



Province of Alberta

The 29th Legislature
Third Session

Alberta Hansard

Wednesday morning, May 24, 2017

Day 38

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta
The 29th Legislature

Third Session

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

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Party standings:

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

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Legislative Assembly of Alberta

9 a.m.

Wednesday, May 24, 2017

[The Deputy Speaker in the chair]

Prayers

The Deputy Speaker: Good morning.

Let us just take a moment to remember that as elected officials and leaders we must not remain silent when events such as those that have just happened in Manchester occur. It is our responsibility to make known that we condemn these acts and that we will stand with our brothers and sisters during this very difficult time.

Please be seated.

Orders of the Day

Government Bills and Orders

Third Reading

Bill 205

Advocate for Persons with Disabilities Act

The Deputy Speaker: The hon. Member for Calgary-North West.

Ms Jansen: Thank you, Madam Speaker. It is my great pleasure to rise and move third reading of Bill 205.

As I begin, I think one of the points that I want to make is that we've had some good discussion here in the House, and we've also seen what happens when folks don't have the respect and the understanding about the language that we use around disability rights. One of our colleagues in the Legislature, the MLA for Calgary-Greenway, retweeted or validated some extremely negative language around people with disabilities, and it gave us an opportunity to have a discussion about what is unacceptable. That is unacceptable, and I think people know that now. But something else struck me as interesting in looking at this member's Twitter account. The description under his name said, "With a focus on the most vulnerable Albertans." I thought: why is that bothering me? The term "vulnerable Albertans" as applied to people with disabilities seems to me to be words we use when we have failed people with disabilities. What makes you vulnerable?

Well, in the case of people with disabilities in Alberta it is bad policy, indifferent policy, and the fact that we have not put the measures in place for people with disabilities to easily access the services and supports they need. That's one of the reasons why a disability advocate is so important. There are folks out there who have family members who will advocate for them, and that's wonderful. I've heard amazing stories of families doing that work, but I've also heard stories about families at the end of an exhausting day having to spend hours trying to get paperwork done, trying to help their children and family members transition at age 18 and age 65 to go from one level of support to another. That is why we need an advocate. There are lots of people with disabilities out there who don't have family members to do that work for them. There are parents that I spoke to who said: we're getting older, and as we do, we are worried sick about what happens to our adult child.

I am so proud, Madam Speaker, to be part of a government that has said: "You know what? We're not going to use the term 'most vulnerable Albertans.' We're going to use the term 'Albertans who deserve our respect and good policy to match it.'"

When we talk about what the advocate does, one of the things that we felt was most important is to set out an agenda for that first year or two years and identify and study the issues of concern for

people with disabilities, to review our programs and policies because, clearly, from the feedback we heard, there's a lot that isn't working right right now, and there are no better people to tell us what's not working than people with disabilities who are accessing the system and their advocates currently who are helping them do that. When we say participating in processes in which decisions are made about people with disabilities, that's an important piece because as we move forward and talk about what supports and services we need to have in Alberta, what we need to make easier, all of those things, that is a really important point. To give advice to the government on how to make things better: that is the whole process of consultation.

You know, when I first started talking about this bill, Madam Speaker, I was a member of the opposition and began to have these conversations about it. When I came over and joined this government, I was really delighted at the level of enthusiasm and excitement for this bill. I want to make a special point of recognizing the MLA for St. Albert, who really was doing this work across the aisle from me for quite some time but always – always – in a really postpartisan way took the time to explain to me some of the things that were most important about where we needed to head in terms of disability rights in Alberta. She has so many years of experience, and really I would not have been able to do the work I did without her advice and without the work she had done initially in order to get us to this point in the conversation.

With the input of the disability community, of people with disabilities, we can get to a place where their safety, their inclusion, their well-being becomes something that we don't strive for but something that we fully expect every day and maintain at a level that is important in this province. I know we're not there yet, but I'm so happy that we're having this discussion because in this caucus we believe social issues are important issues.

We know that when we develop good, strong legislation that helps people with disabilities, the LGBTQ community, when we help any number of people who need our help, people fleeing domestic violence, we not only create life-changing opportunities for them, but at the end of the day we save money. We save money when Albertans are happy and they're comfortable and they're not going to emergency rooms to access care, when they feel safe, when we understand that their mental health and their personal safety and everything else is a part of their quality of living, but it's also something that is a responsibility that we hold as lawmakers in this province. I think that it's important to remember that as lawmakers in this province we are responsible for making sure that everybody has a level playing field, and that, I think, ultimately is what the disability advocate does. It is an attempt to create a level playing field where there isn't one now.

I want to thank everyone on both sides of the aisle for their input. I think that we've had an excellent discussion. I look forward to more of it today. I just want to say, Madam Speaker, that when we consider policy like this, what we are saying to people in this province is: we've got your back.

Thank you.

The Deputy Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Nixon: Well, thank you, Madam Speaker. I'm pleased to rise today to speak to Bill 205, Advocate for Persons with Disabilities Act. Let me just start off by saying first of all that this bill is a good step forward, a good step forward to finding ways for the system to be improved and better serve people with disabilities in our province. Dealing with bureaucracy can be very painful at times. It can be a very painful process, and I sincerely hope that this advocate

will be able to resolve some of the issues with the present system. I personally will be monitoring the implementation of this act, and I know that stakeholders that I'm speaking to will be watching it very closely as well.

9:10

On that note, I would also like to take a moment, Madam Speaker, to express my extreme disappointment that the government did not give any thought to our subamendment, which would have seen the public and stakeholders give input during the review of this act, give input on the act's effectiveness after two years of being in place. Our understanding is that the Member for Calgary-North West dismissed our reasonable amendment because she was offended because apparently she didn't receive a personal phone call ahead of time. Now, I don't know about you, but my personal offence would not stand in my way of making sure that legislation was right for the people that I was advocating for, and it's extremely disappointing that something as small and petty as not receiving a personal phone call would stand in the way of the member supporting a good amendment – a good amendment – that was being asked for by many stakeholders, including some stakeholders that I'm leaving here shortly to meet with, that are extremely disappointed in this government's behaviour when it comes to that.

It becomes even more appalling, in my mind, Madam Speaker, when you realize that this government on short notice changed this private member's bill to be a government bill and then didn't notify us in advance about their own amendment, so there's definitely a double standard right there when it comes to time constraints. But, again, despite the fact that we didn't receive a personal phone call, we are still rising to support this bill in general because it's the right thing for Albertans. Hopefully, in the future the hon. member can put some of that pettiness aside.

Now, in addition to that, Madam Speaker, her caucus voted down our amendment very quickly and without almost any thought. There could not have been any thought. I don't think it's just my caucus that's disappointed. As I said earlier, I know for sure that there are many stakeholder groups that are offended and very disappointed in that behaviour.

One other thing I wanted to note on it is that there is no preamble in this bill. Now, preambles give an indication as to the spirit of the law and can guide the crafting of regulations and other details later on. The Child and Youth Advocate Act has a preamble pointing out a couple of things: one, that

children and youth are our greatest resource;

secondly, that

the Government of Alberta is committed to ensuring that the rights, interests and viewpoints of [our] most vulnerable children and youth . . . are considered in matters affecting those children and youth;

and that the government

recognizes the importance of continual improvement in the provision of services to vulnerable children and youth.

Now, those are good things to have in the preamble.

It's also interesting to note that the other night in Legislative Offices this caucus across from us inside there voted to stop debate on including children with disabilities under the Child and Youth Advocate. It was shocking.

But not having a preamble is problematic, so I'd like to be on the record stating a possible preamble of sorts for this bill. One, the government of Alberta supports persons with disabilities to be fully included in their communities; two, the government of Alberta is committed to ensuring that the rights, interests, and viewpoints of persons with disabilities are considered in matters affecting them;

and the government of Alberta recognizes the importance of continual improvement in the provision of services to persons with disabilities. Again, you could have a solid preamble like that, Madam Speaker, if the government wasn't rushing through the bill and spending their time being offended because they didn't get personal phone calls about amendments.

On this issue, the bill becoming a government bill: I support this move. Now, I've heard from several stakeholders that more consultation with the disability community was needed and is needed. In an analysis on their website Inclusion Alberta writes:

Since this analysis was completed it is our understanding that as of today May 17, 2017 Bill 205 will be moved from a Private Member's Bill to become a government Bill. While we support this decision, we wish to reiterate our desire to see the government fully consult with the disability community on how an Advocate for Persons with Disabilities Act can be best structured to ensure the office is both independent, supportive of inclusion as a means to equality and equity of life outcomes to Albertans without disabilities and effective.

