



Province of Alberta

The 29th Legislature  
Third Session

# Alberta Hansard

Wednesday morning, May 17, 2017

Day 35

The Honourable Robert E. Wanner, Speaker

## Legislative Assembly of Alberta

### The 29th Legislature

Third Session

Wanner, Hon. Robert E., Medicine Hat (ND), Speaker

Jabbour, Deborah C., Peace River (ND), Deputy Speaker and Chair of Committees

Sweet, Heather, Edmonton-Manning (ND), Deputy Chair of Committees

Aheer, Leela Sharon, Chestermere-Rocky View (W)  
Anderson, Hon. Shaye, Leduc-Beaumont (ND)  
Anderson, Wayne, Highwood (W)  
Babcock, Erin D., Stony Plain (ND)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (ND),  
Deputy Government House Leader  
Carlier, Hon. Oneil, Whitecourt-St. Anne (ND),  
Deputy Government House Leader  
Carson, Jonathon, Edmonton-Meadowlark (ND)  
Ceci, Hon. Joe, Calgary-Fort (ND)  
Clark, Greg, Calgary-Elbow (AP)  
Connolly, Michael R.D., Calgary-Hawkwood (ND)  
Coolahan, Craig, Calgary-Klein (ND)  
Cooper, Nathan, Olds-Didsbury-Three Hills (W),  
Official Opposition House Leader  
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (ND),  
Government Whip  
Cyr, Scott J., Bonnyville-Cold Lake (W)  
Dach, Lorne, Edmonton-McClung (ND)  
Dang, Thomas, Edmonton-South West (ND)  
Drever, Deborah, Calgary-Bow (ND)  
Drysdale, Wayne, Grande Prairie-Wapiti (PC),  
Progressive Conservative Opposition Whip  
Eggen, Hon. David, Edmonton-Calder (ND)  
Ellis, Mike, Calgary-West (PC)  
Feehan, Hon. Richard, Edmonton-Rutherford (ND)  
Fildebrandt, Derek Gerhard, Strathmore-Brooks (W)  
Fitzpatrick, Maria M., Lethbridge-East (ND)  
Fraser, Rick, Calgary-South East (PC)  
Ganley, Hon. Kathleen T., Calgary-Buffalo (ND)  
Gill, Prab, Calgary-Greenway (PC)  
Goehring, Nicole, Edmonton-Castle Downs (ND)  
Gotfried, Richard, Calgary-Fish Creek (PC)  
Gray, Hon. Christina, Edmonton-Mill Woods (ND)  
Hanson, David B., Lac La Biche-St. Paul-Two Hills (W),  
Official Opposition Deputy House Leader  
Hinkley, Bruce, Wetaskiwin-Camrose (ND)  
Hoffman, Hon. Sarah, Edmonton-Glenora (ND)  
Horne, Trevor A.R., Spruce Grove-St. Albert (ND)  
Hunter, Grant R., Cardston-Taber-Warner (W)  
Jansen, Sandra, Calgary-North West (ND)  
Jean, Brian Michael, QC, Fort McMurray-Conklin (W),  
Leader of the Official Opposition  
Kazim, Anam, Calgary-Glenmore (ND)  
Kleinsteuber, Jamie, Calgary-Northern Hills (ND)  
Larivee, Hon. Danielle, Lesser Slave Lake (ND)  
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)  
Loewen, Todd, Grande Prairie-Smoky (W)  
Loyola, Rod, Edmonton-Ellerslie (ND)  
Luff, Robyn, Calgary-East (ND)  
MacIntyre, Donald, Innisfail-Sylvan Lake (W)  
Malkinson, Brian, Calgary-Currie (ND)  
Mason, Hon. Brian, Edmonton-Highlands-Norwood (ND),  
Government House Leader  
McCuaig-Boyd, Hon. Margaret,  
Dunvegan-Central Peace-Notley (ND)  
McIver, Ric, Calgary-Hays (PC),  
Leader of the Progressive Conservative Opposition  
McKittrick, Annie, Sherwood Park (ND)  
McLean, Hon. Stephanie V., Calgary-Varsity (ND)  
McPherson, Karen M., Calgary-Mackay-Nose Hill (ND)  
Miller, Barb, Red Deer-South (ND)  
Miranda, Hon. Ricardo, Calgary-Cross (ND)  
Nielsen, Christian E., Edmonton-Decore (ND)  
Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (W),  
Official Opposition Whip  
Notley, Hon. Rachel, Edmonton-Strathcona (ND),  
Premier  
Orr, Ronald, Lacombe-Ponoka (W)  
Panda, Prasad, Calgary-Foothills (W)  
Payne, Hon. Brandy, Calgary-Acadia (ND)  
Phillips, Hon. Shannon, Lethbridge-West (ND)  
Piquette, Colin, Athabasca-Sturgeon-Redwater (ND)  
Pitt, Angela D., Airdrie (W),  
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Renaud, Marie F., St. Albert (ND)  
Rodney, Dave, Calgary-Lougheed (PC),  
Progressive Conservative Opposition House Leader  
Rosendahl, Eric, West Yellowhead (ND)  
Sabir, Hon. Irfan, Calgary-McCall (ND)  
Schmidt, Hon. Marlin, Edmonton-Gold Bar (ND)  
Schneider, David A., Little Bow (W)  
Schreiner, Kim, Red Deer-North (ND)  
Shepherd, David, Edmonton-Centre (ND)  
Sigurdson, Hon. Lori, Edmonton-Riverview (ND)  
Smith, Mark W., Drayton Valley-Devon (W)  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Sucha, Graham, Calgary-Shaw (ND)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Taylor, Wes, Battle River-Wainwright (W)  
Turner, Dr. A. Robert, Edmonton-Whitemud (ND)  
van Dijken, Glenn, Barrhead-Morinville-Westlock (W)  
Westhead, Cameron, Banff-Cochrane (ND),  
Deputy Government Whip  
Woollard, Denise, Edmonton-Mill Creek (ND)  
Yao, Tany, Fort McMurray-Wood Buffalo (W)

#### Party standings:

New Democrat: 55

Wildrose: 22

Progressive Conservative: 8

Alberta Liberal: 1

Alberta Party: 1

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Shannon Dean, Law Clerk and Director of House  
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Trafton Koenig, Parliamentary Counsel

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Chris Caughell, Deputy Sergeant-at-Arms

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Gareth Scott, Assistant Sergeant-at-Arms

## **Executive Council**

|                       |  |
|-----------------------|--|
| Rachel Notley         | Premier, President of Executive Council  |
| Sarah Hoffman         | Deputy Premier, Minister of Health   |
| Shaye Anderson        | Minister of Municipal Affairs  |
| Deron Bilous          | Minister of Economic Development and Trade   |
| Oneil Carlier         | Minister of Agriculture and Forestry   |
| Joe Ceci              | President of Treasury Board and Minister of Finance                                      |
| David Eggen           | Minister of Education  |
| Richard Feehan        | Minister of Indigenous Relations   |
| Kathleen T. Ganley    | Minister of Justice and Solicitor General  |
| Christina Gray        | Minister of Labour,<br>Minister Responsible for Democratic Renewal                       |
| Danielle Larivee      | Minister of Children's Services  |
| Brian Mason           | Minister of Infrastructure,<br>Minister of Transportation                                |
| Margaret McCuaig-Boyd | Minister of Energy   |
| Stephanie V. McLean   | Minister of Service Alberta,<br>Minister of Status of Women                              |
| Ricardo Miranda       | Minister of Culture and Tourism  |
| Brandy Payne          | Associate Minister of Health   |
| Shannon Phillips      | Minister of Environment and Parks,<br>Minister Responsible for the Climate Change Office |
| Irfan Sabir           | Minister of Community and Social Services  |
| Marlin Schmidt        | Minister of Advanced Education   |
| Lori Sigurdson        | Minister of Seniors and Housing  |

**STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA**

**Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Mr. Coolahan  
Deputy Chair: Mrs. Schreiner

|       |           |
|-------|-----------|
| Cyr   | McKitrick |
| Dang  | Taylor    |
| Ellis | Turner    |
| Horne |           |

**Standing Committee on Alberta's Economic Future**

Chair: Mr. Sucha  
Deputy Chair: Mr. van Dijken

|             |           |
|-------------|-----------|
| Carson      | McPherson |
| Connolly    | Orr       |
| Coolahan    | Piquette  |
| Dach        | Schneider |
| Drysdale    | Schreiner |
| Fitzpatrick | Taylor    |
| Gotfried    |           |

**Standing Committee on Families and Communities**

Chair: Ms Goehring  
Deputy Chair: Mr. Smith

|           |          |
|-----------|----------|
| Aheer     | Miller   |
| Drever    | Pitt     |
| Hinkley   | Rodney   |
| Horne     | Shepherd |
| Jansen    | Swann    |
| Luff      | Yao      |
| McKitrick |          |

**Standing Committee on Legislative Offices**

Chair: Mr. Shepherd  
Deputy Chair: Mr. Malkinson

|              |            |
|--------------|------------|
| Drever       | Nixon      |
| Ellis        | Pitt       |
| Horne        | van Dijken |
| Kleinsteuber | Woollard   |
| Littlewood   |            |

**Special Standing Committee on Members' Services**

Chair: Mr. Wanner  
Deputy Chair: Cortes-Vargas

|         |           |
|---------|-----------|
| Cooper  | Nixon     |
| Dang    | Orr       |
| Jabbour | Piquette  |
| Luff    | Schreiner |
| McIver  |           |

**Select Special Ombudsman and Public Interest Commissioner Search Committee**

Chair: Mr. Shepherd  
Deputy Chair: Mr. Malkinson

|              |            |
|--------------|------------|
| Ellis        | Pitt       |
| Horne        | van Dijken |
| Kleinsteuber | Woollard   |
| Littlewood   |            |

**Standing Committee on Private Bills**

Chair: Ms McPherson  
Deputy Chair: Connolly

|              |              |
|--------------|--------------|
| Anderson, W. | Kleinsteuber |
| Babcock      | McKitrick    |
| Drever       | Rosendahl    |
| Drysdale     | Stier        |
| Fraser       | Strankman    |
| Hinkley      | Sucha        |
| Kazim        |              |

**Standing Committee on Privileges and Elections, Standing Orders and Printing**

Chair: Ms Fitzpatrick  
Deputy Chair: Ms Babcock

|          |            |
|----------|------------|
| Carson   | Loyola     |
| Coolahan | McPherson  |
| Cooper   | Nielsen    |
| Ellis    | Schneider  |
| Goehring | Starke     |
| Hanson   | van Dijken |
| Kazim    |            |

**Standing Committee on Public Accounts**

Chair: Mr. Cyr  
Deputy Chair: Mr. Dach

|             |           |
|-------------|-----------|
| Barnes      | Malkinson |
| Fildebrandt | Miller    |
| Fraser      | Panda     |
| Goehring    | Renaud    |
| Gotfried    | Turner    |
| Littlewood  | Westhead  |
| Luff        |           |

**Standing Committee on Resource Stewardship**

Chair: Loyola  
Deputy Chair: Mr. Hunter

|              |           |
|--------------|-----------|
| Babcock      | Loewen    |
| Clark        | MacIntyre |
| Dang         | Malkinson |
| Drysdale     | Nielsen   |
| Hanson       | Rosendahl |
| Kazim        | Woollard  |
| Kleinsteuber |           |

## Legislative Assembly of Alberta

9 a.m.

Wednesday, May 17, 2017

[The Speaker in the chair]

### Prayers

**The Speaker:** Good morning.

Hon. members, let us pray or reflect, each in our own way. Allow us to embrace a discovery. Let us search for new solutions and new opportunities, reaching beyond what we think is possible. We must not limit ourselves. We must not restrict the possibilities. We must believe that through co-operation and community anything can be accomplished.

Please be seated.

### Orders of the Day

#### Government Bills and Orders

##### Third Reading

##### Bill 8

##### An Act to Strengthen Municipal Government

[Adjourned debate May 16: Ms Kazim]

**The Speaker:** The Leader of the Official Opposition. Good morning.

**Mr. Jean:** Good morning and thank you, Mr. Speaker. I appreciate the opportunity to speak to Bill 8 at third reading. I want to begin by offering my thanks to my colleague from Livingstone-Macleod for providing my input, my comments for the record at the Committee of the Whole stage. I appreciate that, and I know that with his help we have been able to come up with some amendments and proposed amendments and, actually, to overcome some of the challenges that have been identified to inspire stakeholders, in particular municipalities, in relation to this bill.

I do share his disappointment that the government saw fit to reject both of his amendments, however, because I think that they were reasonable and thoughtful and certainly reflected some of what we've heard in discussions with municipalities and members of municipal governments across Alberta. What they told me was that they wanted predictability and flexibility, not all municipalities because, obviously, some are more mature in their development and also their population growth and some of the demands that they've needed over the years. The provincial government, frankly, in the past has provided some of those areas with more stable, predictable, long-term funding, and they've been able to as a result control some of their tax base and their ratios on taxes.

Now, Mr. Speaker, my Wildrose colleagues and I have long been proud advocates for municipal governments, and of course we have proposed many things, including the 10-10 infrastructure plan, which we believe gives stable, long-term funding to municipalities. We've also proposed some other municipal government suggestions that would strengthen municipalities. It's always our purpose in the Wildrose to strengthen municipal governments because they're closer to the people and they make better decisions, in my opinion, with the people's money.

Also, long term they are more accountable to the people and more instantly are able to deal with the needs and demands as well as to reflect at the ballot box what the people of that constituency or municipality want. We understand that when you empower local municipalities and provide them with resources that they need, they

flourish and, in turn, Mr. Speaker, Albertans flourish. That's what it's all about here, to serve the people of Alberta and make sure that they are provided with the opportunity to have greatness in their lives as they see fit for their lives.

