Persons with Disabilities to prove they are willing to heed and act on the advice of this expanded Premier's council.

Many of the comments on the deficiencies in this bill have been previously raised by my colleagues, and I would like to echo their concerns regarding making recommendations of the council public and the need for a clear commitment for aligning with the UN convention on the rights of persons with disabilities.

Finally, Mr. Chairman, a precedent has been set with this bill that I urge the government to follow more frequently. Too often we create boards and councils in Alberta but do not specify that the members of these boards have to have any experience or expertise. Bill 31, which was recently passed, allows for the appointment of seven ballerinas and an engineer to the science

advisory board rather than scientists. Thankfully, Bill 41 does require that members of this board have some experience with the PDD community, and this is a precedent I urge the government to continue to follow.

Thank you, Mr. Chairman.

The Chair: Thank you, hon. member.

The hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Mr. Chair. I'm wondering if the associate minister or the minister could just quickly clarify. I know this is a bit of an amending act. In the original is the Premier required to lay the report before the Legislative Assembly?

Mr. Oberle: I believe, in fact, that they are. When a piece of legislation calls for an annual report, it has to be tabled in the Legislature.

The Chair: Are there others?

Seeing none, I'll call the question.

[The remaining clauses of Bill 41 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? That is carried.

The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. I'd move that the committee now rise and report bills 40 and 41.

[Motion carried]

[The Deputy Speaker in the chair]

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

Mr. Bhardwaj: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 40 and Bill 41. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Deputy Speaker: Thank you, hon. member.

Does the Assembly concur in the report? Agreed?

Hon. Members: Agreed.

The Deputy Speaker: Opposed? So ordered.

Government Bills and Orders

Third Reading

(continued)

Bill 30

Building Families and Communities Act

The Deputy Speaker: The hon. Minister of Human Services.

Mr. Hancock: Thank you, Mr. Speaker. It's my pleasure to move Bill 30, Building Families and Communities Act, for third reading.

We've had an excellent debate in the House at second reading and some discussion in committee. I think I would ask all

members of the Assembly to reflect on the excellent work that has been done by community boards across the province and the child and family services authority boards.

Over the years, as that system developed and as we put in a community governance model, we had a number of people who stepped forward and provided volunteer service to child and family services authorities. I would say the same with respect to the boards for persons with developmental disabilities. As we move forward now to build on that good work, I want to say thank you to the board members who have served over the years in those capacities.

I think it is important to reflect on that as the province grows and as the communications become more direct and as we have people who move around the province with greater degrees of mobility and as we have service providers who work in so many different areas of the province, to move to a new governance model and a new operational model which still will provide for regional service delivery but will also ensure that there is a continuity of contracting processes across the province, a continuity of implementation of policy across the province, and an ability to deliver services on a regional basis but have an efficiency and an effectiveness and a fairness of policy application across the province is extremely important.

So this new model of service delivery is on a regional basis, with the regions in the Human Services area aligned appropriately so that whether it's persons with developmental disabilities or child and family service delivery or Alberta Works delivery, we're working better together, which is the theme that we have in Human Services, bringing all of the various aspects that were formerly in other departments, co-ordinating the regions and doing service delivery better together within the regions so that we can support and strengthen families and make sure that the children have the support that they need, an extremely important objective.

But we do not want to lose that community governance, that oversight that comes from an engaged, active community that cares about the social issues in their community, cares about how we are treating our vulnerable children, how we are ensuring that our families are successful, how we are ensuring that communities can be engaged in the issues that matter and only in the issues that matter to their community. So our community engagement councils that are proposed under Bill 30 become a very important new iteration of the community governance model, not responsible for active service delivery but responsible for the active engagement of the community and the social issues and the active advice to their community and to this government with respect to policy development relative to social issues in their community.

The other very important role of the community engagement councils is one of assurance, one of testing within their community groups to say, "Are we hitting the ground? Are we actually achieving the objectives that we wanted to achieve?" two very important roles for community engagement. As we do that, and as we say thank you to the board members of the CFSAs and the PDDs, with this act being passed, with those boards being dissolved effective the end of the year, and moving towards the new year in which we would engage the community engagement council and recruit people, some of whom may well be board members currently but people who will actively provide that engagement role, we also want to look to the other part of the act, which changes the governance structure of the PDDs and amends the PDD act in order to do that.