Now, Madam Speaker, I appreciate the work that's been done here, and I do believe that it's a good start. I believe it is the beginning of a very important conversation. I applaud the member for her hard work on this bill while I also encourage the government to continue to listen to those directly impacted by this new office as it works to implement this advocate.

In summary, I again would like to commend the government on this bill and to further encourage all members of this House to consider more broadly how we can continually support Albertans who use these services. Let's not stop with this bill, and let's certainly not let our petty feelings get in the way of moving forward with good legislation.

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

Mr. Malkinson: Thank you very much, Madam Speaker. I'm getting up to give just quick, brief words that I support this bill. This is a group of people that for too long has heard just talk from previous governments.

Here on this side of the House we aim to make life better for Albertans, all Albertans. What I have heard from my consultation with constituents – as some of you know, I'm working on a private member's bill on Henson trust, which means I'm consulting with a lot of the same groups of people that the hon. member consulted with for this bill. What they tell me is that they are supportive of this bill, Madam Speaker.

Now, of course, the work continues when it comes to issues facing these groups of constituents that are on AISH or receive various PDD supports. We have gotten rid of SIS, our minister is working diligently to make recommended changes to the AISH system, and of course in my own office we have done continuing work in consulting with the PDD and AISH communities every step of the way as I work to form and bring forward my private member's bill on Henson trust, which will most likely happen in the fall.

Now, these groups of constituents that I am talking with – and they're constituents, the same as any other – support having this advocate. They support this bill, and as a representative of those constituents and a supporter of this bill being the right thing to do, the right thing to make life better for Albertans, I will be voting in support of this bill.

Thank you very much, Madam Speaker.

The Deputy Speaker: Under Standing Order 29(2)(a), the hon. Member for Banff-Cochrane.

Mr. Westhead: Thank you very much, Madam Speaker. I'd like to thank the Member for Calgary-Currie for his supporting words. I know that the member himself has been a champion for persons with disabilities, and he's got a private member's bill on the Order Paper regarding Henson trust. I just wonder if he can tell us a little bit more about the work that he's been doing on that particular issue to support persons with disabilities and how the consultations that he's undertaken have gone.

The Deputy Speaker: Calgary-Currie.

Mr. Malkinson: Thank you very much. I have private member's Bill 211. When I first got elected, one of the first groups of constituents to visit me in my office was members from the PDD community who were upset about the previous government and safety standard 8, which meant that those of the PDD community who were renting independent residences would basically force their landlords to start putting in full sprinkler systems, bringing private residences up to the full code standards of a full-living facility. As you can imagine, putting full sprinkler systems into a private residence is a bit of a massive and perhaps unreasonable undertaking.

Now, I'm sure that the people that brought this in had the best of intentions, but unfortunately they talked to the community after the fact. I heard loud and clear from that so that when I brought forward this bill, I consulted every step of the way. I saw that there was a problem that I had heard. Henson trusts, in short, are a way for parents of disabled children to leave an inheritance for their children in such a way that when they pass away, that particular child's assets don't suddenly become so large that they have their AISH benefits clawed back, which I think is very reasonable. That's something that pretty much all other provinces in this country do.

My first step was not to draft an idea of what the solution would be. My first step in that consultation was to go out to the community and say: "This is what I see as a problem for my private member's bill. You tell me what you want to see as a solution for that. You tell me." So I consulted in both Edmonton and Calgary. I had above the fire code capacity in attendance at both consultations, which was quite the experience. From there, I took all the feedback that I heard from all the various constituents who were affected by this as well as from their advocates, and since this also deals with what happens when a parent passes away, I heard as well from accountants and lawyers who specialize in this particular area of law, on how you set up inheritances and trusts for those with disabilities.

9:20

From that, Madam Speaker, I sent out to all the stakeholders a what-I-heard document, a summary of everything I heard from those consultations. Currently, for about the next three weeks, I am finishing off my first draft of what I would give to our table officers and Parliamentary Counsel to draft the bill. I'm going to bring that draft of what I think the solution would be to the community again for another round of consultation and go to the community and say: "This is what I heard. This is what I am proposing would be the content and the specifics of the bill." Assuming that that consultation goes well, that's what I'll give to Parliamentary Counsel, and that's what we'll see before the House, hopefully sometime in the fall.

That's the meaning of consultation: every step of the way making sure that the community is involved and that what I'm interpreting from them to be their optimal solution, of course within the restrictions of what I can do in a private member's bill, is there. We've listened to the community.

For the second round of consultations I'm happy to say that, due to the great amount of support from members of my caucus, I will be going down to Lethbridge, actually, to open up those consultations. I will of course be back in Calgary to do another round of consultations. We're working with my colleagues in Edmonton to host bigger consultations. We're also working with some other colleagues to perhaps go a little bit further afield into rural Alberta as well to sort of get a little bit more of the rural members of the PDD community, to make sure that this private member's bill meets their needs, and to make sure I have, as much as possible, the full diversity of viewpoints. Should that come out as positive, that's what I'll bring forward.

Thank you, Madam Speaker.

The Deputy Speaker: Any other members wishing to speak to the bill? I'll recognize Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Speaker. I rise today to speak to Bill 205, the Advocate for Persons with Disabilities Act. I want to thank the hon. Member for Calgary-North West for her efforts on this bill.

You know, I don't think it's a news flash to anybody that for Albertans sometimes trying to navigate through the labyrinth of government is often very difficult. If you think of the government as the largest business, perhaps, in the province, it's often very difficult to get through the layers of bureaucracy and to actually make the provincial government work for you. My constituents are often in my office to ask me and my office to try to help them work their way through government. The bureaucracy, the regulations, the timelines, the forms, the technicalities: all of these things combine at times to make it almost impossible for the people of my constituency to work through the government and to make the government work for them. Of course, it's even harder when you're an Albertan that has a disability that you suffer from. So it's a good idea to bring forward Bill 205 to create an advocate for persons with disabilities, and I would applaud the member for bringing this forward.

It's clear that an advocate in this bill has been empowered with the ability to identify and to study issues. Each one of the people that walks into our offices has a unique life and unique challenges. People with disabilities are no different. As they come into our lives and come into our offices and ask government to be a part of their lives, it's important for this advocate to be able to study and to be able to identify the unique situations that people with disabilities face, whether that's a physical disability or a mental disability, whatever that disability may be. Having an advocate that can study and identify those issues is a good thing. To review the programs and the policies that we create as a government to try to help the people of Alberta with disabilities: that's an important thing for an advocate to be able to do, to see if those programs and those policies are actually fulfilling the purpose for which they were designed.

Allowing that advocate to have consultations and to help make and to advise the government on systemic decisions that could help people with disabilities is an important role for this advocate to play, so I'm glad to see that it's built into this bill, to a degree at least. That they can promote the rights and the interests and the well-being of the person that is seeking access to government service is a good idea; it's a good thing. That this advocate would be able to provide information and advice to the government is actually really crucial.

We must as a government be self-reflective. We must be looking at how we can do things better for the people of Alberta, how we can make our systems more efficient and more effective, and an advocate allows us to be able to do that, to help those people that

perhaps cannot speak on their own behalf or cannot help themselves.

An advocate can help provide people with disabilities or their families with an educational component. They can help educate these families to see how they can work through the system. This is accessing the services and the related programs for that individual. They can help make them aware of the appropriate resources and the people in the organizations that the government has available, and they can, like we've done with other advocates, reach out to Albertans, whether it's the Child and Youth Advocate or whether it's the Seniors Advocate. These advocates can help the government work for the people, and if nothing else, that's what a democracy should be about. It should be about helping the government work for the people.

For those that do not have the resources or the capacity to advocate on their own, I believe that an advocate will assume, to a certain degree, that role, that capacity of advocacy. These are all positive things that I wanted to bring to the attention of the House. It's the reason that we will and I will be supporting this bill.

That doesn't mean that this bill couldn't have been better. This bill provides for the advocate for persons with disabilities to improve the government capacity by identifying and studying issues, by reviewing programs, by providing information, and while I support these objectives – and they are worthy objectives – I believe we could have made this bill even better. I really wish the government had been willing to support the subamendment that I put forward in the House. The subamendment would have encouraged the advocate when they review policies and programs, when they identify issues, and when they provide advice to the government. This subamendment would have helped strengthen the mandate of the advocate in order to be able to help Albertans. I believe that it would have made a better bill.

When you ask to allow and encourage the advocate to consult with stakeholders and when the advocate puts forward a report to a committee, upon 90 days of receiving that report, the committee would then consult with the public about that report and maybe ask for some of those stakeholders to come before the committee. That's how committees work. We take a problem, we take an issue, and we study it. We bring in the consultation.