When it comes to Bill 8 specifically, I have been clear about my position from the beginning. There are a lot of good things in this legislation, Mr. Speaker, a lot of things that I actually support and have been advocating for for years. I think it's important also to give stability and predictability to industry and to corporations as well and, most importantly, to the citizens of Alberta, the everyday Albertans that pay their taxes, pay their dues, and want their government to simply stick up for them when they ask.

The bill's title, An Act to Strengthen Municipal Government, is, I think, well deserved. As I said, many of the proposed amendments will indeed strengthen municipal governance in our province. Of course, that is a very good thing because if we strengthen the municipal governments, we will strengthen, ultimately, the accountability to the people of Alberta, and I believe better government will happen as a result.

Unfortunately, however, providing absolutely no details whatsoever and leaving it completely up to ministerial discretion regarding when a municipality that exceeds the 5 to 1 tax ratio will be expected to become compliant are not things I can support. Mr. Speaker, this gives, I believe, the absolute opposite effect than what the Federation of Canadian Municipalities asked for from our government and previous governments, federal governments, regarding predictability, stability, long-term understanding of what the result of this bill will be in regard to the ratio.

You might be asking yourself: why am I so hung up on the 5 to 1 ratio? Why am I prepared to vote against an entire bill full of good ideas – and they are good ideas – that actually strengthen municipal governments and support municipal governments all across Alberta? Well, the answer is simple: because I want every Albertan to experience the amazing life I've had in Fort McMurray. I've lived there 50 years, Mr. Speaker. It's been fantastic. Two blocks away from my home of over 20 years, before it was burned down, I would be able to take my kids and my family out fishing in the morning and actually, in 15 minutes, be able to catch some fish and have them on the banks of the Clearwater. Now, that's not important to everybody, but it is important to me. I do believe that the lifestyle that I've had has been incredible.

I do think Fort McMurray is the greatest place in the world. Certainly, Alberta is. I've had the honour of representing the Wood Buffalo region, including Fort McMurray, for 12 years, both federally and provincially, and I've lived in the community since 1967. I have spent the greatest years of my life in Fort McMurray. Great memories, Mr. Speaker, and I do see that being a challenge today, being able to continue, especially under the uncertainty that this act brings to the stability and the long-term predictability of taxes.

Mr. Speaker, I'm going to say it a couple of times in my speech, but this has the possibility and, I believe, the likelihood of the minister being able to bring in ramifications that are, frankly, unaffordable. Right now we pay, in Fort McMurray, municipal taxes. The citizens of Fort McMurray pay municipal taxes that are comparable to Edmonton's and Calgary's for the same home, yet because of this change and because of the neglect of previous governments with Fort McMurray and the huge growth rate, the expansion by over 120 per cent over the last decade or so, we have had challenges that most communities don't have, mature communities. We've grown, as you know, from 1,700 people in 1967 to 100,000 people just two years ago and now a few less than that, about 82,000, I understand. There are a ton of challenges.

Mr. Speaker, I know that although our birthplace does leave a mark on us, the place where we are raised, I believe, makes a permanent mark on your soul, your family, and your future. It creates the foundation which builds who we are.

The opportunity of our municipal taxes, which are currently competitive with the rest of the province, seeing a 300 per cent increase, Mr. Speaker, in just five years I believe is unconscionable. It certainly, from what I've read in the notes from the government, seems to definitely be within the realm of possibility, which means that the people of Fort McMurray, notwithstanding that they have seen devastation there in just the last year, will be subject to a 300 per cent increase in their tax rate. I would suggest that that will encourage people to move out of town.

I don't want to be the doom and gloom person. I do believe that Fort McMurray, as I mentioned, and that area, northern Alberta, northeastern Alberta, is the greatest place in the world, as, I would hope, anybody that was raised there thinks. But it is going to present a lot of challenges, and right now we have more than enough challenges.

That's why I'm asking for predictability and stability and knowing what's going to happen long term. I want to talk about Fort McMurray in 20 years. I'd like to make it 50 years, Mr. Speaker, maybe even 100; that would be so nice. But I'd like to talk about Fort McMurray not in the way it was and how it was the economic engine of Canada, how it was providing so much tax base and so many riches to the people of Canada and Alberta. I don't want to talk about "was." I want to talk about "is," and I can't talk about "is" if nobody lives there, if people fly in and fly out, they stay at the camps, they don't contribute to the community. Everybody here is part of a community, and I want my community to thrive, flourish. I want people to be proud of it.

Mr. Speaker, we've lost over 2,000 homes. Some people put the estimate as high as 2,600 homes. At a time when our tax base is shrinking and people are earning a lot less money, we're seeing an increased cost of 300 per cent, possibly, and that's why I can't in good conscience support this bill. That's why I've asked the government and why our amendments suggested that we do what municipal leaders have suggested we do, and that is, for those municipalities that exceed the 5 to 1 ratio, to put forward an opportunity for them to know how it's going to lay out in the future so they can adjust accordingly before we vote on this bill, not afterwards.

#### 9:10

I'm not going to take up a lot of time, Mr. Speaker. I think everybody knows where I stand on this bill and why I want to vote against it, notwithstanding that there are some incredible parts to it.

I would support the bill if they just moved to a different time frame to implement this and gave the certainty and predictability to the municipalities. It doesn't, Mr. Speaker, just matter to my municipality; it matters to 19 other municipalities across Alberta. They're not just in northern Alberta; they're all over Alberta. I believe that many of these municipalities don't even understand at this stage the large ramifications for their tax base and ultimately the ability of their community and their citizens to thrive.

I simply can't go back to Fort McMurray and look the residents in the eyes – many of them lost everything they had, including, Mr. Speaker, some without any adequate insurance – and tell them not to worry, that they can trust this government to bring forward predictable, balanced, sustainable legislation and regulation, that will support them and not encourage them to move out of Fort McMurray, that won't double, triple, or even do worse over a very short period of time just because they said so. That's why we need governments that bring forward predictable, long-term legislation

based upon proper accountability mechanisms and that make sure they listen to the people and do what the people ask.

That's why the consultation process is so important for any government. Without the legitimacy of consultation with the people, I don't think you have the right to govern and certainly not the right to bring forward legislation that is going to impose dramatic costs and a change of lifestyle on the people that have lived in northern Alberta for so long or on any community, Mr. Speaker, any of the 19 municipalities across Alberta. After the year many of the residents have survived, they certainly need stability, predictability, need to know that this government is on their side and has their backs.

I'm also one that believes that we need to give the same ability to businesses to have long-term projections and know what their costs will be going forward. Mr. Speaker, we know that it's going to be less. Why not just have the ability to move that over a greater period of time so people have more flexibility to get to the point where they have to be, ultimately, with this government?

For that reason, Mr. Speaker, I will be voting against Bill 8 at third reading. I think my community is depending on me, as all municipalities that are going to be affected by this legislation are. They want predictability, they want stability, and they want to know long term what they are facing because they have to make those decisions for their lives. Many people within my community and the 19 others across this province will have their personal lifestyle and quality of life affected by these changes by this government.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, are there any questions or comments under 29(2)(a)? The Government House Leader.

**Mr. Mason:** Thanks very much, Mr. Speaker. I just had a question for the hon. member relating to his comments about municipalities. I appreciated those comments. He talked about the importance of municipalities being independent, being able to determine their own futures, that they were more accountable to the people. He was supportive of the FCM position with respect to predictability and autonomy of municipalities as well, I assume.

But on Monday afternoon during question period one of his members asked me some questions about the green line issue in Calgary – it was the Member for Calgary-Foothills – in which he demanded that we intervene to tell the city council what to do with respect to the green line. I'm just wondering if he supports the position that was taken by the Member for Calgary-Foothills, that the provincial government should overrule the city of Calgary when it comes to the design and so on of the green line, and whether or not he feels that's consistent with the principles that he's just stated.

**Mr. Jean:** I thank the member for the question, Mr. Speaker. As you know, there are only really three levels of government in Canada. One is the federal government. The others are the provincial government and, of course, aboriginal government. As such, the municipal governments are actually under the purview of the province, and although this government, the NDP government, might try to download as many decisions on them as possible, the truth is that they are ultimately responsible for all of these changes because it's called the Municipal Government Act, and that means the authority rests with this minister and with this government.

I do believe that decisions closer to the people are better decisions, but that doesn't mean consultation does not have to be on the wide breadth of all Albertans. Mr. Speaker, this is being funded, in part, by the people of Alberta, from all across Alberta. Much like the federal model of tripartite involvement – municipality, province, and the federal government – I would

suggest that it would be no different in this particular case. I do believe that we have to have something that this government has been missing, and that is consultation with the people: having the ability to talk to them, having a committee that actually hears them, and that they get to vote on those decisions. [interjections] Now, they may bicker and laugh, but we know what happened with Bill 6. Was there consultation? No. That's why we had thousands of people out on the front steps. [interjections]

**The Speaker:** Order, please.

**Mr. Jean:** Was there consultation on any of the bills they brought forward? Thirty-six days for the labour bill, Mr. Speaker: that's not consultation. That's telling people what's going to happen. This government is not a consultative government. They want to download the decisions, ultimately, onto people that they can blame in the future. They should take the responsibility that they have been elected to have and make the decisions in consultation with municipal governments and with the people of Alberta and businesses and citizens, everyday Albertans, because that's who they serve, not themselves.

**The Speaker:** Hon. members, are there any other questions or comments to the Leader of the Official Opposition under 29(2)(a)?

Seeing and hearing none, are there any other members who would like to speak to the bill?

Seeing and hearing none, I would call upon the hon. Minister of Municipal Affairs to close debate.

**Mr. S. Anderson:** Thank you, Mr. Speaker. It's truly an honour to stand here to close third reading of Bill 8, An Act to Strengthen Municipal Government, but before I do, I'd like to address some of the last member's comments. Time after time I've listened to the members of the Official Opposition fearmonger Albertans with hypothetical scenarios, and frankly I won't let the member of the Official Opposition get away with that today. Listen, these are real families. I've met some of these families, and they deserve better than what the member opposite is offering. They deserve facts, not rumours and conspiracies. Albertans deserve a better opposition, and so do the people of Fort McMurray.

I want to speak to the regulation-making authority proposed in Bill 8 for compliance with the linked tax ratio of 5 to 1. I understand there are some concerns, and I think there's been a lot of misinformation about this. During the MGA review and consultation we heard very clearly that municipalities over the 5 to 1 ratio should have to comply with the ratio. All this bill will do is provide a mechanism to set a compliance schedule. This bill changes nothing for the property tax rates in Wood Buffalo right now. No changes have been put in place in Bill 8, and no changes are imminent.

The Official Opposition has been stating that this is going to raise taxes by 300 per cent, and this is patently false. That is not the case. Let me explain this clearly to the hon. members across the aisle. We are talking about a long-term, phased approach, a phased approach that takes into account the assessment growth and capital planning of each affected municipality so that we can protect residential ratepayers and municipal services. This is a thoughtful and balanced approach. This approach is supported by both RMWB and industry, who are working together in collaboration on a solution that works for families and the economy.

Municipalities will not be asked to do this overnight. We are working with our municipal partners and industry to determine timelines that work best for them and their residents, and I'll remind the House that supporting our municipalities also means supporting the industries that their residents depend on. During this time of low

oil prices we are working to help our oil sands industry remain as competitive as possible. The bottom line is that if the oil sands aren't succeeding, Fort McMurray and other communities aren't succeeding. We're moving forward with a thoughtful and balanced approach.

**9:20**

Bill 8, if passed, gives the minister regulation-making powers in terms of timelines – just timelines – and this gives us the flexibility to ensure that communities have plenty of time to adapt. Each community is different, and that's why we will develop local solutions with the local municipalities through consultation. We can't just put through arbitrary timelines. We need to respect the diversity and needs of each community and make collaborative decisions from there. I'll say it again: nothing is imminent, and we'll continue to move forward collaboratively with the RMWB, other municipalities, and industry with a balanced approach that improves industrial competitiveness and protects residents.

Now, as I have previously said, I'm very proud to close third reading of this bill. The Municipal Government Act has been the gold standard of government consultation. This has been an ongoing process since 2012, and I want to take a second to truly thank my department staff. None of us would be here without the hard work and long hours put in by our staff, and I am certainly no exception. Without a doubt, I have the best staff in the government, and I really want to thank them for the hard work that they have put into this. It's incredible.

The MGA has been about two things all along, collaboration and consultation. We wanted to make sure that this bill encourages municipalities to work collaboratively with their neighbours to the benefit of their residents. We wanted to make sure that the voices of Albertans were reflected in this legislation, and this bill represents a lot of the ideas and feedback we received directly from Albertans during our town halls last summer in 21 communities. We wanted to make sure that this bill supported families by enabling councils to create parental leave policies for municipal councillors and to ensure that municipalities can work together towards shared services such as libraries and rec centres.

It's easy for members on both sides of the aisle to get caught up in the day-to-day politics of the Legislature, but we should never forget that at the heart of this work must be Albertans. With that, I want to end by thanking all of the Albertans who participated in our consultation and shared valuable feedback and ideas. I want to thank the members in the Assembly for thoughtful and constructive, for the most part, discussion of these amendments. I appreciate all the consideration you've given this bill, and I welcome your support of an Act to Strengthen Municipal Government.

I move that the bill be read a third and final time. Thank you, Mr. Speaker.