There's one other important thing, and that is to provide for an improved appeal process. We didn't try to renovate or renew or redo the persons with developmental disabilities act in this bill. Really, all this bill does to that act is change the governance model

and disengage governance from operations under that act. But we did take one further step, and that is to improve the appeal process. I would think that that's an improvement that all members of this House would want to see, and I'd ask for their support for Bill 30 in third reading.

The Deputy Speaker: Thank you, hon. minister.

I'll recognize the Member for Calgary-Shaw.

Mr. Wilson: Thank you, Mr. Speaker. It's a pleasure to rise and speak to third reading on Bill 30, the Building Families and Communities Act. I would agree with many of the minister's comments. We had a good debate. We had good discussion throughout the committee process. You know, I think there was strong debate through all phases of this bill. I, too, would encourage my fellow caucus mates to support this bill. I believe that it is a move in the right direction in terms of what we're, hopefully, going to see as a result of the dissolution of some of these boards. I think it's been a long time coming for some of them, and I'm excited to see what can be brought as we move in this direction.

10:20

There are some things, as always, Mr. Speaker. The devil is in the details of a bill, and, you know, the minister has left himself a pretty wide open space to create regulations as noted in section 23(f), that says that he can make a regulation "respecting any other matter necessary for carrying out the intent of the Act." This is one of those rare occasions where I would encourage the minister to make regulations about that because the intent of this act is to strengthen this system.

One of the things that I wouldn't say that I'm worried about but that I just want the minister to be aware of and cognizant of as he goes through this process and creates these details and these regulations is the values piece of what this act is supposed to do and the values of what the government's role is in terms of making sure that those who have developmental disabilities that are being cared for in this system, what those values are that this government holds and shares with Albertans about the level of care that they should receive. There's not really much in this bill currently that says that the government has a standard of service that they are going to maintain or that there is a standard of service that those who are providing the services ought to maintain. So I would ask the minister to be aware of that as he is creating those regulations.

What we're seeing as well with some of the debate that we've had in this House around, you know, the big news story of the week, the child and families services authorities. I would again ask the minister to keep in mind the values that this government, this House, and Albertans in general have and wish to have and want this government to hold themselves to account to and making sure that those children that are in the care of this system and those who are being serviced by the PDD community have the greatest set of values that we can offer so that if it was our own daughter, son, brother, or sister that was in care, we would make sure and strive to ensure that they received a level of care that we would want for our own loved ones.

Again, I reflect, and now I'm happy to report that the appeal period is officially over for Betty Anne Gagnon, so this one is free game. A tragedy like that: keep that in mind, ministers, as you come up with the regulations for this act to ensure that procedural oversight cannot be used as an excuse in the future to allow a tragedy like to happen again.

I recognize fully, Mr. Speaker, that a strong majority of individuals who are working on the front lines in this system – a very, very strong majority – are people deeply passionate about serving that community, and I'm not in any way, shape, or form trying to disparage any of them. But the reality is that if we have procedural loopholes, there are often times that individuals can fall through the cracks of those loopholes. I would just ask the minister to do the greatest job that he can in creating the regulations in this act to ensure that that never happens in this province again.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

The hon. Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. I also rise to speak in third reading of Bill 30, Building Families and Communities Act. As Bill 30 acts as a framework for future arrangements, there are lots of details left out of this bill, and the devil is in the details, like my colleague said. One of the most effective ways to ensure that the details are done right is to include meaningful contributions and engagements from Alberta's PDD community.

With that in mind, the first issue I wish to address is the level of involvement that the PDD community has had in the development of the proposed family and community engagement councils. The family and community engagement councils will have a substantial impact on the situation of many Albertans. Many members of the PDD community have complained that they were not properly consulted on the changes being proposed. As such, they are rightly concerned that they will not be properly consulted in the operation of the family and community engagement councils as they develop social policy.

Considering that the group most affected will be the PDD community, failing to protect their interests on these boards could have huge negative impacts upon their community. We need to ensure that the PDD community's involvement is properly protected on this new board.

Second, we need to recognize that for many in the PDD community employment is not a meaningful measure of success. We are talking about some of the most vulnerable and disabled members of our society, where the only meaningful measure of success is quality of life. Mr. Speaker, while employment is an admirable goal for some in the PDD community, this government's obsession with it will cause harm to the most disabled in the PDD community.