9:30

I'm very happy to hear the hon. Member for Calgary-Currie, I believe, say that in his private member's bill he's done all of this consultation leading up. Why would we not encourage our advocate to do the same thing? The amendment asks for front-line workers, that maybe have a different viewpoint, to be involved, that there would be fulsome consultation with those stakeholders. We're simply asking for the advocate to have the capacity to do what the member across is doing for his private member's bill, and that's a good thing.

We asked for the committee to have more consultation with stakeholders coming out of that report. We've asked in that subamendment for the advocate to have the capacity to speak on behalf of those that are being employed, that are looking after many of the people that have disabilities, that they would be able to advocate on their behalf as well. If you're advocating on behalf of the people that are working with people with disabilities, you are advocating for that person with a disability.

I wish that the government had been willing to consider and to vote in favour of that subamendment because I believe that it would have made this a better bill. I guess we can only take the government and the hon. member and the reasons that she gave for why she wouldn't consider this subamendment. I guess that was, from my perspective, quite disappointing.

At any rate, to sum it up, I believe that there is much in this bill that's worthy of support. It will receive my support. I thank the government and the hon. member for bringing it forward. I just wish that we had been able to make it a little bit better.

Thank you very much.

The Deputy Speaker: Under Standing Order 29(2)(a), Edmonton-Ellerslie.

Loyola: Thank you, Madam Speaker. I was very interested in the words that the hon. member had to share. I recall that earlier on in this session the member was talking about opposition that he and other people had to a group home in his own cul-de-sac. It seems so interesting that here he is advocating for persons with disabilities, you know, a group of people that, quote, unquote, people say are vulnerable, yet in another instance he was completely opposing a group that could be considered part of that category. So I'd like the hon. member to get on the record as to what the difference is and why there's a difference in advocating for some as opposed to others who desperately need our help and should all be treated with dignity.

The Deputy Speaker: Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Speaker. This is now several times that I've come up and spoken to this issue. I believe that the root of it comes back down to that important word that we've talked about, consultation. We saw just how much difficulty this government worked itself into when it did not do a proper job of consulting with farmers over Bill 6. You see, when governments make decisions, they impact individual people's lives. Before they go about doing that, whether it's with zoning laws or whether it's with a Bill 6, they better make sure that they've done the job of consulting because, at the end of the day, government is supposed to be about serving the people regardless of the issue.

What happened in both Bill 6 and with the issue that he's referring to in my life is that there was not proper consultation. This government learned the hard way how Bill 6 came back to bite them because the people of Alberta realized that this government was not working in their favour but, rather, was trying to impose an ideological point of view on free Alberta citizens. Now, in this case of mine we saw again a government making a decision without appropriate consultation. At the end of the day, the appeals panel came out in favour of our position, that there had not been appropriate consultation and that the issue was in our favour.

While we all want to help people – and I even believe that the government wants to try to help the people of Alberta at times – we see that when you do not do the appropriate consultation, that consultation or lack thereof can create a whole series of problems that government creates for itself. So I would encourage this government to continue to learn. We realize that many of us in this Legislature are first-time MLAs. There is a learning curve. I believe that this government has started to learn at least a little bit about the idea of consultation. I think we saw the Member for Calgary-Currie stand up and give a speech here just a few minutes ago all about the role of consultation that he's taking, and I believe that that's probably as a result of the problems that were created at least in part by Bill 6.

So when we start to think about how government works in people's lives and when we start looking at this bill, let's remember that consultation is always a good thing. Asking the advocate to be able to consult, to talk with front-line workers, to advocate on behalf of the people that are, in turn, working with people with disabilities, that consultation and having the committees that will review the reports of the advocate, have an opportunity to take that information and to be able to go back and to consult with the people,

is actually a really, really important part of the process of government. At the end of the day, when you do that, it's a part of getting the government to be able to actually work for the people. And in the case of people with disabilities that's a very important thing that government can do for them, advocate for them, not be a part of the problem.

So while again I would speak to this bill and say that there are major portions of it that are worthy of our support, I believe that it could have been tweaked. It's, again, disappointing that the government is unwilling or unable . . .

The Deputy Speaker: I'll recognize Edmonton-Centre.

Mr. Shepherd: Thank you, Madam Speaker. It's a pleasure to have the opportunity to rise and speak to third reading of Bill 205. I'd like to start by just talking a little bit about some statements that were made earlier today. The Member for Rimbey-Rocky Mountain House-Sundre seemed quite disappointed that the subamendment, which was just spoken about by the Member for Drayton Valley-Devon, was voted down in the Assembly.

Now, Madam Speaker, this was a two-page subamendment incorporating a number of changes for which, frankly, I heard very little explanation or clarification offered in this House. I know that after I listened to the member present the subamendment, I had very little understanding of precisely what it was he was asking for. He gave a much more eloquent explanation of it here this morning. I, frankly, wish he would have made so eloquent an explanation on that day. However, you know, as was said by the Member for Calgary-North West, there had been no previous consultation or indication that that subamendment would be brought forward, no opportunity to correctly understand how it would fit within the bill, and, as I said, little explanation offered in the House.

I will note, Madam Speaker, that the Member for Rimbey-Rocky Mountain House-Sundre himself did not speak to this subamendment that he apparently felt so passionately about, much as he had almost nothing to say in our last meeting of the Standing Committee on Legislative Offices, where I was pleased to serve as chair, in which he somewhat misleadingly suggested that government members at that committee chose to stop debate on aspects of the Child and Youth Advocate Act, when in fact they simply chose to adjourn discussion of further expanding the scope of the advocate to a future date and another committee meeting.

Now, I suppose there are many reasons why a member may choose not to speak to a particular debate. Perhaps they've chosen not to be present for a particular discussion, in which case it's a bit disingenuous to cast aspersions on those who are there. Perhaps they didn't feel strongly enough about something to be there to take part in that debate – I suppose that's a possibility – or I suppose they just might not feel passionately enough or be concerned enough about that issue to rise and make their opinion known at the time. I suppose that's for the member in question to determine or to know for themselves. At any rate, I'll say for my own part that I did not find that that amendment was very clearly explained or presented on the record, so I did not find that I could support it.

9:40

Now if we can go back then, Madam Speaker, to the actual substance of the bill, as I hope all members will be able to today. I'm very happy to have seen this bill brought forward by the Member for Calgary-North West. You know, when I first was elected, I admit I did not have much, if any, knowledge about the realities for the disability community in Alberta.

Shortly after I was elected I did meet with Ms Bev Hills of the Skills Society, who came to my office, and we had a very good

discussion. That was my first opportunity to learn about some of the difficulties and indeed many challenges that that community had faced in trying to communicate with the previous government. There were a number of issues that they had encountered, a number of challenges on which they had tried to be heard but on which they found that they were not able to gain any purchase. They were not able to gain any ground. They were not able to get their concerns recognized, indeed, or things changed.

As I continued to serve and I had the opportunity, Madam Speaker, to have the honour of chairing our caucus committee on social policy, I began to have the opportunity to learn from the Member for St. Albert, who many of us have spoken of in regard to this bill given her deep knowledge of this area, given her many, many years of work with this community and advocacy on behalf of this community. From her and through her I began to learn about the concerns around standard 8, the safety standards that were brought in under the previous government, and the implications that those held for the disability community and indeed very dire implications that could have cost many people from the disability community their very homes.

I was very pleased, Madam Speaker, to see that the minister for human services at the time, now the Minister of Community and Social Services, undertook a consultation to sit down with that community, to hear directly from them their concerns. Indeed, again, the Member for St. Albert was a leader in part of that consultation and in ensuring that the voices of the people in our disability community here in Alberta were heard. I'm very happy to say that as a result of that fulsome consultation, those standards were repealed.

Madam Speaker, I've had the opportunity to continue to learn. I've been able to continue to learn because there have been people within our government caucus who have that knowledge. The Member for Calgary-North West, whichever side of this aisle she has been on, has indeed endeavoured to become that advocate as well. She spent much time with people in that community, learning from them, understanding the issues, and she repeatedly rose in this House – repeatedly rose in this House – unlike some other members, to advocate for this community not just when it was politically convenient but out of true concern, to make sure that their voices were heard at this table.

That is an excellent example of why a disability advocate in this province is so badly needed and of the great value that it can provide to the disability community in our province. Madam Speaker, when we have someone who is dedicated to examining the systems of support, to examining the things that are in place to help those who are in need, as was so eloquently put earlier this morning, not those who are just vulnerable, not those whom we want to look at as victims but simply those who need help from their government, as so many of us do in so many different areas, those people would have someone who can help them to navigate the systems because, as has been observed, these systems can be complex. They can be somewhat labyrinthine.