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

[Several members rose calling for a division. The division bell was rung at 9:23 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

|              |              |           |
|--------------|--------------|-----------|
| Anderson, S. | Jabour       | Nielsen   |
| Babcock      | Kazim        | Panda     |
| Carson       | Kleinsteuber | Phillips  |
| Clark        | Littlewood   | Piquette  |
| Cooper       | Loyola       | Renaud    |
| Dach         | Luff         | Rosendahl |

|             |            |           |
|-------------|------------|-----------|
| Drysdale    | MacIntyre  | Schreiner |
| Eggen       | Malkinson  | Shepherd  |
| Feehan      | Mason      | Sigurdson |
| Fitzpatrick | McKittrick | Smith     |
| Gotfried    | McLean     | Sucha     |
| Hinkley     | McPherson  | Sweet     |
| Hoffman     | Miller     | Turner    |
| Horne       | Miranda    | Westhead  |

**9:40**

Against the motion:

|             |           |            |
|-------------|-----------|------------|
| Cyr         | Pitt      | Taylor     |
| Fildebrandt | Schneider | van Dijken |
| Hanson      | Stier     | Yao        |
| Jean        |           |            |

Totals: For – 42 Against – 10

[Motion carried; Bill 8 read a third time]

**Private Bills  
Third Reading**

**Bill Pr. 2**

**Paula Jean Anderson Adoption Termination Act**

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mr. MacIntyre:** Thank you, Mr. Speaker. First of all, I would like to thank the members of the Standing Committee on Private Bills for the expeditious manner in which this bill was brought forward, and I'd like to thank the House for the same thing, for moving it right along. I've been in contact with Mrs. Anderson, and she wishes to extend her thanks to the House.

Mr. Speaker, I move third reading of Bill Pr. 2, Paula Jean Anderson Adoption Termination Act.

**The Speaker:** Any other members who wish to speak to the motion?

[Motion carried; Bill Pr. 2 read a third time]

**Private Bills  
Second Reading**

**Bill Pr. 1**

**Calgary Jewish Centre Amendment Act, 2017**

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Ms Kazim:** Thank you, Mr. Speaker. I move second reading of Bill Pr. 1, Calgary Jewish Centre Amendment Act, 2017.

It is my pleasure to rise in the House today to support Bill Pr. 1, Calgary Jewish Centre Amendment Act, 2017. Mr. Speaker, I'm very proud to say that as the MLA for Calgary-Glenmore it is my honour to represent the Calgary Jewish Centre, an exemplary and unique community centre in Calgary that has been serving all the individuals in our city at great length. In 1979 the Jewish community of Calgary opened the Calgary Jewish Centre, a recreational, cultural, and social facility in southwest Calgary. The Calgary Jewish Centre today and as it has been since 1979 is open one hundred per cent of the time to any and all who wish to attend and participate, Jewish or not. All programs are open to all. With this policy the Calgary Jewish Centre is a major recreational, cultural, and daycare facility in its part of the city.

Considerable work and legal planning and a petition to the Alberta Legislative Assembly to amend the Calgary Jewish Centre Act with expanded objects and a name change have brought them to the point

where they're ready, finally, to begin moving forward with fundraising towards execution. Their expansion is amazing. I have gone to this facility multiple times myself, and the amount of work they have put in and the effort to serve our communities is commendable. I have seen how it is serving all the communities, particularly in Calgary-Glenmore, in so many ways. When I talk to seniors, children, parents, whoever, they all talk very highly of the facility, and I've seen with my own eyes that the kind of events, festivals, and programs that are conducted through the facility are exceptional.

So when this bill was brought forward with the amendments for further expansion of this facility – I can't express how delighted I was to see what great work is being forwarded by the Jewish community, that is serving all the communities in our society. It was my pleasure to stand up and speak on their behalf.

In order to explain a little bit more in terms of what this expansion entails – it comes in different phases, and phase 1 consists of renovation of the existing Jewish community building and building a new, enlarged daycare facility. As we could see, the vision about having a daycare facility along with the seniors' care facility is excellent. With the existing building and its amenities as the base, including meeting rooms, recreational facilities, aquatics centre, gymnasium, the upgrades are going to be definitely very helpful to the members.

In phase 2 the focus is mostly to have a new theatre, basically to have seats that will be for up to 400 people as well as 250 people for a banquet and social function. The rest of the phases would consist of a new seniors' care centre and independent housing with a kosher kitchen in it, so that will make the facility a very unique place and very different in comparison to other facilities. Also, the aquatic facility's expansion and the gymnasium along with the Jewish day school or independent housing are something that is part of the scope of this project.

All in all, I would say that it's a very well-researched, very thorough approach with long-term vision in terms of how it is going to serve our communities, understanding the fact of how our demographics are changing over time and having that vision in terms of how our communities are going to look in the next few years. Planning something by anticipating or having foresight is excellent, and I would like to really commend the Calgary Jewish Centre for their excellent work.

I am very happy and honoured to stand up today to support this bill. Thank you very much.

**The Speaker:** Are there any other hon. members who wish to speak to Bill Pr. 1?

Hon. Member for Calgary-Glenmore, any closing comments?

**Ms Kazim:** I'm good. Thank you.

**The Speaker:** Thank you.

[Motion carried; Bill Pr. 1 read a second time]

**Private Bills  
Committee of the Whole**

[Ms Jabbour in the chair]

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

**Bill Pr. 1**

**Calgary Jewish Centre Amendment Act, 2017**

**The Chair:** Are there any questions, comments, or amendments with respect to this bill? The hon. Member for Calgary-Glenmore.



9:50

**Ms Kazim:** Thank you, Madam Chair. I would like to say that Bill Pr. 1, Calgary Jewish Centre Amendment Act, 2017, was reviewed by the Standing Committee on Private Bills and that the committee recommended that the bill proceed.

**The Chair:** Are there any further speakers to this bill?  
Seeing none, are you ready for the question?

[The clauses of Bill Pr. 1 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

### Government Bills and Orders Committee of the Whole

#### Bill 12 New Home Buyer Protection Amendment Act, 2017

**The Chair:** Any questions, comments, or amendments with respect to this bill? The hon. Member for Edmonton-McClung.

**Mr. Dach:** Thank you, Madam Chair. I'm always pleased to rise, as the members of this Assembly will know, to speak to matters relating to the real estate industry and particularly where it concerns consumer protection and the protection of the public's interest in the greatest transaction that most Albertans will undertake in their lives. It is one of the biggest financial decisions that most families or individuals will make if they're buying their property for their own principal residence or as a revenue purchase, and they deserve to be protected and have confidence that that home is being built to a high standard by builders with a good track record.

It's common knowledge throughout the province that people have suffered at the hands of builders who were not well trained or lacked the skills required to complete the construction of a particular building. It's a nightmare when that happens to a family that is expecting to have their hard-earned dollars invested in a product that's going to last 50 years, 100 years if indeed it's built to the standards that it was supposed to be built to in the first place. When that doesn't happen, as I said, it's a nightmare for that family and usually a big financial burden if not financial ruin if indeed there's no compensation available because the builder that built that home, that caused the problem, no longer exists.

This bill is a fair and balanced measure which helps both consumers and the home building industry because participants in the home building industry are the last ones who want to see unscrupulous or unworthy contractors building homes for buyers who end up getting stuck with a property that requires all kinds of renovations or ends up being unfit for habitation and costs them financially something that they can't bear.

After great consultation with industry, consumer stakeholders, municipalities, and others this bill is being brought forward today to protect consumers and to maintain the high standard of integrity that we typically see in the home construction industry, notwithstanding the fact that some builders have caused this legislation to be necessary. Now, builder licensing programs already protect about 75 per cent of Canadians. We need to be in line with the other provinces so we're not a destination for bad builders from elsewhere.

This is just one more practical way that we're making life better for Albertans, and I'm proud to be a part of a government that's focused on that, particularly when we're looking at, as I said, the largest financial transaction that a family will undertake. It's a significant undertaking. I know that when I did speak with individuals in my past life as a real estate agent, that was one of the major questions in mind. When you're talking about what you actually want to buy, do you want to look at a resale property, or do you want to look at a brand new property, that's first on the market from a builder? Whether it is a resale property or whether it was one that's now going to be your first home or the home that's first occupied by you as a purchaser, the legislation is out to protect both of those buyers, the resale buyer as well as the initial buyer of a brand new property.

Madam Chair, the signs of difficulties or problems in construction don't always occur right after the purchaser moves in. Sometimes it's a subsequent purchaser who will be the recipient of the flaws in construction in the form of perhaps mould, perhaps leaky windows, perhaps a balcony that's tilted in towards the house and accepting water that goes down the wall. It doesn't really appear till a year or two later in the form of mould or seepage. There can be any number of incidents or problems that may occur even two to three or more years after the house is built, and quite often that house has already been sold to a subsequent buyer, maybe two or three subsequent buyers over the course of those few short years. The people who initially bought that house from the builder weren't probably aware of the problems that were endemic in the flawed construction in the first place.

What we want to make sure is that we try to be proactive and prevent those flaws from occurring in the first place by ensuring that those contractors who are constructing homes for sale in this province are qualified to do so and that there's a registration mechanism to ensure that those individuals who have been found to have a track record of flawed construction are not able to set up under another name in the future and do the same thing to somebody else down the road.

Currently new-home buyers are vulnerable because there are no specific requirements to be a residential builder. This doesn't just put consumers at risk; it also damages the home construction industry because one or two bad builders can tarnish the reputation of the industry as a whole. When I would sit down with homebuyers who would be making that choice as to whether they'd go ahead and buy a brand new home from a builder or perhaps a resale home that was a few years older on the market, that choice was often clouded by fears that they would end up being stuck with a home that was built by one of those so-called bad builders.

Reputations of certain names of builders got around within the industry. Homebuyers would stay away from them if they could, but sometimes those same builders would end up naming themselves something else under a new company and continue to build homes. Quite often a homebuyer would, with that fear in mind, simply opt to buy a resale home so that they knew they were buying something that had a bit of history in it and perhaps would have been showing its flaws already after it's two or three years old. They would have some confidence that anything that was going to surface had actually surfaced.

That's one of the reasons that new-home builders certainly want to make sure that buyers have confidence in the products that the industry is putting on the market, so that the buyer will, when they're considering whether to buy a brand new home or a resale home, opt without fear for the new-home builder's product. That's something that I actually had conversations about with numerous buyers, particularly first-time homebuyers who were fearful of getting into a brand new home because they didn't want to get stuck

with something that would need remediation as a result of a construction flaw. The new legislation is supported by organizations like the Canadian Home Builders' Association, the Insurance Bureau of Canada, and the Alberta chapter of the Canadian Condominium Institute.

We've heard from homeowners, home builders, owner-builders, and renovators at targeted engagement sessions across the province. Further than that, this licensing program is partially based on the new-home buyers public registry pilot, which is helping Wood Buffalo residents during the process of rebuilding their homes and their communities in the Wood Buffalo-Fort McMurray area. Mayor Melissa Blake is also a supporter of the licensing program and has publicly stated that it promotes builder accountability and protects homebuyers.

I just want to point out, Madam Chair, that because the opposition always makes this claim that government doesn't do enough consultation, I'd like to head that off right at the start and say that we're not just wasting time listening to people complain; we are listening to engage with them and make sure that we get the legislation right.

The number of homes a company has built or typically builds in a year will have no effect on its ability to be licensed. Builder licensing is not going to have a negative impact on the trades or prevent smaller builders from entering the industry. It's not going to require owner-builders who are building their own home to be licensed. It's not going to cost taxpayers a whole bunch of money. It's going to be a fee-operated system on a cost-recovery basis. It's not going to place an unfair burden on Alberta builders. The proposed license fee is \$600 for a new application and \$500 per year for a renewal. That's the same as in British Columbia and lower than in Ontario and Quebec, where new applications are \$2,500 and \$1,000 respectively.

10:00

So the \$600 initial fee for application and \$500 for a renewal is a pretty small portion or percentage of what it costs to buy a new condo or single-family dwelling. I don't believe that we're going to see a lot of push-back from builders over this cost because when you add that into the price of a home, it's probably not going to be something that buyers would balk about if the builder decided to pass it on. Also, if the builder decided to absorb that cost, it still is something that's within the range of their ability to do given the price of homes and apartment or townhouse condominiums.

It's also considered, I would think, by the home builders as an investment in their own industry standards and reputation. It could be considered an investment in their businesses because it has the result of really making it much more difficult for unscrupulous builders to participate in the industry, and it makes it a lot easier to weed them out and prevent them from continuing to build homes after having been identified and caught out as a builder who should not be in the industry.

Madam Chair, not only has the government held constructive engagement with many builders in order to shape this bill so far; we've actually gotten their support, as I mentioned before in talking about the various stakeholders who expressed themselves positively towards this legislation. To quote the Canadian Home Builders' Association:

Alberta is looking forward to working in partnership with the provincial government on including licensing as part of the New Home Buyer Protection Act. While there is . . . plenty of work to be done, the ability to remove builders who demonstrate a proven, negative track record will be a benefit to every Albertan – including those in the industry. Our members have always been on the leading edge of the industry, including requiring warranty coverage for more than 40 years. We want to make sure that

licensing protects affordability and choice for Albertans – while also recognizing the many upstanding builders providing homes and jobs throughout the province.

That's a quote from Ryan Scott, president of the Canadian Home Builders' Association, Alberta chapter.

Madam Chair, I wish I had had this protection, this legislation in place when I was representing my buyers when they were making choices about building versus buying a resale home. It would have made the choice a lot easier, a lot more comfortable when there wasn't this added fear or cloud of fear over their decisions, when they were wondering if indeed there was a risk of themselves becoming the victims of a home builder who never decided that they would be acting in the interest of the consumer but were looking just to simply flip another home and get another one on the market and darn the consequences down the road with the buyer who would be suffering from their shoddy workmanship.

That element wouldn't now be a part of the equation should this legislation be passed. Buyers would have a much higher degree of confidence when they're deciding to go ahead with the purchase of a brand new home, and ultimately down the road the individuals whom they sell that home to will also know that there's probably a higher level of probability that the property won't have the endemic problems that we see in houses that have been built over the last couple of decades.