On its own this legislation will not cure all that ails Alberta's PDD and child welfare programs. Overall, centralizing can create a hard-to-navigate bureaucracy and throws unnecessary barriers in front of the very people it is supposed to help. I would urge caution, to warn this government in its rush to centralize, especially because Bill 30 does not spell out how Human Services will be reorganized. Those important details are still to come, Mr. Speaker. Fundamentally this bill is in need of more detail and more clarity.

With that, I think I will be supporting the bill, but those are the issues I have with the bill. Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available should someone wish to ask the member a question.

Seeing none, I'll recognize the Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you, Mr. Speaker. I rise to speak to third reading of Bill 30, Building Families and Communities Act. I'd

like to just outline a few different things here. I'd like to remind members and Albertans of the actions that this government took this summer which were very hurtful toward the PDD community. Then I'd like to talk about some of the amendments that the Alberta NDP caucus put forward, which were unfortunately rejected by this PC government, especially highlighting the Betty Anne clause that was put forward by the hon. Member for Edmonton-Strathcona.

You know, it seems that this government likes to push and pull at the same time. They'll take something away and then give back a little and pat themselves on the back for a job well done. I'd like to remind all members that in March of this year the PCs passed a budget which cut \$42 million out of community services funding from PDD, which directly impacted thousands of families throughout the province. As well, this PC government closed the Michener Centre. Conversely to what the government says or thinks, I believe that not only the Alberta NDP but all opposition parties have been in touch and in contact with many residents, caregivers, family members of Michener who are all vehemently opposed to the closing of that facility, which provides crucial and necessary care for those adults who can't live in the community even with supports. It's necessary that there is a facility or a home like Michener.

You know, the third part is what this government announced, which was promising a 15 per cent wage increase for staff, for service providers. They then said: "Okay. It's going to be reduced to 10 per cent this year." And when the grant was provided this past August, Mr. Speaker, it actually amounted to about a 7.5 per cent wage increase for many service providers.

Now, I can tell you, Mr. Speaker, that I've met with service providers who do phenomenal work in the community, working with families and people with developmental disabilities, and heard about their frustration. I'm talking about those who work out of small NGO service providers who are quite frustrated at the wage disparity between some providers and those that are employed by the government compared to the ones in the NGO community. The folks that I spoke with said that the government recognized the wage disparity and that they were going to do something about it. Clearly, what they promised and what they delivered were, yet again, two different things. We're in a position where there are still many service providers that are paid a fraction of what they should be considering the incredible work that they do and the necessary work they do.

10:30

Those were three actions this year, Mr. Speaker, which directly impact people with developmental disabilities, and it was a huge knock-back to that community throughout the province. I'll remind members that throughout the month of June I believe there was a rally on the steps of the Legislature every week. I know I was in attendance, and the hon. Member for Edmonton-Strathcona was emceeding it. I do respect the fact that the hon. Member for Calgary-Shaw and the hon. Member for Calgary-Mountain View as well as other members from all opposition parties were in attendance at numerous rallies where it was very, very clear that the community of people – service providers, family, friends, adults with developmental disabilities – came out to protest the actions that this very government took, which significantly impacted their lives and, honestly, Mr. Speaker, from speaking to a lot of these adults and caregivers, imposed trauma onto a lot of folks who were worried about the quality of care that they were going to receive. They were worried about losing their caregivers. Again, as with most things in life the personal relationships are extremely important.

I think what the government often forgets is that when they come in with a heavy hand and the stroke of a pen and cut millions of dollars from a budget, whether it's postsecondary or PDD or to our classrooms and to school budgets, decisions are made which impact those very people, whether it's students or adults or children, and there are, for example in postsecondary, professors and support staff that are laid off. When money suddenly, magically comes back and only fraction of it, that really screws up those very organizations trying to plan and has a significant impact.

I would argue that there was a significant impact when the original budget was announced and the \$42 million was cut out of PDD. So it needs to be recognized that although this bill is a step in the right direction, I can't let the government off scot-free or not hold them to account for the decisions that they've made and the impacts that those decisions had.

Now, as I've mentioned, my hon. colleague for Edmonton-Strathcona brought forward some very, I believe, positive amendments that would have strengthened this bill. Again, I'll start with the one that I was hoping and had my fingers crossed that the Government House Leader would accept, our Betty Anne clause. You know, looking specifically at the tragic case of what happened to Betty Anne Gagnon and how she fell through the cracks not because of neglect due to any one front-line worker but because there wasn't policy in place to ensure that she would receive the care that she needed.