As I noted yesterday, the Auditor General had identified how bad things had gotten with the AISH system in our province. I'm very happy that the Minister of Community and Social Services has made many improvements. I know that my office, in terms of our casework, had many people come to us who were struggling with trying to get through the AISH system, having to make repeated applications before they were finally able to access the services and the supports that they needed and indeed deserved.

Having a disability advocate who could report to and advise the Minister of Community and Social Services, to identify and study issues of concern to people with disabilities, to review those programs and policies that are there to support them, to participate

in the processes through which decisions are made, indeed to consult with and promote the rights and interests and well-being of persons with disabilities through public education: Madam Speaker, this is an incredibly valuable thing. This is a good step forward. We have much work left to do with the disability community. There are many things left to address.

We had an excellent report, which was released last fall, again which the Member for St. Albert was a key part in bringing together as a member of the committee that looked at this. I look forward to working with the Minister of Community and Social Services to see how that report can be implemented and how we can begin to take further steps forward to ensure that all Albertans receive the support and services from their government that they deserve. Madam Speaker, to be clear, we are here to make life better for Albertans. We make life better for Albertans by standing together and supporting each other, not by pitting Albertans against each other, not by suggesting who is and who is not truly Albertan but by supporting all Albertans regardless of their political bent or stripe.

I appreciate this opportunity to stand today and again express my support for Bill 205, to thank the Member for Calgary-North West for bringing this bill forward, to recognize the Member for St. Albert for her continued and ongoing advocacy for this community. I look forward to seeing this bill pass and to working with the new disability advocate in the province of Alberta to make sure, again, that we are making life better for all Albertans.

Thank you.

The Deputy Speaker: Questions or comments under 29(2)(a)?

Seeing none, any further speakers to the bill? Calgary-Klein.

Mr. Coolahan: Thank you, Madam Speaker. I just want to rise in support of Bill 205 and thank the Member for Calgary-North West for bringing it forward and, of course, thank the Member for St. Albert for her lifetime of advocacy on this matter. You know, this is one of those bills where I think to myself: why wasn't this done years ago? That's been happening a lot over here, actually. I've been really enjoying the dialogue on this bill as well – well, until the Member for Rimbey-Rocky Mountain House-Sundre got up to speak. But it's been very positive, and it's what we really need.

An advocate is going to be very important for this community. An advocate for persons with disabilities in Alberta will allow for a more systemic understanding of the issues faced by persons with disabilities and will identify potential solutions to these barriers. That's exactly what an advocate does. They will recognize items in the community that aren't being addressed. I have an example from Calgary's greatest riding, Calgary-Klein.

Ms McPherson: The second greatest.

Mr. Coolahan: The second greatest, yeah.

It's funny that the Member for Edmonton-Ellerslie addressed the Member for Drayton Valley-Devon on keeping the youth house in his cul-de-sac. In my community of Capitol Hill, my own community, construction is under way right now on accessible housing that was originally there. It had 14 rooms, and now it's being expanded to 42 rooms for people with disabilities. It's really fantastic.

This was a combination of private donors, the government of Alberta, and many advocacy groups. What happened there was that with the members from the Capitol Hill Community Association, who I thank very much for this, there was no objection to this accessible housing development being expanded. You have to understand that. They advocated for this, absolutely. This is what an advocate who is in place would do on a continual basis, not just

sort of an ad hoc advocacy when something is recognized. I'm very proud of the Capitol Hill community and the association.

9:50

You have to understand where this is being built, Madam Speaker. I mean, it would leave developers salivating. It overlooks beautiful Confederation park. They developed it so that people with disabilities, who are in chairs or scooters or these kinds of things, can actually go right into the park. It's very beautiful land. Again, I'm just so proud of my community for helping make that happen.

You know another thing an advocate can do? I just wanted to bring this up because it's kind of interesting. When I was in high school many, many years ago . . .

Ms McPherson: Not that long ago.

Mr. Coolahan: It's quite a while ago.

. . . I actually earned a credit for being what they called a buddy to people with developmental disabilities and physical disabilities. What a great program. This is something an advocate in Alberta might actually advocate for in the education system here. It really gave me an understanding as a young person, a teenager, of the challenges that are faced by people with disabilities but also of their abilities, what they are able to accomplish, and how much they contribute to communities.

I don't want to take up too much time on this, Madam Speaker, because a lot has been said, and I really do want to see this bill passed, as I'm sure it will be. Again, thank you so much to the Member for Calgary-North West for bringing this forward. I'm sure we are going to see this bill passed, and we're going to see an improvement in the lives of people with disabilities in this province.

Thank you so much.

The Deputy Speaker: Under Standing Order 29(2)(a)?

Seeing none, any other speakers to the bill? The hon. Member for Calgary-Hawkwood.

Connolly: Well, thank you very much, Madam Speaker. Before I begin, I want to thank the Member for Calgary-North West for her work in putting this forward and for all the consultation that she's done for this bill, and I also want to thank the Member for St. Albert, who has worked her entire adult life advocating for people with disabilities. The work that she has done has helped our government and has helped all Albertans move forward when it comes to helping persons with disabilities. I am very proud to be in a caucus that has people from all parts, from all walks of life, who can bring their expertise to our government, and if we don't have that expertise, we can go out and seek that expertise. We are nowhere near as blind as previous governments have been when it comes to talking to other people, so I'm so proud to be part of this government and our caucus.

Now, I have never been anywhere near an expert on persons with disabilities, but I knew that about myself before I was elected. As a brand new candidate I sought out an expert. When I was getting signatures for my nomination, I sat down with a friend, my grades 11 and 12 social studies teacher, actually, Jean-Pascal Morin. While he hasn't always been an expert either, a few years ago he and his wife were blessed with their first child, Isaac, who was born with Down syndrome. I knew about this because he always talked about Isaac in class, and he even brought him a few times. Isaac was the happiest kid I have ever met. He loved everyone, and quite frankly everybody loved him. He was just a barrel of joy and always brought a smile to everyone's face when he was able to come to school with his father.

Now, I don't know if you've recently visited a high school, Madam Speaker, or if anyone here has recently visited a high school, but high school has never been, really, a bastion of proper language. Quite frankly, the number of times I heard the R word is astounding, but in M. Morin's class I learned quite quickly why that word is inappropriate and how to shut it down when I see it or hear it. As high school students we learn that this word is inappropriate and that it can be hurtful to so many people across our province and even in the microcosm that was our school, and we did learn. It was like night and day from when we entered M. Morin's class at the beginning of the year to when we exited after two years. No one used the R word because we all loved M. Morin, and we knew that it upset him and for good reasons. It's insulting, it's degrading, and I wish the Member for Calgary-Greenway would have talked to the family of a person with disabilities before he supported the use of such a degrading word.

That is why this bill is so important, because we have people who believe that using the R word is worth their validation, because we have people even in this Chamber who don't understand the harm that can be done when you stand aside and let people use degrading language to Albertans and to people whom we love.

When I was getting my nomination paper signed, I went to see M. Morin and his family to talk about politics and what I needed to know about persons with disabilities. I wanted to know what I could do to help. I needed a crash course because, like I said, I knew very little about the subject. I wish members of the opposition would have done the same because I learned a lot in our short meeting. When I asked what needed to be done, he pretty much said: everything. It's incredibly difficult to raise a child with a developmental disability. They lack support, they lack information about what supports do exist for them, and they lack someone to speak on their behalf.

The previous government failed persons with disabilities. I vowed that I would do better not just for Isaac but for all Albertans. There's a lot that needs to be better. There's a lot that needs to be done. Because of the lack of will and because of the lack of caring from people on the other side of the House, we have inherited a deficit of empathy from the previous government. We will not leave people with disabilities behind, because we care about Albertans, we care about people with developmental disabilities, and we will make sure that this and what happened in the past 10 years never happens again.

This bill responds to calls within the disability community for an advocate, and more importantly it responds to concerns of members of the PDD community. I couldn't be happier to support this bill, and I couldn't be happier to be with a government that puts legislation like this forward, and I am so proud of the Member for Calgary-North West and the Member for St. Albert for all their hard work in helping people with disabilities.

While people on the other side have their headphones in, while people on the other side decide not to talk, that is why we're here. We're here to make sure that we bring their stories forward, because the people in the opposition are so blind to what's happening with social issues. It may not be in their top 100 things of why they ran, but it's important to people in this province. Those 100 issues, those social issues: that is why people ran. That is why people need a government. They need government to speak on their behalf to help them with social issues because they have never had a voice in this Legislature or very rarely get a voice in this Legislature.