That would more likely be in terms of water infiltration. That is the most common issue that I've seen in the industry, particularly more than likely around windows and balconies, where in times of economic booms, when houses are under construction at a rapid rate and labour is in short supply, skilled people have to have the oversight of supervision, which they don't always get, and what results is that the techniques are not properly followed or not known. Windows get installed without proper sealant, and balconies get attached to buildings and constructed in a way that they end up having water trend towards the house instead of away from it. Eventually water infiltrates the borders of the house and the perimeters, gets inside the house, and once that happens, you've got mould issues, and that is a huge, huge problem.

Many of us have seen scaffolding around three- or four-storey walk-up buildings, even taller buildings in Edmonton, Calgary, other cities in the province, and those buildings are only half a dozen years old. It makes one wonder: what in the world is going on? These buildings are being shrouded by scaffolding, and they're undergoing major renovations, and they're only a few years old. This is quite often the result of water infiltration because of poor construction and because builders weren't skilled in what construction methods were required in order to keep water out.

This legislation will go a long way to really highlighting the fact that if you're a builder in this province, you will need to be qualified, you'll need to know what you're doing, and you'll have to make sure that the interests of those people that you are serving, those people that you're building those homes for, are protected. In the home building industry and in the resale industry as well there's a high level of pride of workmanship, but there's a percentage, a small percentage, of individual builders out there who really don't regard the public interest as something that they need to follow. It's those builders that we are targeting with this legislation here to protect the public and consumers at the point of purchase, where they first buy the home from the builder, and resale subsequently down the road.

This legislation will go a long way to protect the consumer as well as the industry and make it a much safer transaction for buyers, whether they are buying a brand new home or a resale home, because of the fact that the builders who are licensed to construct homes in this province have proper oversight and a need to be

licensed, a need to be educated to a required standard, and that indeed is what the home building industry seeks to do. There's no pride in somebody who builds a home that ends up causing problems and hardships for that buyer. It does the industry no good to have those types of players involved in the construction industry, and the Home Builders' Association and other builders and participants in the industry would be the first ones to admit that this legislation is probably a long time overdue. Given that we're going to be joining the other 75 per cent of the Canadian population, the 75 per cent who are covered already by this type of consumer protection legislation, it's high time that we did pass this.

It's not something that's going to be a large cost to consumers. The \$600 initial licensing fee, as I mentioned, or the \$500 subsequent annual fee is a good insurance for the reputation of builders. It's a reassurance to the consumers of these new homes, that they will be putting on the market for buyers to purchase, knowing that the people who constructed them were licensed, were subject to educational standards, and were members of an industry that sought to look to the long term in providing a quality product to the consumer that was going to last beyond the first purchase and go on to subsequently be homes that stand proudly and don't require a huge investment to remediate problems that shouldn't have happened in the first place.

With that, Madam Chair, I'll close my remarks and encourage all members to wholeheartedly support this legislation. Thank you.

**The Chair:** Any further questions, comments, or amendments? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Madam Chair. I have an amendment to suggest and will circulate that and await your approval.

10:10

**The Chair:** This will be known as amendment A3.  
Go ahead, hon. member.

**Dr. Swann:** Thanks, Madam Chair. This is an excellent bill that I think all Albertans will welcome. My amendment seeks to simply add a little more transparency around the background of specific builders and suggests that the public has a right to know a little more than is currently required of builders and their past history.

The New Home Buyer Protection Amendment Act, 2017, would be amended by striking out section 12 and substituting the following:

- 12 Section 9 is repealed, and the following is substituted:  
Registry  
9(1) The Registrar shall establish and maintain a registry that must include information on
- (a) licences applied for, issued, renewed, suspended, cancelled or reinstated under this Act,
  - (b) authorizations applied for, issued, suspended or cancelled under this Act,
  - (c) exemptions applied for or issued under this Act,
  - (d) claims that have been made under a home warranty insurance contract or under Part 1 of this Act,
  - (e) legal proceedings against a residential builder for structural defects, defects in materials or labour or any deficiency related to the construction of a new home,
  - (f) new homes built or under construction by residential builders, including details of the home warranty insurance contracts covering the new homes,
  - (g) new homes built or under construction by owner builders, including details of the home warranty insurance contracts covering the new homes, if applicable,

- (h) persons in respect of whom administrative penalties have been imposed or compliance orders have been issued under this Act,
- (i) persons convicted of an offence under this Act, and
- (j) any other prescribed information.

(2) A warranty provider, residential builder or owner builder must notify the Registrar when a claim is made under a home warranty insurance contract or Part 1 of this Act within 30 days after the claim is made.

(3) The Registrar shall establish and maintain an online registry accessible to the public that consists of the information in the registry, and may publicly disclose that information.

Madam Chair, it is clear that we want more public access to information. This is simply going to add to the access the public has to information about a particular builder, their history, any concerns that have been found to be warranted relating to improper or inadequate building standards, any previous actions to withhold approval to this particular builder. It will simply give public access to the information that now is not included on the current website, to allow the public themselves to make their own judgments about whether the past history of this builder is acceptable or not. I think it will simply add to the confidence that people will have in this important new legislation and give them access to more information that relates to specific builders and their past history.

Thank you, Madam Chair.

**The Chair:** The hon. Member for Banff-Cochrane.

**Mr. Westhead:** Thank you very much, Madam Chair. I'd like to thank the member for putting forward a thoughtful amendment. You know, we've just received this, so it might take some time for us to consider this. I would strongly encourage the member that if it's available to him in the future, if we can have a little more notice so that we have a bit of time to understand the ramifications of the proposed amendment. I know that the member certainly brought this forward in good faith and is attempting to improve the bill.

I guess, as we're considering this, I have some questions on whether or not the information that is being requested here could potentially be obtained elsewhere in the bill. I just want to make sure that this information isn't redundant and hasn't been captured elsewhere. You know, I'm just wondering. Reading through the section that is relevant here, it currently reads:

Section 9(1)(a) is repealed and the following is substituted:

- (a) licences applied for, issued, renewed, suspended, cancelled or reinstated under this Act,
- (a.1) authorizations applied for, issued, suspended or cancelled under this Act,
- (a.2) exemptions applied for or issued under this Act.

The amendment contemplates adding quite a bit of additional information. You know, my question to the member is: does he feel that what's currently in there is not accurately captured? What specifically is the reason for these additional items?

**Dr. Swann:** Well, indeed, this gives more information to the public. This may be knowledge that the ministry might have, but in the current bill legal proceedings that have been raised against a builder in the past aren't necessarily included, past convictions. I think consumers have a right to know what's gone on in the past, not just what's happening in the current state of affairs. This would add more information, more data, more accountability to this particular bill. It's a question, I guess, of just how much transparency is reasonable. For the homebuyer, I think, the more the better, and looking at a builder's past history and previous convictions, to me, should be part and parcel of what is available to the consumer.

Thanks, Madam Chair.

**Mr. Westhead:** Thank you for the additional information. I suppose a question that came up for me in the explanation was: would this information be retroactive, or do you contemplate this being once the bill comes into force, that this would be information that's kept moving forward from that point in time? Or would this be retrospectively looking at future convictions, future exemptions? The information you're seeking: would it be retroactive, or would it be forward looking?

**Dr. Swann:** I think that, as indicated in the details of the amendment, this should include past convictions and should be part of the record indeed if there has been a violation and a conviction around inadequate building standards or misrepresentation of building quality.

Thanks, Madam Chair.

**The Chair:** Olds-Didsbury-Three Hills.

**Mr. Cooper:** Thank you, Madam Chair. I just have a couple of quick questions for my colleague from the Liberal caucus with respect to the registry and if he feels that some of the additional requirements in the registry will have any significant impact on costs. We've seen in the past other Liberal organizations with respect to registries and ballooning costs, and I'm just wondering if that is a possibility with the additional requirements in this registry.

**Dr. Swann:** Well, Madam Chair, reliable information does cost a little more. There's no question that if you want more information and you want more reliable information and you want more disclosure, more accountability of inadequate builders, it's going to cost a little more. It takes more time, more searching, more uploading of information. Presumably, we would better protect consumers.

**Mr. Cooper:** In all seriousness, though, have you given any consideration to what those costs might be with respect to the additional information? I know I was joking around about the gun registry there, but have you considered what the additional costs might be? Perhaps the government can provide some comment around whether or not they think that the additional associated costs to the builder would be able to cover the additional pieces of information that you are also trying to include in the registration.

10:20

I do agree that having more information available to those that would like to seek it when making such an important decision is, obviously, an important goal to try to achieve. The legislation, hopefully, balances the amount of red tape associated with the bill, allowing industry to also act in a way that is helpful to industry, helpful to the consumer and to finding that balance. I don't know if the government could respond with respect to the total costs and how this may affect that, or perhaps you've considered it. In addition to adding regulations to builders already, does it tilt the balance, or do you think the balance has been struck appropriately?

**Dr. Swann:** Well, fair question. I guess that what I would say is that this new bill is going to add costs to builders. It's going to require them to upload more information about their past, especially about inadequacies in their past and violations in their past building practices. Once that is done, there would be no additional expense because the foundation has been set and they simply add each year any concerns that have been raised or found inadequate in their building.

I don't see it being a significant increase – some increase but not a significant increase – in the initial requirements based on this new

bill. The bill itself is going to require significant new information, a new website, new reporting practices and standards. Yes, it's going to cost more but not significantly more than is currently being asked for.

**The Chair:** Edmonton-McClung.

**Mr. Dach:** Thank you, Madam Chair. I just want to rise as well and make a comment, a couple of questions to the hon. member who's proposing the amendment because it does give me some concern. I'm just wondering if he has given consideration to the consequences of some of the measures that he's proposing, particularly in terms of gathering some of the information that he's proposing be registered. Some of that is readily available and could be verified quite easily. What I believe the hon. member is asking builders to do is self-report certain information that might incriminate them and that they would rather not see reported.

I don't think we can leave it up to the legislation to force builders to self-report. I think there would have to be a means of actually verifying this information; therefore, there would have to be some kind of oversight watchdog that would collect information on legal proceedings that were under way or had taken place. I'm not sure how this information would be gathered. There is certainly a huge cost to that, to raking in all this information about new-home builders. To rely upon them to self-report I think would be naive at best.

I'm concerned that this amendment doesn't really consider the ramifications of how difficult it will be to actually gather the information that the amendment proposes be registered. Therefore, I have these significant concerns about it. Perhaps the hon. member might comment on this aspect of requiring self-reporting to self-incriminate oneself and also the difficulty of gathering the information that would come from disparate sources and would require oversight, which would need a significant amount of staff, in my view, and be quite logistically difficult.

**Dr. Swann:** Well, thanks for those comments. No question that there are going to be additional costs to confirm reporting. That's also the case with the present bill. You're relying on builders to self-report into this registry as it is. The question is: do we have a reasonable and robust oversight body within the ministry to ensure that what's being reported is accurate? That goes without question. Will it involve additional searches through the law courts, perhaps, and the registered convictions? I think that's the price of accountability and transparency, and it's what consumers expect of a government, that they not only provide information to the public but verify that the information that's being put up there from whatever source is reliable and reasonable.

**The Chair:** The hon. Member for Calgary-Mackay-Nose Hill.

**Ms McPherson:** Thank you, Madam Chair. This proposed amendment refers to section 9. Now, currently this section reads in part:

9(1) The Registrar shall establish and maintain a registry that must include information on

(a) authorizations and exemptions issued or applied for under this Act.

What's proposed in Bill 12 is that section 9(1)(a) be repealed and the following substituted:

(a) licences applied for, issued, renewed, suspended, cancelled or reinstated under this Act,

(a.1) authorizations applied for, issued, suspended or cancelled under this Act,

(a.2) exemptions applied for or issued under this Act.

Now, as I understand the amendment, we have quite a number of changes. This amendment proposes:

- 9(1) The Registrar shall establish and maintain a registry that must include information on
- (a) licences applied for, issued, renewed, suspended, cancelled or reinstated under this Act,
  - (b) authorizations applied for, issued, suspended or cancelled under this Act,
  - (c) exemptions applied for or issued under this Act,
  - (d) claims that have been made under a home warranty insurance contract or under Part 1 of this Act,
  - (e) legal proceedings against a residential builder for structural defects, defects in materials or labour or any deficiency related to the construction of a new home,
  - (f) new homes built or under construction by residential builders, including details of the home warranty insurance contracts covering the new homes,
  - (g) new homes built or under construction by owner builders, including details of the home warranty insurance contracts covering the new homes, if applicable,
  - (h) persons in respect of whom administrative penalties have been imposed or compliance orders have been issued under this Act,
  - (i) persons convicted of an offence under this Act, and
  - (j) any other prescribed information.

So with that particular part it seems to me that the idea is to create, essentially, a Carfax for houses. I'm wondering if the member who introduced the amendment can explain how much consultation has gone into the development of this list with the stakeholders.

**Dr. Swann:** Well, thank you very much for the question. I've had no consultation on this. This is based on, I guess, common-sense requirements that seem applicable to all consumers who would want to know, ideally, how much has gone on in the background of a particular builder and as comprehensive a list as is possible to gather so that buyers can be aware, buyers can know as much as possible about the background of a builder and ensure that they're getting what they think they're buying.

**The Chair:** The hon. Minister of Municipal Affairs.

**Mr. S. Anderson:** Thank you, Madam Chair. Thank you to the member for the amendment. He's right. It's common sense. That's why we're making sure that this information is online. I just want to get a couple of things on the record of kind of how this is working, and then I'll speak to the registry part of it. Then we'll go from there.