The frustration was that there were numerous attempts to communicate to the department that care was needed and that her family could no longer care for her. Yet there was no mechanism in place to stop this from happening. The Member for Edmonton-Strathcona and myself have walked the members through this, but this was an ongoing saga that happened over months, and even when alarm bells should have been going off in the department as far as their failed attempts to reach her, there was no process in place for a staff member or department member to drive out to her residence to physically check on her.

We have an opportunity here, and I guess this is probably my biggest disappointment with this bill. You know, I can appreciate that the hon. minister talks about how this is about governance and boards, and for the most part I agree with that. I just wished that while we're in the House and we're dealing with an issue here, we could open this bill up to address some of the major issues that exist within the system. Instead of just looking at the governance, again, this amendment that we introduced would ensure that there is a plan in place for every single person with a developmental disability, developed in consultation with their family or caregiver, to ensure that moving forward no one falls through the cracks again, period.

I also was very hopeful about the fact that that amendment established a duty of care to adults with developmental disabilities, with a definition as far as: what is that duty of care? Again, I mean, I thought the hon. Minister of Human Services would be delighted by the fact that the definition of duty of care was taken directly from the duty of care to children requiring intervention services as found in the Child, Youth and Family Enhancement Act. We're talking word for word here. That would have ensured that this tragedy would not repeat itself. So it's frustrating that that amendment wasn't taken into consideration, Mr. Speaker.

You know, again, there has been very little consultation with the 10,000-plus people with developmental disabilities, their families, and the 156 service providers within the province prior to this piece of legislation being tabled.

Other concerns are, again, as the Member for Calgary-Shaw pointed out, that this gives the minister sweeping powers whereas we would like to see all members, all ministers, the Premier having limitation or parameters around what they can and cannot do, and that really needs to be outlined here in the Assembly through legislation, not through regulation. The concerns currently are that this bill gives the minister these broad powers.

So, Mr. Speaker, I mean, I can tell you that we will be supporting this bill in third reading, but again I think that there is a missed opportunity here to strengthen the delivery of services and care to people with developmental disabilities. I know that the minister has said previously that, I believe, there'll be forthcoming legislation to hopefully address some of these concerns, but we had an opportunity here to do more than just address governance. I wish that would have occurred.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the hon. Associate Minister of Services for Persons with Disabilities, followed by the Member for Cardston-Taber-Warner.

Mr. Oberle: Thank you, Mr. Speaker. I'm almost reluctant to stand, but there were a few statements made there that I just simply cannot let go by, just astounding. First of all, I don't know what kind of calculator the hon. member uses, but I'm betting all the buttons are on the left side, because he seems unable to add. We did not have a budget cutback this year, and if he can't read that off the budget, then he shouldn't really be here. We had an increase in our budget this year, and we have had since this spring absolutely no operational cutbacks. Apparently, he wasn't watching that. Despite that, we did extend the 10 per cent wage increase that we promised. However, we held part of it back until we finished our bookkeeping to make sure. We're funny in that we track and make sure that we get the proper use of taxpayers' dollars. But all of the cheques went out this week to complete the 10 per cent that was promised at the beginning of the year.

10:40

It's kind of interesting that the member lectures me on article 19 in the UN convention and then criticizes us for closing the Michener Centre. What exactly does the member think that article 19 refers to when it says "choices"? What does he think that refers to? I'm astounded, Mr. Speaker.

And then, Mr. Speaker, during the amendments we went around and around on the Betty Anne Gagnon case. It's just such a tragic, tragic event. But you have to recognize, first of all, that we have made some incredible changes since then and there's a fatality inquiry that will lead us further. We're constantly criticized by that party for making amendments and passing legislation without consulting people, and somehow they can pull together amendments in 24 hours that change the disability act without consulting anybody and that's okay. That's just going to be fine.

I'll guarantee you that I've spoken to more service providers than that guy has in the last few months and in the spring. I made a commitment again this week in Grande Prairie, in Edmonton, St. Paul, and Red Deer to the service providers and to the families of the disabled that we will change this legislation when we consult with them and when we've got the proper act built. In the meantime we're going to do everything we can to make sure that the disabled people in our province are living with dignity, have

the right to live in the community and be all that they can be, and we'll support them in doing that, Mr. Speaker.

The Deputy Speaker: Thank you, hon. minister.