Once again, I am so proud of people who have gone out into the communities to talk to people in these communities, who took the time to actually ask them what they needed. That's why I am proud to be part of this government, and I am proud to support this bill.

The Deputy Speaker: Any questions or comments under Standing Order 29(2)(a)?

Seeing none, any other speakers to the bill? Edmonton-McClung.

Mr. Dach: Thank you, Madam Speaker. I'm pleased to rise on Bill 205. I also want to add my congratulations to the Member for Calgary-North West and to her colleague and my colleague as well the Member for St. Albert, who together are a force to be reckoned with when it comes to advocacy for individuals who need support in this province and deserve the support of this government.

This legislation will bring forward a long-desired advocate for persons with disabilities. I do want to thank the member for bringing forward this bill, starting an important conversation, and for the work she's done to consult with Albertans. Madam Speaker, this bill would establish an advocate for persons with disabilities in Alberta with the power to represent the rights, interests, and viewpoints of persons with disabilities. Just as important, the advocate will identify concerns within the disability community.

Some of these concerns I've mentioned before in the House and I've had the opportunity to witness and learn about earlier in other capacities, while driving a DATS bus or working with geriatric patients as a nursing orderly trainee. Those early impressions never left me, and I'm very, very proud to know that we recognize the need and the wisdom of bringing forward legislation which creates an office whereby individuals with disabilities can turn to an advocate and have their voices heard.

10:00

Many were the times when passengers on my bus or individuals who now are my constituents sought to gain access to government programs or services that they really shouldn't have to ask twice for, yet they didn't seem to be able to obtain them as easily as one would expect. To have this office available for them to turn to is something they've been calling for a long time, and I'm proud that this government is finally responding and turning to that community of Albertans and saying: "Yes, you belong. Yes, we value you. Yes, you're important. Yes, we understand."

When it comes to making life better for Albertans with disabilities, the previous government was a lot of talk and not a lot of action. The Official Opposition has a plan to cut services like health and education, that Albertans rely on. Our government's record is clear. We are committed to supporting Alberta's disability community. We stopped the PDD safety standards, and we stopped SIS. We recognize that PDD service providers are facing pressures due to a growing demand for PDD services. That's why we increased funding for PDD. Our government is protecting and improving the things that matter to Albertans, and that's why we continue to listen to the disability community about their ideas to fix the issues that the previous government created.

Now, many Albertans who don't have a relative or a close friend or maybe don't run across in their own workplace individuals who face the challenges of having a disability may not be aware of some of the statistics about the individuals and the size of the community who live with disabilities in Alberta. Overall, we know that individuals with disabilities face unique challenges. A few examples include an employment rate of 47 per cent compared with individuals without disabilities at 74 per cent.

One of the things that an advocate will be able to do is raise awareness amongst employers about the value of employing individuals with disabilities. There are many benefits to having someone in your employ, as an employer, who otherwise wouldn't be working, if one takes the opportunity to realize the value of employing somebody with a disability, realizing that in many cases those employees have lower absentee rates, better job dedication,

longer term employment in one place, and genuinely add an element to your workplace that basically improves the camaraderie and self-respect of everybody in the workplace because they know that they're reaching out and valuing somebody else in our society.

Right now I'm in the process of working with Inclusion Alberta to match the work that I have available to the skills of somebody that they will refer. Hopefully, very soon there'll be somebody in my office who is living with a disability, gainfully employed in some capacity, that we can enrich our workplace with. I look forward very much to doing so and, hopefully, by example, will encourage others in the constituency of Edmonton-McClung to really consider looking at how they could employ an individual with a disability as well.

Now, a bit more background as far as the quality of life for adult Albertans with developmental disabilities goes, as measured by a personal outcomes index. It demonstrates that the ability to get around within one's community, i.e. transportation, is positively related to all domains of quality of life. The greatest gap between quality of life for adults with developmental disabilities and other adult Albertans was in the domains of rights and self-determination.

Research shows that in comparison to parents of typically developing children, parents of children with disabilities are more likely to turn down a promotion, work reduced hours, or not work, and have a lower income. Many of us have seen this first-hand, where you'll have a dedicated set of parents or a single parent looking after an individual who has a disability in their home, quite often with other children as well. They will do everything, as one would expect, to ensure that that child has the best outcomes as they grow towards adulthood within that family but at great sacrifice.

Those are some of the things that I expect the advocate will address when the office is in place should we pass this legislation, as I expect we will. The advocate will, I believe, become a very worthy advocate for parents raising children with disabilities in ensuring that the access to government services or development of new programs and services is something that reaches the attention of the government sooner rather than later so that individuals don't end up suffering unnecessarily as they do their very best to raise children with disabilities within families and, hopefully, minimize the sacrifices that they have to make compared to families who are not suffering the same challenges.

According to the 2012 Canadian survey of disabilities by Statistics Canada – get this – there are approximately 436,000 adults with disabilities and 31,000 children with disabilities in Alberta, a huge number. Many of us don't realize just how large that number is: 436,000 adults and 31,000 children with disabilities. What an absolutely wonderful resource of individuals that we can welcome into the workplace and into our schools to ensure that they know they're valued. This legislation, which brings forward an advocate for those with disabilities, will go a long way to signify that the government values individuals who have disabilities as they would any other Albertan. The Canadian survey on people with disabilities conducted by Statistics Canada is collecting data between March and June 2017. Updated results will be available in the winter of 2018 and '19, but even as the numbers stand now, from 2012, 436,000 adults with disabilities and 31,000 children with disabilities in Alberta are significant numbers which, I'm sure, come as a shock to many Albertans to know.

There are a number of programs in the province designed to provide supports to individuals with disabilities, but those support programs will always need to be reviewed, updated, reconsidered. An advocate for persons with disabilities will be a very significant and useful instrument, officially, for individuals and families who wish to address government and make sure that changes are made to programs as they develop over time and as needs change.

Thirty-seven hundred children, youth, and adults are either affected by fetal alcohol spectrum disorder or are caregivers of those affected, accessing support. That's a significant number, and it's a very, very difficult situation to be in as a caregiver for somebody suffering from FASD. I know an individual in my constituency who was a foster mom to one individual with FASD, and it's total dedication, and it's nonstop. It's heartwarming to see that child, that young boy, grow into a young adult under the care of this mother who has taken that responsibility on, but the supports that need to be there for individuals in that situation are not always what they should be.

I know from having conversations with her that the power, the resource, the office of an advocate for those with disabilities would be an asset to her. As an individual MLA one can make representations, but for, officially, that office to be available to mothers in her situation looking after a child with FASD would be a real recognition of the value of the role that they play in extending themselves to really take on a very, very difficult and challenging task. Raising somebody with FASD: well, it's really heartwarming to see that effort and that dedication. People who are in that situation deserve nothing but our absolute support and deserve to be elevated to a status of the highest order in our society. Giving them the recognition they deserve by implementing an advocate for people with disabilities in this province is one way of honouring that dedication that caregivers for those with FASD exhibit every day.

10:10

The family support for children with disabilities program supports more than 13,400 families and their children with disabilities. Other programs: the persons with developmental disabilities program supports over 11,300 individuals; 570 Albertans accessed the residential access modification program; approximately 150 Albertans have a qualified service dog under the Service Dogs Act and service dogs qualifications regulation. Supports and services cover a broad range and can include community-based assessment and diagnosis, targeted and indicated prevention, support services for people affected by FASD and their caregivers, a range of respite options, targeted behavioural and developmental strategies, work-related and/or developmental child care, assistance with some extraordinary costs related to health and medical needs, and out-of-home care for the child when necessary through FSCD.

A number of programs exist, and they do need to be revisited over time. The needs of families change. Situations change within the workplace. The individuals who suffer the disability and live with the challenges of disability themselves will often, as they grow older, have their needs change, go from school to the workplace. It's the transition quite often from school to workplace that these individuals have difficulty manipulating. The advocate will look at transitional problems that individuals suffer when they try to go through even a change of academic institution. From high school to university is quite often a challenge, and there are barriers there that need to be addressed on an ongoing basis. This is one area where I'm really quite hopeful we'll see some progress made with the assistance of the advocate, in having more people go from high school into postsecondary institutions and be accommodated.

Thank you.

The Deputy Speaker: Any questions or comments under Standing Order 29(2)(a)?

Seeing none, any other speakers to the bill? The hon. Member for Calgary-Bow.