In regard to the licences and suspensions and how this is going to work, the consumer protection measure will create provisions to remove or suspend bad builders from Alberta before they get hired to construct their homes. The intent is to screen for bad behaviour and patterns of behaviour, obviously, that are presenting risks to consumers. Court records will also be used to determine behaviour that represents risks. Licence issuance is for one year. A probationary licence is issued when there is inadequate builder history or when there are red flags to demonstrate a pattern of noncompliance or lack of understanding of the safety code system, and the builders will be required to complete remedial steps.

A suspended licence is based on more serious infractions and offences. Builders would be unable to build until a plan is implemented. Licence rejection is based on situations of fraud, criminal violation, substantive outstanding court actions with homeowners and contractors, which are all things that the registry will be looking at.

**10:30**

Now the appeals. All registered decisions on the issuance, suspension, or cancellation of licences will be open to appeal. Appeals will be heard by the New Home Buyer Protection Board. If a decision is made to deny, suspend, or cancel a builder's licence, this information will be provided through written notice to the builder along with the reasons why.

Now, if we get to the online registry part, as I said, we want to make sure that – the whole point of this is to make sure the information is online for the consumer. An online registry will be kept up to date for consumers, with a listing of all builders who are licensed to build. Licence status – active, probationary, suspended, provisional, as examples – will be listed as well as reasons why the decision was made in the case of a probationary or suspended licence. In addition to providing more information to homeowners to help them make informed decisions when selecting a builder, this will provide homeowners with the assurance that builders meet government criteria.

This registry will build on existing infrastructure – and that's important – that is housed and maintained within Municipal Affairs and which lists the number of homes registered in Alberta. The current new-home buyer registry has approximately 6,400 users that utilize the system daily. This infrastructure will be leveraged to ensure a seamless application process.

One might ask the question: will this be a new registry? This is not a new registry, nor is it related to registries under the purview of Service Alberta. The new-home buyer registry currently lists all homes in Alberta which have a home warranty insurance contract. This will be expanded to list information about all of the licensed builders in Alberta, including licence status such as probationary or suspended licences, to provide consumers with information about builders. This is not associated with the Association of Alberta Registry Agents but is stand-alone and maintained and housed in Municipal Affairs. So when we're talking about the cost, all of these are already in-house.

There are other examples across the country where people use in-house. Ontario is actually going to go in-house, I believe, because they agree with the way that we are going about our system. In that respect it does make a lot more sense to have that in-house. It's interlaced. It's a system that works well together with our new-home warranty system.

He's right. I mean, we need to make sure this information is out there. And that's the whole point of the – one of the points of the bill, to begin with, is to make sure that we communicate to consumers and customers out there who are building their homes what infractions they've had in the past.

As I'm looking over the amendment, I mean, I'm trying to find what isn't covered in the bill at the moment. In all honesty, my staff is trying to look at that right now, too, so that we can have a little peek at it. I would have liked a little more time. We all would like more time to look at amendments – of course, we would – but when we're looking at something that's a consumer protection bill, we want to make sure that we get the right information out there.

**Mr. Cooper:** Time is on our side. Yes, it is.

**Mr. S. Anderson:** I appreciate the singing across the way from the Member for Olds-Didsbury-Three Hills.

That's something that's very important: to make sure that we get that information out there. You know, I've heard from builders, from homeowners, from realtors, buyers that that's what they want. We started that pilot in Fort Mac just for that reason, not quite as robust as what we are thinking of implementing with this bill, but it is part of what we're doing.

As I said, I'm just trying to figure out, you know, from what I've read from the amendment in the short time that we've had this, what possibly is not in the bill right now. Hopefully, I'll have an answer pretty quickly for the member, and then I can let him know.

Yeah. I'm just kind of curious as to – I know the member probably read my bill, obviously. It was why I brought this amendment up. If he knew, obviously, that it was under Municipal Affairs already, the registry, so that the costs are going to be there – the licensing fees, the \$600 for the initial and the \$500 going forward to renew, are all going to be simply to cover the cost of the program. That's where those fees will go.

I'm just open. I know the member has read it. He's very good at what he does. Just curious if he sees any other way that there are going to be costs there above and beyond what the price of those licences are, to handle this in-house system.

**The Chair:** Other speakers to the amendment? Athabasca-Sturgeon-Redwater.

**Mr. Piquette:** Thank you, Madam Chair. Yeah. I just have some questions for the hon. member as well, specifically to the warranty and insurance reporting provisions. Just looking over the wording here, I see some, you know, potential – I'm sure quite unintentional – vagueness in the wording of the amendment, that could present some challenges for it to be fulfilled. Looking at 9(f) for the registry here: "New homes built or under construction by residential builders, including details of the home warranty insurance contracts covering the new homes." Now, it doesn't specify precisely what details of those contracts would be available to the registrar, and I would have a bit of pause on that because, I mean, there could be valid reasons, commercial reasons, where some details such as premium, that type of thing, might not actually be something that insurance companies want to disclose.

Also, you know, what are the reporting requirements for any changes in wording, and is it meant that they need to be reporting if it's valid at the time? Is there reporting needed to be done when it expires? Before even looking at that, I think you would need to – I think it would be advisable, anyway – discuss that with people in the industry to try and see just what would be reasonable and unreasonable in that circumstance and indeed how helpful that might actually be, in particular.

Also, that's a similar kind of concern I have if we look at a subsection (2): "A warranty provider, residential builder or owner builder must notify the Registrar when a claim is made under a home warranty insurance contract or Part 1 of this Act within 30 days after the claim is made." Does that mean that, you know, both parties or three parties, in a sense, to the warranty contract would have to report this claim? The company providing the warranty, the builder, perhaps the person making the claim – it doesn't specify, but at least two for sure.

Then, of course, the other question would be: when we say "after the claim is made," does that mean when a claim has been opened? Opening a claim just means that the individual has contacted the warranty provider and made a complaint, has brought up a concern. At that point it may not be a valid claim. So then the question becomes: if you have claims that are invalid, should they be recorded?

Also, should it come when a claim has actually been closed? Once a claim is open, you know, once the individual reports it, they have a certain period of time whether to decide they're going to go through with it as well. Standard? I don't know. I can't say particularly to warranty, but it could be up to two years. So the timing is kind of important and whether, you know – because having a claim opened on a warranty does not necessarily speak to

any sort of culpability, irresponsibility on behalf of the homeowner unless the claim is actually deemed to be valid and a payout was made.

It's just a lot of questions, I think, that I have on just how this is meant to work in practice. I think it's well meaning, but I would be concerned, personally, about accepting an amendment like this without having an opportunity to discuss it with the parties who would be responsible for reporting it. I just wonder if the hon. member might have some comments or a rebuttal to my concerns. I'd be very happy to hear them.

10:40

**The Chair:** The hon. Member for Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Madam Chair. I just wanted to rise to thank the Member for Calgary-Mountain View for his amendment. Very well intentioned and with some great opportunities here to clarify and, I guess, highlight some of what the minister has said that is going to be embedded into the intent and the spirit of this bill. There is, I think, an opportunity here for us to take a look at the fact that there are many different opportunities through various channels for accountability for the builders. I think that Bill 12 is a great step in new-home buyer protection, in ensuring that there are at least minimum standards met by the builder community in protection of the consumer. I think that's a good thing.

There are lots of other channels where buyers can access information, which I think is very positive: through the Canadian Home Builders' Association, or Build Calgary, as it's called now in Calgary, and also through organizations such as Better Business Bureau. Anybody who's been in the industry, as I have been, knows that there are many different ratings – Avid Ratings, J.D. Power, and HomeStars – where consumers can also go and get additional information on the builders, whether there are any issues outstanding or whether there's a trend towards not meeting the needs of the consumers and their purchasers.

I think there is some great intent here. Again, as the minister has said, his staff is looking through to ensure that these are items and issues that are covered. But I do thank again the member for his intent in looking at some of these.

Again, having been in the industry, I think one of our greatest protections for the consumer is the fact that we have a highly competitive industry, where we have very good quality builders, not just the large ones but the medium-sized and the smaller ones. But we do have to ensure that there is protection and a level of expertise and a level of accountability to the consumer within those. I'm hopeful that that is what will bear fruit with this bill as we move forward.

I again thank the member for his intent on that. I thank the minister for ensuring that these protections are in there for the consumer and the fact that this is, I think, a great opportunity for us to work with industry and to ensure that the government is there and also to ensure that we find the most efficient ways for us to move forward in terms of providing that homebuyer protection.

Thank you, Madam Chair.

**The Chair:** Any other speakers to the amendment? Bonnyville-Cold Lake.

**Mr. Cyr:** Yes. I would also like to thank the member for taking the time to put an amendment forward. Reading through this amendment actually brought up a concern that I hadn't thought of until now, and I'm sure that the minister has probably already dealt with this. Should we put forward all this information on licensing that is being, I guess, detailed by the minister and let's say, for instance, that government isn't efficient in getting all of this

information onto the website or into the type of vehicle that the government is trying to get this information out to the consumer and let's say, for instance, that a consumer uses that outdated information to purchase a house, will there be liability for the Alberta government because of that information not being updated? If it's in there, I apologize; I must have just missed it when I glanced through the bill. In this case here, obviously, our liability would be a lot higher if we had a lot more stuff within the requirement to bring forward information to the consumer.

The next one is one of the concerns that I brought forward already. It seems that there is going to be a lot of work, if you will, to bring this forward in a way that – it maybe seems that there's going to be a lot of work involved with implementing this. Has the minister brought forward a line item that he can reference in his budget that will show this extra work to get this moving forward so that we don't end up in March of next year with a supplementary budget for an extra \$50 million to create a program? As our Opposition House Leader has stated, when these programs start, a lot of times we say that, well, it's going to cost \$500,000 or \$1 million to implement, but it ends up being \$150 million or \$200 million. Has the minister got this as a budget item? There's obviously going to be some upfront work to make this happen.

Also, I heard the minister say when he was talking that Service Alberta will not be involved in this process. I may have misunderstood that, but how can Service Alberta not be involved in this process if it is in charge of all the registration of land titles, if you will? Will we be putting a lot of burden on the Service Alberta department that is unforeseen? Will Service Alberta end up going for supplementary supply, if you will, when it comes time for implementing this because they're going to have to bring forward some sort of mechanism to, I guess, flag or move this transition information from registry services into Municipal Affairs?

I would love to hear some thoughts from the Minister of Municipal Affairs regarding some of my concerns.

**Mr. S. Anderson:** I will read the registry stuff for you again because the reason why Service Alberta is not involved in this part is because it's not their registry that's being used. It's not a new registry, nor is it related to registries under the purview of Service Alberta like drivers' licences, birth certificates, et cetera. The new-home buyer registry currently lists – so it's existing. There's already a new-home buyer registry under my ministry that lists all homes in Alberta which have a home warranty insurance contract. This will be expanded to list information about all licensed builders in Alberta, including licence status, et cetera. That is not associated with the Association of Alberta Registry Agents. It's a stand-alone registry that will be maintained and housed within Municipal Affairs. That's why I say that it's in-house; it's there.

When you're talking about the line item in the budget, it's staff that have been reallocated from other projects that we used for this already. It's people that are already in our ministry that we're using, so there are no issues there. And the licensing fees would cover any of the additional costs that are involved in that. So all that's there. If there's any, you know, really fine detail that I can get the member if he has any questions, I can certainly get that for him.

On to the amendment. As I said before, you know, a lot of these changes that we're talking about here are already under this bill and in the regulations for the New Home Buyer Protection Act. We are planning and we do have more work to do on the consultation and the rollout with our stakeholders, and all of the stakeholders that have been involved in this are all onside, whether it be CHBA, the Condominium Institute, small builders, consumers, realtors, things like that.

I do appreciate the member's amendment, and I appreciate the thought he's put into it. But, to be honest, without some further consultation going forward, as we've promised these stakeholders, unfortunately I will have to be voting it down. But I do appreciate, as I said, the member's time and effort, and I hope that he comes forward with some more information and is willing, if he has any more ideas, to bring those forward and work with us on this because this is a nonpartisan issue. This is something that helps consumers in Alberta. I think it's a good thing that we can all work on.

So I appreciate it, but unfortunately I will have to be voting that down. Thank you.

**The Chair:** Any other hon. members wishing to speak to A3? Bonnyville-Cold Lake.

**Mr. Cyr:** Yes. I did ask a question about liability, if that was a part of this as well. That is a concern.

I also heard that you're going to be reallocating staff within Municipal Affairs. How exactly is it that we're going to have this additional staff be moving around, Minister, when you've got the MGA, that has actually been reviewed, and we've made some significant changes to your department? Do you feel that it's reasonable to assume that suddenly you're going to be freeing up staff when it appears that you're actually going to be allocating staff to making sure that the new recommendations for the MGA legislation are going to be instituted?

Specifically, I guess for myself it would be that ICFs would be in play. We have a lot of these big-piece items that I'm sure you're working through as we speak. How exactly is it that you're going to be moving staff to get through to this department without adding extra cost and coming to us for a supplementary increase in the spring?

10:50

**Mr. S. Anderson:** The liability question: that's a little more detail that I'll have to get for you just to make sure that the nuances are worked out.

The reallocation part is because there are programs that – I mean, my ministry is pretty big. There's a lot of staff in there. Not everybody is working on the MGA just because it's the second-biggest piece of legislation around. There are some programs that are coming to fruition, and we are going to use those staff that would have been moved into other programs and things like that. That's where we're doing that. There are just simply staff that are coming to the end of certain projects or things that they were working on, so then they'll be transitioned into this. That's simply all it is for that.

**Mr. Cyr:** I'm sorry. I just want to clarify that in the spring we're not going to see a line item that specifically says that it's additional staff for the MGA or for instituting this program or programs that you didn't anticipate to stop, just to be clear on the record.