Standing Order 29(2)(a) is available. The hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Mr. Speaker, and thank you to the hon. associate minister for bringing that passion at this hour. It's appreciated. I'm wondering if he could comment on the 10 per cent increase that he referred to. Many of the service providers that I've spoken with have said, up until this week, that the top-up did not happen. They did just receive letters as of, I believe, today. Many of them are saying that it's still not quite 10 per cent and that it's a one-time grant as opposed to an actual increase. So could you comment on that?

Mr. Oberle: Well, first of all, they did receive letters, and they will be getting the grant. According to our books and our bookkeeping with them it's 10 per cent. And, no, it's not a one-time grant. It is a 10 per cent wage increase. We committed some time ago to achieve parity. We had hoped for 15 per cent this year. We didn't do it, but we got 10. That's an ongoing grant. We still have further steps to go. We did in previous years give a one-time payment, a \$1,500 bonus. That was not the case this year. This year was a wage increase, and it's enduring.

The Deputy Speaker: Thank you.

Are there others?

I'll recognize the Member for Cardston-Taber-Warner.

Mr. Bikman: Thank you, Mr. Speaker. It's a pleasure to rise . . .

Mr. Anderson: Is this 29(2)(a)?

The Deputy Speaker: No, no. On the bill. I didn't see any more for 29(2)(a).

On the bill, the Member for Cardston-Taber-Warner.

Mr. Bikman: On the bill, Mr. Speaker. I certainly will be supporting this very willingly. I asked a friend who works within this field in southern Alberta, who I've known a long time and trust, for his thoughts on this, and he shared some things with me that I'd like to share with the minister. Hopefully, he will consider them and take whatever steps he thinks are appropriate and perhaps respond. My friend replied:

- from where I sit, both CFSA and PDD are specialized departments with fairly clearly defined intervention or treatment target populations. As such, it usually doesn't bother me what they are doing with or amongst themselves . . . However, lately
- our local South West CFSA seems to be interpreting this as a mandate to push other agencies, [for example, Barons-Eureka-Warner] and Lethbridge FCSSs specifically that I'm aware of, to shift priorities and resources to support their intervention mandate with little or no regard for FCSS legislated mandate to be involved in prevention and only early intervention. There seems to be an assumption that these new Family and Community Councils will be directing all human services activities in their geographic area. And the CFSA will take a lead role in defining that.

Not sure if this is [just] a local or [if it's a] generalized issue. If [it is] just local, we can deal with it. If [it's] something CFSAs are being told provincially, [this] could require some clarification.

Thank you.

The Deputy Speaker: Standing Order 29(2)(a) is available.
Seeing none, I'll invite the hon. minister to close debate.
He has asked for the question.

[Motion carried; Bill 30 read a third time]

The Deputy Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. In light of the good work that's been put in today, I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:45 p.m. to Wednesday at 1:30 p.m.]

Table of Contents

Government Bills and Orders

Committee of the Whole

Bill 39	Enhancing Consumer Protection in Auto Insurance Act	3127
Bill 40	Settlement of International Investment Disputes Act	3141
Bill 41	Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013	3142

Government Bills and Orders

Third Reading

Bill 27	Flood Recovery and Reconstruction Act	3128
Bill 30	Building Families and Communities Act.....	3146

If your address is incorrect, please clip on the dotted line, make any changes, and return to the address listed below. To facilitate the update, please attach the last mailing label along with your account number.

Subscriptions
Legislative Assembly Office
1001 Legislature Annex
9718 – 107 Street
EDMONTON, AB T5K 1E4

Last mailing label:

Account # _____

New information:

Name:

Address:

Subscription information:

Annual subscriptions to the paper copy of *Alberta Hansard* (including annual index) are \$127.50 including GST if mailed once a week or \$94.92 including GST if picked up at the subscription address below or if mailed through the provincial government interdepartmental mail system. Bound volumes are \$121.70 including GST if mailed. Cheques should be made payable to the Minister of Finance.

Price per issue is \$0.75 including GST.

Online access to *Alberta Hansard* is available through the Internet at www.assembly.ab.ca

Subscription inquiries:

Subscriptions
Legislative Assembly Office
1001 Legislature Annex
9718 – 107 St.
EDMONTON, AB T5K 1E4
Telephone: 780.427.1302

Other inquiries:

Managing Editor
Alberta Hansard
1001 Legislature Annex
9718 – 107 St.
EDMONTON, AB T5K 1E4
Telephone: 780.427.1875