Drever: Thank you, Madam Speaker. I'm proud to rise to speak to Bill 205, the Advocate for Persons with Disabilities Act. I would

like to thank the Member for Calgary-North West for putting forward this bill and also the Member for St. Albert for cosponsoring. I know that these two members have been huge advocates on this issue, and I and many other Albertans certainly commend them for that.

I would like to begin by saying that it is our government's first priority to ensure that Albertans with disabilities continue to receive the supports they need, not just to continue to support them but to add to that support in a meaningful way to smooth over the problem areas and find solutions to the frustrations that people of the disability community have experienced for years.

We saw one important example of frustration in the disability community in the form of incredibly damaging language validated by a member of the Legislature, the Member for Calgary-Greenway. He responded to a blistering criticism of the government that included an offensive term to the disability community. In responding both positively and excitedly to the person who made the insult, he validated a term that the disability community and its allies have worked so incredibly hard to make unacceptable. When he was finally pushed into apologizing, he used the opportunity to take yet another swipe at the government, and he didn't even use the word "disability." This is the same member who offered up a substantial bill-changing amendment, which actually he never even bothered to bring to the House. That was about two weeks ago, and it just left us wondering and left me wondering whether he had the best interest of this bill at heart.

You see, Madam Speaker, prejudice is everywhere and even in this House, but I am confident in saying that prejudice of any kind does not exist on this side of the House. Our government has always valued the input of the disability community into how we can best support their safety and inclusion. That's why we continue to make thoughtful, measured changes to improve the way the PDD programs meet the needs of Albertans with developmental disabilities. Our government recognizes that both individual and family advocacy is important for addressing issues and creating meaningful changes to systems and supports.

The ministry has existing relationships with the disability community, providing avenues for both engagement and advocacy. Just to list off the advocacy committees, that includes the Premier's Council on the Status of Persons with Disabilities, PDD provincial advocacy committee, PDD Provincial Self-Advocates' Advisory Committee, PDD contacts advisory committee, family support for children with disabilities, provincial parent advisory committee, fetal alcohol spectrum disorder family advisory council. Community advocacy organizations also include the Alberta Disabilities Forum, Disability Action Hall, Inclusion Alberta, voices of Albertans, Voice of Albertans with Disabilities. Service provider organizations also include Alberta Council of Disability Services, Alberta Disability Workers Association, Align Association of Community Services, Alberta brain injury network, PDD regional service provider council.

Madam Speaker, our government is listening to Albertans. As you can see with the long list of organizations that I just listed, we are engaging with Albertans. The message Albertans are sending is loud and clear. Establishing an advocate will make the lives of Albertans better.

I'd like to get into the role and the mandate of the advocate:

- (a) identify and study issues of concern to persons with disabilities . . .
- (c) participate in processes in which decisions are made about persons with disabilities;
- (d) promote the rights, interests and well-being of persons with disabilities through public education;

- (e) provide information and advice to the Government with respect to any matter relating to the rights, interests and well-being of persons with disabilities;
- (f) assist individuals who are having difficulty accessing services and related programs for persons with disabilities, including directing them to an appropriate resource, person or organization [that may be able to assist them].

Madam Speaker, simply put, this bill gives the disability community a voice. By having an advocate, Albertans with disabilities will have a point person when, for example, teens transition into adulthood or need assistance navigating government programs and services by providing advice, information, and assistance with resolution concerns through third-party support.

Madam Speaker, in my fundamental role as the elected representative of the fabulous riding of Calgary-Bow, I must reflect on how this bill will affect my constituents. I have reached out to many stakeholders in my riding. In the community of Bowness I have met with the Resicare Society, which is a wonderful organization. The Resicare Society was formed by a group of concerned parents and individuals who believe that persons with disabilities have the right to a stable home environment offering supports for growth and development.

10:20

I had the opportunity to tour their facility and attend their AGM, which I spoke at on behalf of the government. I was greeted by their CEO, Maline Jenkinson, and we discussed her organization's experience in serving people with developmental disabilities and the barriers that they face in working with the PDD legislation because the previous government just failed them for far too long, Madam Speaker. I was happy to add their voice to the PDD safety standards consultation in 2016, which I know the Member for St. Albert was deeply involved in. This is just another example of how our government is listening to Albertans. By having an advocate, it will help the people who live at the Resicare Society by reducing barriers and giving them a voice, and this is one example of why I support this legislation.

Another organization that will benefit from this bill is Accessible Housing. I know that the Member for Calgary-Klein also spoke about this earlier, and it is in his riding as well. The CEO, Jeff Dyer – well, he was the CEO; now he's the CEO of Boys & Girls Clubs – at the time invited me because he is a constituent of mine. He lives in Bowness, and he wanted me to tour their facility. For people who don't know what Accessible Housing is, it's a not-for-profit organization and registered charity with a mandate to open doors to homes that are accessible and affordable for people with limited mobility. Through their outreach and residential programs they provide housing and personal supports so that everyone can have a home, belong, and participate in their community. I thank him for having me as it was an enriching experience which led to conversations on how they can help accessibility in Calgary-Bow. Actually, something that he mentioned was that a former MLA, Kent Hehr, used Accessible Housing. I found that interesting.

Mr. Dyer mentioned that they had a project called ramp it up. This is a project that helps remove physical barriers by providing single-step storefront custom-made ramps, at no cost, to businesses who need them. In collaboration with the Bowness improvement area and this program we were able to put up ramps all over Bowness to help people with accessibility. I highly recommend to anyone in this House to use that program as well because, you know, a single step can definitely be a huge barrier for someone who has accessibility issues.

This is just a great example of community engagement. When there is community engagement, it protects and improves the lives

of Albertans, and I feel like Bill 205 does just that. If passed, it would establish an advocate for persons with disabilities in Alberta, which will allow for a systematic understanding of the issues faced by persons with disabilities and identify solutions to those barriers.

With that, I support this bill, and I urge my fellow colleagues to support this bill as well and to give to the disability community what they've been asking for for far too long. Thank you, Madam Speaker.

The Deputy Speaker: Any questions or comments under Standing Order 29(2)(a)? The hon. Member for Edmonton-Whitemud.

Dr. Turner: Thank you, Madam Speaker. I want to express my appreciation to the Member for Calgary-Bow for those remarks, and I wonder if she would expand on the experience of the previous MLA in that great riding and how his experience with affordable housing informed yours.

Drever: Well, thank you for that question. Mr. Dyer and I had a really good conversation around how accessible housing really has benefited Calgarians. He did mention that former MLA Kent Hehr did use their facility and that it really was life changing for that individual. I mean, like many other members of this House, I didn't have a lot of knowledge about people with disabilities, and listening to other people's stories is really eye opening for me. I didn't talk to Mr. Hehr myself, but I did hear his story through Jeff Dyer. He said that, you know, it made him feel like he had a family. It made him feel like he had a home. Those are just the fundamental basics that I feel everyone deserves and has the right to. Just because you have a disability, it doesn't mean that you don't get that right. He did express that Mr. Hehr was very happy that he was able to use that, and I think that that helped him be an advocate for other people with disabilities because he knows where they're coming from.

The Deputy Speaker: Any further questions under 29(2)(a)? Seeing none, any other speakers to the bill? Lethbridge-East.

Ms Fitzpatrick: Thank you, Madam Speaker. I rose in support of this bill during second reading, and I did so because it was and is the right thing to do. As I mentioned before, I'm a person living with the challenge of hearing loss. I have worked within the disability community for about 20 to 25 years in Edmonton, Ottawa, and Lethbridge. I consider myself to be a vehicle for change within this and many other communities.

As I've said previously, Lethbridge is an incredible community, and it is so because it exemplifies what I believe a community should be. Perhaps a definition which encompasses it: a group of people living in the same place or having a particular characteristic in common, a feeling of fellowship with others as a result of sharing common attitudes, interests, and goals. I believe the attitude, interests, and goals in Lethbridge are of inclusion and sharing our diversity. There are a number of groups which have taken a lead role in this area in Lethbridge. One of those groups is inclusion Lethbridge. It was formerly known as Lethbridge Association for Community Living. I believe that I have a good working and personal relationship with inclusion Lethbridge.

Last Friday I had a very positive and, I think, productive discussion with Dani. Dani is a mom who works tirelessly as an advocate for her daughter, who is amazing, and also for others in our community with developmental disabilities. I prefer to say developmental challenges. Dani provided me with a great deal of feedback on the issue, which I've shared with my colleagues. She recognizes that this bill and the appointment of an advocate is a first step. Dani wants her daughter to have a rich and meaningful life. She recognizes the depth and breadth of the needs of her daughter.