**Mr. S. Anderson:** I'll answer the question again and say that we are reallocating staff that have their projects ending. I'm not going to look to the future and make assumptions and do hypotheticals on what's going on. I don't think that would be fair to anybody. What I am saying is that staff are reallocated in my ministry and aren't affecting any of the budget in my ministry.

**The Chair:** Any further speakers to amendment A3?

Seeing none, are you ready for the question?

[Motion on amendment A3 lost]

**The Chair:** Back on the main bill, the hon. Member for Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Madam Chair. I rise today to table an amendment to Bill 12, New Home Buyer Protection Amendment Act, 2017. I have the requisite number of copies here for the chair.

**The Chair:** This will be amendment A4.  
Go ahead, hon. member.

**Mr. Gotfried:** Thank you, Madam Chair. I move that Bill 12, New Home Buyer Protection Amendment Act, 2017, be amended in section 8 in the proposed section 4.1(1) by striking out “The Registrar may, on application, issue a licence to a residential builder if” and substituting “On receipt of an application and within 30 days of a residential builder satisfying the requirements under this section, the Registrar shall issue a licence to a residential builder if.”

Madam Chair, this is a relatively simple amendment which I think provides some degree of certainty and additional clarity for builders applying for licences. The current wording of this section allows the registrar latitude to not issue a licence even if all requirements are met. I’m going to assume that this is not the intent of this section, and we are suggesting and seeking support to amend the wording to ensure a greater level of certainty for applicant builders and to ensure we do not create any unintentional barriers to conducting their business, investing in and building communities, and creating jobs.

Further, adding “within 30 days” of all the requirements being met in addition to changing the “may” to “shall” ensures that decisions on licence applications are made in a timely manner and, again, are not impeding much-needed economic activity and job creation. This amendment simply gives clarity with some certainty in timing for builders by allowing them to know within 30 days if they will or will not receive a licence. This also gives the builder the ability to quickly meet any shortcomings of their application or to begin any additional training deemed necessary by the registrar.

I would encourage all members to support this amendment and thank the minister for his kind consideration and, hopefully, his endorsement. Thank you.

**The Chair:** Any other speakers to amendment A4? The hon. Minister of Municipal Affairs.

**Mr. S. Anderson:** Thank you, Madam Chair. Yeah. Thank you to the member for the amendment. These are the types of things that I’m talking about when we’re working together on a bill that I think is beneficial to all consumers out there. What this bill does, obviously, is that it protects consumers.

I know that the member opposite has experience in the industry. What I’m curious about is that he’s brought amendments to me before, that were pretty good, and unfortunately we had to vote them down. But I’m curious on this one about when he’s talking about substituting in the bill here the “shall” and the “may” and these types of things, and he’s putting in the 30 days. Does he think that it’s going to take away flexibility from the registrar? For example, there is a builder that through no fault of his own can’t get the information in time from, say, a broker or somebody like that. You know, that’s just an example. Does he think that it would bog things down and that, unfortunately, there might be a little bit too much red tape in that sense and a lack of flexibility for that registrar to say, “I understand what your situation is. You need three more days, four more days,” whatever it is? I’m just kind of curious if that’s something that he’s considered while looking at bringing this amendment forward.

Thank you.

**The Chair:** Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Madam Chair, and thank you to the minister for his request for clarification. Minister, that actually is not going to be one of the challenges of this amendment because it says, “Within 30 days of a residential builder satisfying the requirements under this section.” In fact, my comments earlier about giving them a chance to meet those requirements were actually not entirely correct because what this is saying is that they have met all of the requirements.

All it says is that if the registrar has said that you’ve met all the requirements, you’ve checked all the boxes here, you have met both the paperwork and the financial and also the background checks or funding or financing that may be required within your more detailed regulations – if those are met, that decision then has to be made within 30 days.

It’s really just for someone who has taken the time. They may have gone back and forth already with the registrar’s office to meet those requirements, but once they have satisfied those requirements to the satisfaction of the registrar, that decision has to be made within that 30-day period to give them some certainty in moving ahead with their business.

Thank you, Madam Chair.

**The Chair:** Any other speakers to amendment A4? The hon. minister.

**Mr. S. Anderson:** Thank you, Madam Chair. Unfortunately, that’s not the way that I’m reading this right now. I understand where the member is trying to come from here. To be honest, I think this might have unintended consequences, and that’s where my worry has been all along. I think that if there is a situation that could arise, possibly where a builder application is rejected, that because of these delays, the builder would have to reapply and repay the fee, which is something that I don’t want. We want to avoid this.

I think the concern over administrative burdens is plausible. You know, we are aware of this and of those and manage on the principle of not creating unintended bureaucratic roadblocks to homeowners and builders. Nobody wants bureaucratic roadblocks and red tape. That’s something we really want to avoid.

Unfortunately, I think that this might create unintended impact contrary to the principles that we’re going for here. I think that in the event of a processing backlog we will actually be able to work with the permit issuer so that construction isn’t delayed because of processing delays. You know, that would include issuing a provisional licence. So there are those options there. Also, if they meet the requirements, it wouldn’t take 30 days. So I don’t think that this is needed, to be honest, and I think it might actually . . .

11:00

**Mr. Cooper:** But you’re not sure.

**Mr. S. Anderson:** I am sure. I am sure.

I don’t think it is needed. I am sure that it isn’t needed, so I will be voting it down, unfortunately. But I do appreciate that this member always brings good amendments forward to me, and he’s always willing to work together on this. It’s great that he does that, and I very much appreciate that. Yeah. Unfortunately, I think it might tie our hands a little bit too much, so I will be voting it down.

**Mr. Gotfried:** Madam Chair, again, thank you to the minister for his comments. I think what we’re asking for in this amendment, really, is to ensure that there are no undue delays. I mean, in embedding this in the legislation, what we’re doing is ensuring that we don’t get a backlog, that we have no excuses in allowing the



private sector – they’ve met the requirements and have satisfied the requirements under this section, so everything that the minister has put into place is met. I guess, when we look at this: is there a situation here where due to a backlog – a builder is applying. They meet all the requirements. There is nothing outstanding with respect to their application, so we’re not talking about a rejection. We’re not talking about anything like that. We’re talking about a situation where a builder has checked all the boxes, has met all the requirements.

It would be my suggestion that we have a responsibility to the private sector, to the builders, and to their customers as well to ensure that we do not have undue delays, and I think that 30 days is a reasonable amount of time if the system is efficient and the processes are put in place. Again, the builder maybe has gone back and forth several times, but they’ve met all the requirements. They are hoping to build homes either on a speculation basis to sell, or they have a client who is anxious to get building.

The other part of that, of course, is that if we hold it up, we are holding back economic activity, we are holding back the creation of jobs, we are holding back stimulation within the economy, where, again, we’ll assume that there is demand for that housing or need for that housing.

This, Minister, could be some of the not-for-profit groups that we’re dealing with as well. This could be Habitat for Humanity applying for a licence. It could be other nonprofit groups that are trying to step in. It could be people trying to work with those other groups or build affordable housing as well.

I think that that certainty of meeting all the requirements – and we’ve had this, Minister, in some other legislation, where we changed a “may” to a “shall,” and those were graciously accepted, in fact, by the minister of economic development, which then held the ministry and your department accountable to the people that we’re serving to make sure that we do not cause undue delays in the processing and approvals for them to move ahead in conducting their business.

I think therein lies the intent of this, and I hope that not only the spirit but the intent and the wording of this, to ensure accountability from your ministry and your department and your staff, is that if everything is met, there will not be undue delays beyond that 30-day period. What happens if it stretches out to six months? I mean, that person may end up being out of business. The person who has contracted them to build their home has said: “Sorry, I can’t wait. I’m moving on. I’m going to find somebody else.” Again, I think we’re trying to ensure that there are not undue barriers to entry into a marketplace.

I was talking with the Home Builders’ Association. I think that they’ve got about 400 registered members across the province. In fact, I think from information that they got from your department, there are actually about 4,000 builders in Alberta, so many of them are not large builders. They’re not a part of the bigger associations. It’s very important, I think, that we allow that economic activity, that entrepreneurial spirit to occur within Alberta without undue delay.

I would again implore the minister and the members to support this amendment to ensure that we do not cause barriers or undue delays to economic activity during difficult times. Thank you, Madam Chair.

**The Chair:** Any other speakers to amendment A4?  
Edmonton-McClung.

**Mr. Dach:** Thank you, Madam Chair. I’m pleased to rise to speak against this amendment. I appreciate the intent and motivation of the Member for Calgary-Fish Creek, who is always intent on

making sure that the consumer is protected. On this side of the House we’re certainly all for economic development and making sure that we don’t have impediments in place to economic development, particularly home construction, in this time of economic downturn.

However, there is an inherent assumption in the amendment that I do reject, and that assumption is that the department will sit on applications when there’s no reason to do so. I reject that because I believe strongly that the ministry and the department are certainly wanting to make sure that any applications which meet the requirements, you know, get out the door and get finalized so that those builders who do meet the requirements can begin operating and construct homes. The assumption that the department will sit on these applications for no reason whatsoever is something that I don’t feel comfortable with. I don’t think it was the intent of the mover of the amendment to suggest that the department or ministry would do such a thing.

What I do see this amendment also doing as far as, perhaps, forcing the hand of the ministry or the department when they are considering finalization and getting these applications out the door is that there may be – even if, as the wording of the amendment says, the builder has satisfied the requirements under this section, they may have not got all the documentation that the ministry or the department required them to get in, therefore satisfying the requirements under this section. However, there’s also a time period within which the ministry will have to verify information. To say that the 30-day time window will be the limitation that the department has to meet, I think, as the minister indicated, will unnecessarily tie the hands of the department. Even though they may have met the requirements under this section, as the member states in his amendment, the department still, therefore, may have a time period within which they would have to verify some of the information provided by the builder to meet the requirements. Putting a 30-day time limit on it may not be enough time for those verifications to be made. For that reason as well I see problems with this amendment.

For two reasons. The assumption that the department will not get the applications out the door once all the requirements have been made I reject. I don’t believe that will happen, and I don’t think that the onus should be put upon the department to perform within 30 days. There may be no more time necessary to verify information provided under the application even though all requirements are satisfied. The information needs to be verified, and it may not be done within 30 days. Therefore, I’m more than comfortable entrusting the department to get the applications approved and out the door once they’re comfortable that the information that is provided has been verified, and the builder can go ahead and build the home.

I propose to all members to reject this amendment. Thank you.

**The Chair:** Any further speakers to amendment A4? Seeing none, are you ready for the question?

[Motion on amendment A4 lost]

**The Chair:** We’re back on the main bill. Are there any further questions, comments, or amendments with respect to this bill? No other speakers to the bill?

Are you ready for the question?

[The remaining clauses of Bill 12 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.  
The hon. Government House Leader.

11:10

**Mr. Mason:** Thank you very much, Madam Chair. Pursuant to the notice provided yesterday . . .

**The Chair:** Rise and report.

**Mr. Mason:** Oh, rise and report. Sure. Let's do that. I move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

**Mr. Rosendahl:** Madam Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill Pr. 1. The committee reports the following bill with some amendments: Bill 12. 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:** Does the Assembly concur in the report? Say aye.

**Hon. Members:** Aye.

**The Deputy Speaker:** Opposed, say no. So ordered.

### Government Motions

#### Bill 205

19. Mr. Mason moved:  
Be it resolved that Bill 205, Advocate for Persons with Disabilities Act, be moved to Government Bills and Orders on the Order Paper.

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Mason:** Now, Madam Speaker? Thank you very much. I'd like to indicate that Bill 205 is a very positive act that's been brought forward initially as a private member's bill by the Member for Calgary-North West. I know that a great number of members of this Assembly are very supportive of this bill, and moving it to Government Bills and Orders will help it to receive fuller discussion and consideration, which I believe it merits.

I would urge all hon. members to support this motion.

**The Deputy Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Cooper:** Thank you, Madam Speaker. I rise to speak in favour of Government Motion 19, that will move Bill 205, a bill that a number of my colleagues on this side of the House have already spoken in favour of, a bill that many, many individuals on this side of the Chamber as well as that side support. I think that it will be a positive step in the right direction, and I look forward to discussing that a little bit further when we are back in debate. So I encourage members of the Assembly to support the motion.

I also look forward to having some discussions with the Government House Leader around other bills that we might like to try and provide some expedient passage for, including Bill 206, a bill that was introduced last week in the House, that I know has some widespread support. I know that the mover of that bill would

also like to be able to see that bill moved through the House prior to the end of this session. I encourage the Government House Leader to do the same.

I look forward to such discussions, where we can work together, like we will on Bill 205, to see safe passage, if you will, of that piece of legislation and get on to supporting the good people of this province in, hopefully, what will be a number of different areas.

**The Deputy Speaker:** Any other members wishing to speak to the motion?

Seeing none, the hon. Government House Leader to close debate.

**Mr. Mason:** Just to close, Madam Speaker. Well, this is to give fuller consideration, not to give it quick passage but to allow greater consideration by the Assembly of what is an important bill. With respect to other bills, if the Opposition House Leader is suggesting that a bill put forward by a member of the opposition should be made a government bill – it's an interesting and unique proposal – it might have to entail the member proposing the bill becoming a member of the government, so you may want to consider that.

[Government Motion 19 carried]

### Government Bills and Orders Second Reading

#### Bill 205

#### Advocate for Persons with Disabilities Act

[Debate adjourned May 15: Mr. Shepherd speaking]

**The Deputy Speaker:** The hon. Member for Edmonton-Centre.

**Mr. Shepherd:** Well, thank you, Madam Speaker. It's a pleasure to have the opportunity to continue to speak about this, I think, very important, invaluable bill. You know, I have a niece, a niece named Brooklynn. She's on the fetal alcohol spectrum. As a result, since she was a child, she's faced a lot of challenges, both mental and physical, challenges that, I'm happy to say, she's largely been able to meet head-on and that she's been very successful in managing through the support of a lot of family, friends, and some very dedicated support workers. At the end of May she'll be turning 21. Brooklynn is a very talented drummer, she's a skilled painter, and she's about halfway through the early childhood development program at MacEwan University here in the constituency of Edmonton-Centre.

Now, Madam Speaker, it wasn't that long ago that Brooklynn was very reliant on family and friends to be able to navigate through a lot of areas in her life. She faced real challenges in handling money. She wasn't able to travel alone. However, now, thanks to some wonderful support staff, having access to them, and to assistance from organizations like Inclusion Alberta Society, Brooklynn has become quite independent. She's now able to travel alone by bus to school, she spends time with her friends, and she's become a very valued employee working with children at a YMCA in the north end of Edmonton. I can tell you that I'm incredibly proud of how well Brooklynn has done, to see that growth, that success in her life, to see how happy she is now in having gained these skills and these new opportunities and being able to pursue some of her own dreams of working with young children.

You know, earlier this week, this past Sunday, we had Mother's Day. It's fitting to note how hard I saw my mom work to help track down the supports and the resources that made all of this possible for Brooklynn, that helped her to be able to succeed in school and make what's been a very successful transition for her now into her adult life. But the truth is, Madam Speaker, that not all individuals

with disabilities have someone like my mom in their court. Not all of them have someone who's able to look out for them, who's able to help navigate those systems, who's able to dedicate the time and the energy it takes to navigate all of the government programs, systems, resources to get the help and the support they need. Certainly, there are more than a few who actually face some significant barriers and challenges in doing so for themselves.

Now, we know that there are many great community organizations. I mentioned Inclusion Alberta Society and Skills Society, which is here in Edmonton-Centre and which I've had the chance to get to know, and Bev Hills there, who is a fantastic advocate for people with disabilities and people in the disability community. There are many others who are assisting and working to make sure that people are able to access supports now. But even these dedicated people, who go above and beyond in their work to assist people with disabilities, sometimes face some barriers in trying to make progress when they face some of these long-standing, systemic issues and challenges that can cause some people to fall through the cracks.

That's why I'm very happy to stand today to speak in support of Bill 205, the Advocate for Persons with Disabilities Act. This is a proposal that will ensure that all members of the disability community have a voice. If we pass this bill, it will create a disabilities advocate with the power to identify and study issues that are of concern to persons with disabilities, to review the programs and policies that affect persons with disabilities, to participate in processes in which decisions are made about persons with disabilities.

The minister has noted the motto of the disability community, Nothing about Us without Us. This advocate would be there to ensure that that would happen, that that would be the case, to promote the rights, interests, and well-being of persons with disabilities through public education. They would help to provide information and advice to the government with respect to any matter relating to the rights and the interests and the well-being of persons with disabilities. They would be there to assist individuals who are having difficulty accessing services for people with disabilities and related programs, including directing them to appropriate resources, persons, or organizations who may be able to help them.

**11:20**

You know, Madam Speaker, in the two years that we've been here in government, we've heard it very clearly from the disability community: Nothing about Us without Us. I commend the Minister of Community and Social Services for his dedication and his work to adopt that mantra as he's been moving forward now. He's taking concrete action in revoking the intrusive safety standards and holding substantive consultations on what should instead take their place. We've heard from members of the disability community that they deeply appreciated those consultations and that they felt that their voices were indeed heard.

Indeed, Madam Speaker, I also want to thank the minister for his decision to end the use of the supports intensity scale. That was an incredibly important step, to end what was for people from this community a truly humiliating experience, which I heard about from constituents and from those who worked with them. I know it meant a lot the day that that minister rose in this House and said that that would not be the practice of the government of Alberta anymore.

Indeed, that is one more reason why we need to look at passing this bill and having someone like the disability advocate. Think, Madam Speaker. If someone like that had been present when they first considered putting forward the supports intensity scale, they

could have been here to say that they had spoken with members of the community, that this would be a system that would reduce their dignity, that it would strip it away, that there were better ways, that there were better approaches that could be taken.

To have that voice available inside the ministry, I think, is incredibly valuable and important to making sure that we understand these issues and these concerns from the perspectives of those who are most affected by them. The creation of a disability advocate can help to ensure that we develop much more respectful and effective systems to deliver the supports and services to members of the disability community and that we do so with a full understanding of what the members of that community truly want and need to be able to live with the full dignity and freedom that all of us enjoy here in the province of Alberta.

That is action, Madam Speaker, that will make life better for Albertans, for all Albertans, by helping more individuals with disabilities be able to find and retain employment, like my niece Brooklynn has been able to do, by giving better supports to parents of children with disabilities so that they can spend less time navigating systems and focus instead on providing good care and support for themselves and their families.

I'd like to thank my colleague the Member for Calgary-North West for bringing this bill forward. I know that she's bringing this forward after having done months of consultation, having conversations with many, many people from across the disability community, and based on feedback that we received through our own PDD safety standard consultations last year. Madam Speaker, this is an excellent example of how government can learn and improve and build new and better systems that will truly serve the people of Alberta.

Thank you again to the member for bringing this forward. I look forward to voting in favour of Bill 205.

**The Deputy Speaker:** Under Standing Order 29(2)(a) any questions or comments? The hon. Member for St. Albert.

**Ms Renaud:** Thank you, Madam Speaker. That was wonderful to hear. I'm so happy to be able to rise and even ask questions about Bill 205. Your comments about the supports intensity scale are absolutely accurate. Actually, this particular assessment tool was brought in a number of years ago, and the original writer or creator of this tool actually said that it was not to be used to determine funding. Sadly, at some point, without consultation, there was a determination – this happened a few years ago – that they would use this tool to determine what kinds of funds people with developmental disabilities, adults with developmental disabilities need.

You're right. The process was quite humiliating. It took a few hours to interview a person with a disability and their family, and they would ask the same questions to any person. It didn't matter if you were able to speak or not able to speak. It was a difficult process for people to go through, and I saw more than a few family members have to leave the room or just sit there in tears. I'm wondering if you could just expand for us on some of the feedback that you heard from your community and your constituents regarding how they felt or what they think should replace it or how they think their voices need to be included when creating a new step to determine what people need for funding.

**Mr. Shepherd:** Well, thank you to the Member for St. Albert for her question and her observations. I know that indeed she has a deep, deep knowledge of this subject, having spent many years working on advocacy with the disability community.

Admittedly, I haven't had a lot of constituents who have come to me and sort of described the process of having gone through SIS.

Certainly, I've had the chance to speak with advocates from various organizations that work out of Edmonton-Centre who have shared with me that they've worked with many people who have found it to be a humiliating and intrusive process. Certainly, from their descriptions I've been able to imagine what it must be like to have to go through something like that just to try to access the kind of support and funding that you need. Certainly, I recognize that, as I said, it was a problematic system at best and deeply, deeply humiliating at worst, and it's something that indeed I'm happy to see taken away.

At this point I don't feel that I could really speak to what should replace it. Again, that's something that I haven't had the opportunity to speak deeply about with those in the community, and I think it's really important that they are the ones who are making those decisions, who are providing that insight. Indeed, Madam Speaker, this is one of the amazing opportunities we have as representatives to learn so much. Certainly, this is an area that I wasn't deeply familiar with.

As I said, I certainly have a niece who has been part of this experience and part of these systems, but for her, while she has had some challenges, they weren't of the overly severe variety. She's been able to get by fairly well and, again, has had a lot of family support.

It's a pretty wide range of experience, I think, even just within the disability community. It's an incredible opportunity, I think, for us to learn more about what others' life experiences are like, how these systems operate for them, what kinds of supports are needed, and how we as a society can go about compassionately and respectfully providing support and services that are needed while also making sure that we do so responsibly and that we're doing so with the best use of tax dollars.

It's an incredible opportunity for us to learn from folks like the Member for St. Albert who have deep experience in this community, to work with folks like the Skills Society, for myself and others in Edmonton-Centre here, who also work closely with many of these people, to learn more and indeed, Madam Speaker, to engage with some of our public servants, who have some deep knowledge of these systems and how these things operate as well, I know, some of whom have been working within our various agencies to provide insight and to help guide and try to develop better policy.

So it's a real opportunity for us all to work together now as the minister is committed to coming up with improvements and replacements for the supports intensity scale. Certainly, having someone in place like a disability advocate can help to ensure that all voices are heard at that table, that we have the best of the expertise there, and that the new systems that we put in place are truly going to be both effective, responsible, and respectful in how they support the members of the disability community in Alberta.

Thank you.

**The Deputy Speaker:** A few seconds left under 29(2)(a). Any other comments? Sherwood Park.

**Ms McKittrick:** Yes, Madam . . . [Ms McKittrick's speaking time expired]

**The Deputy Speaker:** I said a few seconds.

Any other members wishing to speak to Bill 205? The hon. Member for Calgary-Shaw.

**Mr. Sucha:** Thank you, Madam Speaker. You know, I want to open up by commenting – and some members within the caucus will remember hearing this phrase – that you don't know what you don't know. It's been pretty remarkable taking on this job because over

vast periods of time what I envisioned it to be versus what it's turned out to be was entirely different. I mean that in a most endearing and good way. When I ran for office, I did it with visions of concerns in relation to seniors' care, health care, with a little bit of an undertone of postsecondary and, obviously, education. Little did I know, as we entered this field, that I was going to be learning a lot about indigenous rights, people with developmental disabilities, challenges within our social services as well, and even about the adoption system, that the Member for Olds-Didsbury-Three Hills shares with us in this House from time to time.

**11:30**

First, as I open up, I want to thank the Member for St. Albert, who has really brought this issue to the forefront both within the Legislature but also within our government caucus, too. It has really allowed me to stay informed and to really know a lot about the issue here.

When I reflect back to where we came from with Bill 205, I reflect on the Member for Calgary-North West when she was pushing for a lot of advocacy within this field and within this area. When I saw her sitting over on this side of the House – for those who are at home, I get to sit on the opposition side of the House.

**Mr. Cooper:** The corner of shame.

**Mr. Sucha:** The corner of pride.

With that being said, when she would ask very critical questions of what the government was doing moving forward, I used to scratch my head and say, "Why is she not in our caucus?" because a lot of these values were values that we all share. So I was very happy and I welcomed having her join us because I knew that she would help us move forward on challenges for individuals who are suffering from disabilities or dealing with the challenges of disabilities.

One thing that was very remarkable as I entered the management field was one of the programs that we used to do when I worked for the Reb Lobster chain, a program called Cops and Lobsters, and it was to raise lots of funds for the Special Olympics. I remember that the last year I participated in this, we raised over \$10,000 at our restaurant alone towards the Special Olympics. We'd have police officers, sheriffs, transit cops from all over the province who would come to our restaurant, and it was kind of a tip-a-cop program where you'd make donations to the Special Olympics.

We'd also have Olympians that were there, and we had an individual named Rory. My goodness, the intensity that he had was remarkable. He was helping to bus tables, and he was probably working harder than anyone else in that restaurant. So myself and my general manager went aside, and we said: you know, we need a busboy; do you think Rory would want to be a busboy here? We went to his mom, and we asked her if Rory wanted a job. It was remarkable because tears started rolling down her face. Rory was 35, and he had never had a job before. We gave him that offer. It's remarkable because I've gone back to that restaurant since leaving – this was a few years back – and he was still there, and he was succeeding.

It was through a lot of programs that were led that we could move forward. At the time when we brought him in, we were sort of trying to invent the wheel, as it goes. We hadn't reached out to some programs, some of which are now offered through Mount Royal University, to help people with disabilities enter the workforce. But going on to other restaurants, we have had a chance to experience some of these programs.

I had another individual who started at one of my restaurants about six years ago who was a prep cook. This was through programs at Mount Royal where they did placement, and they

worked with us one-on-one for a few months to help develop that relationship and develop that rapport. It's remarkable because she is one of the longest serving cooks in that restaurant now. Not only that, but she was able to build up her skills, and she was able to work on the line with us in the pantry station when we were busy. So not only was she able to break down the barriers to enter the workforce, she was also able to build up her success, she was able to find coping mechanisms for anxiety. I was really excited to hear from one of my colleagues that she's moving out now. She's going to be living independently. And this all started because of these programs that we were able to leverage.

But the one thing that is important to know is that – I was just an employer. I'm not within the community. I had not studied and I had not worked with people with disabilities until I had the opportunity and the privilege for them to come and work with me. It's important that as we move forward, there are systems in place where we can find best practices that we can improve on. Because there could be practices that I'm doing or there could be ways that I'm trying to coach this individual, that may not be accurate and may not drive results. I won't know unless someone comes forward and provides me with feedback and ways that we can move forward and ways that we can improve.

So while I know that sometimes there can be a fear that an advocate, an auditor is only there to sort of be an adversarial role to a government or to a department, I can also reassure you that if it wasn't for outside supports coming to me as an employer and me being able to have that lifeline to seek feedback, we would not have had success. To be frank, my general manager who I worked with in the past, Aaron Haynes, now sits on Mount Royal's board to place individuals with disabilities into the workforce, and it's because of all the success that we had. There was a lot of trial and error and a lot of outside intervention and a lot of patience.

I see this as a phenomenally good thing because, as has been noted in these clauses, the advocate is to "review programs and policies affecting persons with disabilities." It's important that we make sure that we have those thorough outside eyes to hold us to our standards. Realistically, there's lots of research. There is lots of data. Society changes the way we do things and the practices that we have. I'm sure many individuals who have worked with people with disabilities can attest to the fact that what we are doing now is way different than what we were doing 20 or 30 years ago.