It is this knowledge and the leadership and advocacy by herself and other parents which provides the information we need to make positive and productive steps forward. Information like this will be shared with the advocate.

I'm a member of the Ministerial Panel on Child Intervention, and as such I'm learning much more about the role of an advocate. I am also learning about the actual costs to have such a role as an independent entity or within a branch of the government. I know that our budget is limited. In fact, I hear from the opposition every day where they are directing us to cut everywhere. I also know we cannot do that.

It has been recommended that an independent office of the Legislature similar to that of the office of the Child and Youth Advocate be formed. As much as I would like this to happen, I would point out, as my colleague from Edmonton-Centre did, that the cost of such an entity in this framework would be in the area of \$14 million. This bill is proposing an advocate that sits within the Ministry of Community and Social Services, which is similar to the successful B.C. model. In this model the advocate is appointed and reports to the government. This allows the advocate to provide direct advice and recommendations to the government. On that note, groups such as Inclusion Alberta and inclusion Lethbridge provide to the government information on the challenges, the barriers, et cetera, that impact the service sector and family capacity of those who provide service to Albertans experiencing such challenges.

10:30

One of my concerns with respect to a separate entity is that the money would have to be redirected from elsewhere within the overall government budget. Where could one possibly make those cuts to do this? In having the advocate within a ministry which would have the supports available through that ministry and being able to listen, assess, and provide both advice and recommendations to the government directly, this position would look at systemic issues brought forward. It will provide the government the ability to address the gaps within the system much more quickly, and in fact this is one of the things that has been requested through the PDD consultation.

I am convinced that the advocate as being proposed by this bill will begin to make the lives of Albertans better. I'm very pleased to be part of a government that is taking action to do just that. As a person with a disability, my challenge of hearing loss, I thank the Member for Calgary-North West for bringing this bill forward and the Member for St. Albert for the advocacy work she has done over many, many years within this community.

I know how important it is to have somebody there that listens, that understands and actually makes a movement forward so that our government can make those changes. I absolutely support this bill, and I just won't be able to believe it if anybody voted against it.

Thank you very much.

The Deputy Speaker: Any questions or comments under Standing Order 29(2)(a)?

Any other speakers to the bill? The hon. Member for Edmonton-Ellerslie.

Loyola: Thank you very much, Madam Speaker. It gives me great pleasure to get up and speak to Bill 205. I want to thank the Member for Calgary-North West for bringing it forward and for all the work that she's done in consulting with members from the persons with disabilities community and how she's been out there listening. I also want to thank the Member for St. Albert, who, as we all know and as has been commented on several times in the House, spent

not only her time as an MLA but previously, before she became an MLA, working so closely with this community.

I wanted to speak to the issue of that when it comes to persons with disabilities and the reality that they experience day in and day out. Now, of course, I am not a person with a disability. I don't experience life as they do, and that's why it's so important to take time out of our busy schedules to actually sit down and talk to people who experience the kind of marginalization that they experience on a daily basis no matter what the issue is: if it's persons with disabilities or if it's people from the LGBTQ-plus community, people from different ethnic communities. Let me tell you, discrimination exists in so many different forms. I wanted to speak specifically about that.

At the end of the day, the objective behind this bill, as was pointed out very clearly by the Member for Calgary-North West, is that all people should be treated with dignity and that government policy should be focused on treating everybody with dignity. Yet we live in a culture that discriminates all the time against people who are different. I want to ask not only the members of this House but all Albertans and not just those who are watching us right now: why does this culture of indifference and discrimination exist in the first place?

I remember being in grade 1. There was a little girl that was in my class. She came in about halfway through the year, and she had to wear a respirator on her back. I remember that when she came into the class, her mother and the teacher made a special point of pulling us all and getting us to focus and understand difference and stating to us how important it was that we shouldn't be discriminating against her because she has this respirator on her back. I don't know why, regardless of that, we were still having students in the school that would bully this young girl because of her disability, because she looked different. I've got to ask us again: where does that culture come from? Why are we so scared of what's different?

We have a long way to go in order to curb the discrimination experienced by people with disabilities in this province. I know for a fact that sometimes it's out of ignorance, yet we can't blame it on ignorance. Each and every one of us has the responsibility to go out there and learn. It's not necessarily someone from the disabilities community that has to come and teach us. We just need to take the time to go out there and speak to people. There's that wonderful thing called Google. We can go on the Internet, and we can learn, educate ourselves about the reality that people with disabilities have to go through day in and day out.

That's one of the main reasons why I'm standing up to speak in favour of this bill, and I strongly recommend that all members of this House vote in favour of this bill.

The other thing I want to say is that consultation is so important. Now, before becoming an MLA, I remember being a little boy and being a human rights advocate and activist and being out on the streets demonstrating for human rights issues because, of course, the reality that I came from was a dictatorship. When my family came here to Canada, we were trying to create awareness around the dictatorship in Chile, and I remember being on the streets of this fine city talking about those kinds of things. As I grew and became older, I remember not being consulted. I remember whole communities not being consulted about issues that were being discussed in this House. Policy was being created that was continuing to marginalize people here in our own province.

Let me say, Madam Speaker, that I find it absolutely rich that we have members on the other side of this House that get up and criticize this government about consultation. When did they ever provide the opportunity for consultation when we were in opposition?

I remember being with our now Premier on the steps of this Legislature, with those steps being absolutely full when it came to

issues of PDD. I remember that many people here who are sitting amongst us were part of that crowd when the previous government wasn't listening to members of the persons with disabilities community.

I remember that when we came into power, I had the opportunity to sit down and specifically speak to parents of children with disabilities and parents of children with learning challenges. They said: look, we're tired of stating again and again and again that we're not being listened to, or at best we get a lot of words but no action.

10:40

I'm so happy that now we have before this House a bill that is going to give that opportunity to people in our community that they can have dignity by having an advocate that will work hard on their behalf to make sure that our government programs are going to be there and be able to provide what they need. I know it's not going to be all roses. It's going to take time, but the important thing is that they will have an advocate.

The other thing that I wanted to stress very quickly is that especially when it comes to parents of children with disabilities and, specifically, learning challenges in schools, when the parents themselves advocate on behalf of their own children, there are some people who look at them and say: "Oh, they're squeaky wheels. They're challenging the system." Of course, I understand that there's frustration and that there are issues with resources and money and that you can have to apply to this and that. A parent standing up for their child should not be seen as something negative, yet those are the conditions that we're in, and it has to do with the fact that for so long there was a government that wasn't listening to this community and wasn't creating policy to address the issues.

Now, one of the things that I want to say specifically to those parents is that, yeah, not every parent has the energy to be that kind of advocate. First of all, you shouldn't be stigmatized for standing up for your child. You shouldn't be stigmatized for it. Keep doing it. But I also understand that there are some parents out there and maybe even some single parents out there who are working two jobs, three jobs, and they just don't have the energy to advocate for their child, or they don't know where to go. They don't understand well how the system works. That's why it's so important that we have an advocate for them, so that they can advocate for their child or loved one with a disability.

This government is focused on creating good policy as we move forward, and this is a beginning for that. I want to say that it was this party that was on the steps of the Legislature in the past together with that community, and we were fighting for the same things. We always have been listening. We always have been listening to marginalized people in this province. We've been with them, whether it comes to issues with racism or any other kind of discrimination, LGBTQ-plus, and specifically in this case with people with disabilities.

To the community I want to say that this is a first step. We're moving in the right direction. We need to continue working together, listening, and understanding how we can create better policy, but now you have a government that's going to listen, and we're going to create that great policy together.

With that, I'll encourage every member of this House to vote in favour of this bill. Thank you very much.

The Deputy Speaker: Under Standing Order 29(2)(a), questions or comments? Calgary-Bow.

Drever: Thank you, Madam Speaker. I want to thank the Member for Edmonton-Ellerslie for his passionate speech on Bill 205. He did

mention parents who have children with learning disabilities and some of the challenges that they face. As someone who was diagnosed with a learning disability, I absolutely understand the challenges that come with that. Having an advocate for myself during that time would have been really helpful. Unfortunately, I didn't have a government that supported me in that. I wanted to ask the member what challenges he's heard from constituents in this area.

The Deputy Speaker: Edmonton-Ellerslie.

Loyola: Thank you very much, Madam Speaker, and thank you to the hon. member and my colleague for such an important question. You know, over the past summer – it's almost been a year now – I was approached by a constituent of mine who's a parent of children with learning disabilities, and she was so passionate about this issue. To be quite honest, I remember the way that I met her, when I was door-knocking back in 2012 for that election campaign. At that time I said: "You know what? This is a really important issue. I think that it would be really great if we could find more parents that are concerned about this issue and sit down and have a conversation."