But it's not uncommon as we build hundreds, if not thousands, of policies within government departments, that there can be redundancies that we aren't catching or that there can be situations where we need fresh eyes. We need someone from the outside who's re-evaluating what we're doing to find best practices so that we can move forward and we can improve. If we fear to challenge ourselves and to reassess where we're at, we can get very stagnant and not progress at all.

You know, as I entered the realm of politics, within a couple of months after being sworn in, there were a few items that came to my attention right away. There were a lot of individuals who were suffering from disabilities and who had barriers within government supports who really didn't know where to turn. The challenge going into this office was that we're learning as we go. I was only a month into it, and I'm not an expert in this field. It was very hard to really try to direct them as to where they could go, where they could provide their feedback, and where we could really drive tangible change. Having an advocate will allow us to do that, to move forward in those ways. It's also important that we're evaluating the laws and the practices that we have in place.

You know, one of the things that I took a lot of pride in is how accommodating we were to any guests that came into our restaurant. We always ensured that we provided the best hospitality

possible. I had an individual who found out where I worked before he came in and met with me. He was from the blind community.

He shook my hand, and he praised me and my co-workers for how accommodating we'd be whenever he came into our restaurant, making sure that we had Braille menus available, making sure that we were seating him in a booth that was comfortable enough for a service dog to be able to sit down, making sure that our employees were not touching that service dog because it could really interfere with the overall job that he's trying to do. The challenge, he said to me, was: we continue to go to your establishment because there are not enough places that are doing what you are doing, not being accommodating to us or even flat out rejecting us service because we have an animal coming into their establishment.

A lot of these things can be oversights through regulation and policy that come through government and also enforcement. It's important that we have an advocate who can talk about these policies that we have and how we can appropriately enforce them within government to make sure that not only are our government departments being accountable but that those who fall within oversight of government, whether it's service providers or even front-line services or the simple gestures of going to a store or riding the bus, are accountable, too.

I want to thank the Member for Calgary-North West for bringing forth this bill and the Government House Leader for expediting the process so that we can make sure that we review this more thoroughly. I'm happy to support it.

Thank you.

11:40

**The Deputy Speaker:** Any questions or comments under 29(2)(a)? St. Albert.

**Ms Renaud:** Thank you, Madam Speaker, and thank you to the member for his comments. Certainly, the systems for people with disabilities, their families, their friends are very complex, so thank you for saying that.

I was really interested in your comments about employment – okay; not to mention the fact that the Cops and Lobsters was really awesome – and I wanted to talk a little bit about inclusive employment. Inclusive employment is vital. It's actually a real skill and a science. We're lucky to have service providers all around Alberta that are very skilled at doing this. Sadly, I think it's been an undersupported area. I hope that this will begin to change that because the unemployment rate for people with disabilities is so high. It is so much higher than people without disabilities.

Anyway, I wanted to ask you to describe in a little more detail what the natural supports were for the person with a disability that you ended up hiring and how that worked. I think that's such a great example for people thinking about looking at inclusive employment for their place of work.

Thank you.

**Mr. Sucha:** You know, I had an individual named Alan who came to work for us. Actually, he came in as a dishwasher. It was very easy for him to get distracted, and we didn't really fully understand why. One of things that we did was we reached out to his support worker to provide us with feedback. One of the challenges was that he didn't know what time it was. He was wanting to work hard, but he didn't know when he could take his break. He wasn't very cognizant of time. So we made sure that we had a clock that was close to the dishwasher so that he could see what time it was. Then we'd go up to him, and say: okay; at 8:30 is when you take your break, and we'll bring someone in to cover for you as well. All of a

sudden it was like night and day. We saw phenomenal work coming from him, and his intensity really improved.

I think the challenges that we see with some of the workforce is obviously trying to break down stigma and people not realizing what supports are available to them with work placements. A lot of times within the first few months you can have a worker who will come with the individual you're employing and provide you with that feedback and provide you with that follow-up as well.

You know, sometimes there are situations, too, where it may not work out. That's the case with any employment. Whether the individual is disabled or not, sometimes you're not a fit for each other. So it's about being very open minded and recognizing that there may be times where it may not work out, but that's the case with any individual who goes to work for any employer.

It's about making sure you maintain patience and also talking about a lot of those success stories. I think some of the challenges that occur are because a lot of employers just aren't aware that there are these supports available for you. It really drives a positive culture within your work environment. We noticed that right away. There was a strong sense of community that established and a strong sense of pride and almost, you know, a siblinghood that existed when we would open our mind to hiring different employees. I feel that I got a lot of value and that I grew as an individual, if not even as an employer, because of individuals like Rory or Alan who came to work for us.

It always made me smile when I would go back to visit and still see them there and see that they were still a successful part of our business. You know, the underlying thing that I would say as an employer is that I'm only as successful as my employees, that it is a team that is driving our success, driving our business, driving our profitability. I can tell you that individuals like Rory and Alan, speaking in a capitalistic way, helped us make a lot of money because of how strong of employees they were and how much they drove the people around them. If there is anything to say, it is that we need to make sure that we share a lot of these success stories and that we really embrace these work placements as well.

Thank you, Madam Speaker.

**The Deputy Speaker:** Any other speakers to Bill 205? Edmonton-Manning.

**Ms Sweet:** Thank you, Madam Speaker. I rise in support of Bill 205, the Advocate for Persons with Disabilities Act. As some of you may know, I am a social worker by training. I started my career with the government of Alberta, actually, with family support for children with disabilities. My responsibility working with that organization, that part of the ministry, was in doing assessments and working with families that had children between the ages of zero and 18 to determine whether or not they would qualify for financial assistance and specialized services through the ministry.

I actually specialized in working in Lancaster Park with many of our military families. What I found was that there were actually quite a few of our military families that were requesting to be transferred to Edmonton and to the Griesbach area so that they could access the supports that were being provided with FSCD, family support for children with disabilities. It was a program that wasn't available in other provinces, so they were coming with the hope to be able to access the service and to be able to support their families and their children with the different needs that they had.

Part of that as I moved through my career was also looking at out-of-home placements. Out-of-home placements are something that is offered under family support for children with disabilities for children that are no longer able to reside with their parents, not due to any concerns around their ability to parent but due to their high

needs, whether it would be high medical needs or high behavioural needs. My responsibility was to work with the family to try to identify a caregiver that would be able to provide the support and work with the family so that they would still continue to have their relationship and still have a cohesive family but also have the needs of their child met.

That seems a good idea, and it definitely worked for the children that needed the support, that had access to the medical professionals and the people that were able to deal with their complex needs. But the struggle that came with that was also that family support for children with disabilities only supports children from the ages of zero to 18. Families would have to then try to access and apply to the persons with developmental disabilities program, so that created a lot of stress for many of the families.

The reason for that was that under family support for children with disabilities, we may have deemed a child in need of additional supports for a variety of different reasons and we would continue to provide the family with the support that they needed – we would support the specialized services, behavioural management, different things like that – but what we deemed as being qualifiers for the program for zero to 18 may not be the same qualifications that were required for PDD. So we would have families that would be accessing these great supports – we would be, you know, helping a family have their child reside with them in their home because they had respite and they had the medical supports and different things that they needed so that their child could still be there, but the family could have a break when they needed to – all of a sudden finding out that they may not qualify for any type of supports with persons with developmental disabilities.

Of course, people started at the age of 16 to try to apply to PDD because it's a complex process, and as these children were aging and becoming closer and closer to 18, you could see the stress on the family. You could see their frustration with not understanding or not being able to demonstrate to the person that was doing the assessment for PDD that they needed this additional support. I mean, I think it does speak to the importance of this advocate in being able to look at how we as government, in programs, support our families in Alberta, looking at how we can support families transitioning from FSCD to persons with developmental disabilities and ensuring that we're not getting to a point where all of a sudden somebody turns 18 and the family has absolutely nothing in place to support them. So I'm a strong supporter of the advocate helping, you know, to look at that gap and look at the systemic issues and trying to be able to identify if we can do this work better.

In addition to that, when I was doing the out-of-home placements, part of the struggle was also the concern around what happened when these children turned 18. They'd been living in a home where they were supported by staff, where their medical needs were being met or their developmental needs were being met, and all of a sudden they were having to transition funding to persons with developmental disabilities. Of course, the licensing around that is different. The application process is different. They could be getting supports provided by one agency from zero to 18 that may not provide adult supports.

**11:50**

Then the question became, you know: do we now move this child, that's maybe lived in this home for four years, two years, whatever length of time, to another service provider because now all of a sudden they've become 18? I mean, we were able to work through that process with many of the providers that were providing zero to 18 residential supports. Many of them have transitioned to also be adult support providers. But it still created, again, undue stress and questions for the family around having to move

somebody from a home that they recognized as their home and an agency that they had a great relationship with to now maybe a potentially new relationship, a new agency provider, learning the culture of that agency and that group.

I mean, it's a complex system. Of course, when you're looking at the different age groups, it does create questions and confusion. So I think, again, having the advocate there to be able to help guide some of those questions and some of those concerns is a significant benefit.

The one question that I would have around the advocate, though, is that currently I don't see anything around consent and referral. If we're looking at from zero to an 18-year-old, for example, if we look at the Child and Youth Advocate, if someone refers to the Child and Youth Advocate on behalf of a child, they still have to talk to that child, they still have to accept recommendations and different things like that, and they still have to be able to make sure that the child is wanting to have additional supports.

If we're looking at an advocate for persons with disabilities, my question would be: if they're residing with their family, is the advocate advocating on behalf of the individual with the disability, or are they actually supporting the family? What would that policy and regulation sort of look like? Again, I don't think it's a complication. I think that it's really just a policy question or a regulation question to make sure that we're actually supporting the family as a whole and that it's not that we're, you know, saying that it has to be specific to that individual, especially when it comes to the systemic issues. Because we recognize that, again, if we're looking at a transition from FSCD to PDD, it's not affecting one individual; it's affecting a group and a group of families. How can we make sure that the advocate is able to do that stuff? I do know that, of course, in the bill it does say that they can look at the systemic issues and they can have those conversations.

Again, I think that this is a fantastic bill. I recognize that people with disabilities have a right to have a voice. They are citizens of our community, no different than anybody else.

When I was going to university, I actually worked at the Robin Hood Association in Sherwood Park. The name always kind of makes me giggle. [interjection] I was not Maid Marion. I'm just saying. But the benefit of that was that they had developed really inclusive programming. Some of the great things that the association has done is that they recognized that their group was aging, and because their group was aging, they acknowledged that they were having adults with disabilities who were becoming seniors, who were being impacted by what happens as you age, whether that became dementia or physical needs or just a different sense of community, not being in a home with someone who's 18 when you're, you know, 65. They were great. They acknowledged that that was a need, so they built a retirement apartment.

Now as adults age and become seniors, they have a space where they can then move in, and they still have the medical supports or the physical and mental supports that they need, but they're in an environment that is much more adapted to their age and more relaxed, less busy, whereas in some of the other group homes that they have, you know, we've got young, vibrant adults who are 18, 19, who are going to work or going to their agency during the day and then are out at Special Olympics in the evening. Their lives are far busier than even mine in a social aspect.

I think there's an ability there to really highlight the positive things that are also happening in the community and the great work that agencies are providing for individuals with disabilities and then looking at those great success stories and figuring out how we can expand those and make them even more successful and also outside

of our major urban centres. Again, I think that what has happened is that as people with disabilities age, they end up moving more into urban centres because that's where the service providers are. So it's looking again at the systemic issue around: how do we support individuals with disabilities in their communities as a whole?

Again, I support the bill, and I look forward to hearing more conversations from all of my colleagues in the House. Thank you.

**The Deputy Speaker:** Under standing Order 29(2)(a), any questions or comments?

**Ms Renaud:** Well, thank you to the member for those comments. I always actually giggle, too, when I say: Robin Hood in Sherwood Park. And then it turns out that, you know, my father's name was Littlejohn. So I laugh a bit more.

I love your comments. I love that you talked about that difficult transition period from the time when children with disabilities and families, in many cases, are looking at making that transition. Often it does take several years to figure out the system but also to find housing if that's something they need to do or just to look at transitions to so many other very complex systems, AISH being one of them, of course. I'm just wondering if you could expand a little more on some of the things you've learned in your work that we could start to talk about, things that this advocate position, if it's approved and passed, could look at.

Thank you.

**The Deputy Speaker:** The hon. member.

**Ms Sweet:** Thank you, Madam Speaker, and thanks to the member for the question. I think something that we definitely need to look at is how we are evaluating the qualifications around families that access family support for children with disabilities, our supports for permanency programs, actually, under the family enhancement act and then, as well, how we're supporting individuals with the persons with disabilities program. Again, I think it is an issue around looking at how we make sure that there's consistency. How do we make sure that families are not having expectations around things that are not consistent across all spectrums?

Again I recognize, though, that children in that zero-to-5, zero-to-6 age group need intensive supports as they're developing, especially if we recognize that they have some learning deficits or language deficits. Of course, the expectations and the services that are provided to them when they're little are far more intense than what they may necessarily get as adults. I think part of that is education as well as making sure that people understand those developmental milestones, looking at what is important at different ages and how as people age and grow, those supports may shift and may change over time. But it's ensuring that the family is aware and understands that so that it doesn't feel like they have another loss in their life.

I definitely agree that there are things that we could do to support families to make sure that they are feeling supported through the whole process as their child grows and becomes an adult because it is definitely more complex, and the needs of each individual are different. Definitely, there are areas that I think we can look at for sure.

Thanks.

**The Deputy Speaker:** Hon. members, under Standing Order 4(2.1) the Assembly now stands adjourned until 1:30 this afternoon.

[The Assembly adjourned at 11:59 a.m.]









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