And soon after she did. She went out and she organized a meeting of more parents in the constituency and specialists across the city that were willing to come in and talk about this issue. Let me tell you, the challenges are immense. There are a lot, and they intersect with issues of the Ministry of Health, with issues of the Ministry of Advanced Education. What I'm very happy to say is that the group that this lady was able to put together identified all these things, and they put together an action plan about how they are engaging with our government on this particular issue. There are many things that we can do, and I'm so happy that we're working together with her group, which is now specifically focused on several children throughout the province with learning challenges.

I could go on for days about all the problems that there are, and you know them well. Most importantly, specifically, these people need an advocate, so I'm happy that we're working on such an important bill.

Thank you.

The Deputy Speaker: Any further questions or comments under 29(2)(a)?

Seeing none, any further speakers to the bill? Strathcona-Sherwood Park.

Cortes-Vargas: Thank you, Madam Speaker. It's an honour to rise to speak on Bill 205, introduced by the Member for Calgary-North West. It has actually been really incredible to see all of the stories and all of the people that have come together to try to tackle and put things in place so we can address the really broad issues faced by the communities that have disabilities. I've already spoken to this bill once before, talking about the difficulties if you add socioeconomic status into the mix or if you add the fact that maybe you're a recent immigrant and the struggles that you can experience with those things.

But I think that today it's also just important to know that even within organizations that we have that advocate for different groups, it's important to make sure that we make spaces for all those voices, that one doesn't trump the others. I think the member that spoke before me, Edmonton-Ellerslie, was speaking about a group of parents that got together, and the reason that they formed their own organization versus just joining one that already existed – I mean, there's Autism Alberta, there's the advocate for communities with disabilities, there's a whole group of people. I think the diversity in organizations is because the experiences differ and the points of view differ as to how best to address the issues. I think

that these are legitimate conversations to have because there are a multitude of approaches to address any given situation, and I think that having that diversity and discourse and having the diversity in organizations are completely important to finding solutions that serve as many people as possible.

I think that what we have by introducing an advocate within the ministry is that what we're really focusing on is actually just listening to the ways that we can make those initial changes and be able to not have to – like, we're still working within the parameters of a limited budget. We've supported very small increases within Community and Social Services, and that means that there's a limit to the amount of funds that would be able to address any issues that come up.

10:50

When we're putting an initial process in place, it's important to make sure that we don't go to what was referred to by the Member for St. Albert as a Cadillac – don't start off with a Cadillac, like, when a Honda Civic will do – in the sense that if we just get in and we start driving and start addressing some of the initial speed bumps and barriers, we start building something, and we are able to direct the money where it's most effective and where it impacts people the most.

You know, I think it's actually wonderful to have reports that point us in the direction, but I believe a lot of work has already been done on this matter. I believe that there's a fundamental understanding that there are some processes within how you have to apply for funding, within how you get services in schools, that there are discrepancies and some things that can be easily fixed and some things that are much more complex. That's where the reports are really helpful.

But there's some kind of lower hanging fruit that really changes people's everyday experiences in accessing those services that we can address, and we can direct the funds to where people feel it the most. I think it is important within a government to evaluate where you can do those things and how you can improve those systems.

Some of them don't even take money. It just takes rewriting a form. I mean, that might be simple to one person, but being able to submit a form that actually gets you the result that you were looking for is actually something that has been documented as a system of oppression, just a systemized way to reduce the number of applications that get approved by making a form complicated. It's something that is largely experienced by people that are searching for supports and services. Instead of actually getting the services, they spend more time figuring out how to access them. Reducing that and being able to look at those issues and being able to find solutions are some things I believe the advocate can really provide advice to the minister on and provide advice to the departments as well to be able to implement them successfully.

I know that it is an absolutely difficult undertaking to be an advocate because there's an incredibly complex intersection of needs that comes. When I say "intersection," I mean that there are different experiences based on socioeconomic status, race, ethnicity, and on the level of severity of the disability, and based on that, you might be more or less successful. I think that when an advocate has to listen to all of the different stories, they have to try to find the places where people are really experiencing the higher number of difficulties.

I'm very proud that this bill was brought forward and that what we're doing is really looking for a way to fix what hasn't been addressed for many decades. I think there have been attempts to fix some of those things, and I think those things should be acknowledged. But acknowledge as well that in order to truly be able to move forward, the voices of the very people that are affected need to be there, need to be a part of the conversation.

I know that the members opposite were saying that not enough people are talked to, but I really believe that having an advocate will actually allow those conversations to exist. By not having an advocate, there are all of these different avenues and ministries that could be affected. It could be the ministries of Health, Education, Children's Services, or Community and Social Services. They're all getting dispersed, and because of the complex nature of each of those ministries maybe the discussion between them hasn't been as frequent as it may need to be. Having one person where it could be directed to means that all of those issues are being – the bigger picture is being seen by one person, at least. I think there's something incredibly powerful about putting something in place like that.

I appreciate the comments that are made and all of the organizations that continue to advocate, and I think they should continue to advocate even more. I don't think that the government should ever stop working for people. I think that as we grow as a society, as an aging population, the needs change, and I think that part of government is actually progressing with your society and making sure that things that are supporting the community are still current.

I think that actually part of the issue of what happened with the former government was that they didn't change the policies. Year after year we saw labour laws that weren't introduced for a long period of time, and those things end up affecting people. They end up affecting even people within the disability community. When you think about employment standards and you think about the laws that were put in place there, not being able to take compassionate care leave or a stress leave, because maybe you just found out that your world has been turned around and you have to figure out all of these different things, creates a lot of stress in your life. Having to meet with doctors all the time and being uncertain create a lot of stress. Not being able to have job protection when you have stress leave contributes to the issues that are faced within the community. It might not be directed to the person with a disability, but it might be to someone that is supporting them.

I think what happens when we don't evaluate how laws affect other people is that the laws become wrong. They are wrong, and they're not serving people. It is incumbent upon governments to make sure that they are looking at these, reviewing them, and not just to have a review. I think there have been lots of situations where the former government actually did a review. They've done reviews of the labour code and the employment standards, and they did a five-week review, and all of a sudden nothing happened. The reviews happened, and nothing happened. Nothing was changed. It was just too complicated, too complex. They just didn't want to maybe anger some people: we're just not going to touch it.

The thing is that the lack of integrity in being able to address issues and being able to come to compromises and to look for solutions is part of the problem and is part of what contributes to these laws remaining inadequate for the people that they're meant to serve. Laws are put in place to protect people. I think that that's something we need to continuously work on.

I'm incredibly proud to support and to be supporting this bill, and I'm incredibly proud of the work that has been done across the board on this. I know that there's going to be so much more work ahead of us, and I know that we will be committed to coming to the table and having those conversations again and again and disagreeing some days and then coming to the table and finding other solutions and then finding a way for us to move forward.

I think, Madam Speaker, that with that, I will conclude my statements and put my wholehearted support in supporting this bill.

The Deputy Speaker: Any questions or comments under Standing Order 29(2)(a)?

Seeing none, are there any further speakers to the bill?

The hon. Member for Calgary-North West to close debate.

Ms Jansen: Thank you, Madam Speaker. I want to thank everyone who took the time over the last number of days to talk about Bill 205 and to talk about the idea of what an advocate for people with disabilities can do. I want to thank this government for taking a private member's bill and turning it into a government bill. For those folks who are watching via the Internet – and I know that a lot of folks are – what that enabled us to do was to take a bill that we would normally have discussed one day a week and to discuss it on multiple days. At the end of the day, what that also did was to enable us to take a private member's bill that might not have gone through all its stages before the Legislature broke for the summer and to stand up day after day and to give members from all sides the opportunity to talk about it and what it means to them.

I want to address something I think it was the Member for Rimbey-Rocky Mountain House-Sundre said earlier. His criticism was that we had moved it to a government bill without talking about it, and I thought – it struck me as odd because the very act of moving it from a private member's bill to a government bill enabled everyone to have the opportunity to speak to it. I would have liked to have seen more people in opposition speak to it, but, you know, I mean, it's not up to me to determine their priorities.

11:00

What I can say is that lots of people spoke to this bill. The support was wonderful. I am very hopeful that we continue this discussion because getting the position of an advocate is one step; moving a person into that job and having them do the work is another mountain to climb. Really, I think what we've seen here is a lot of great discussion about a very important subject, and I thank everyone who contributed to it.

Thank you.

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

[Several members rose calling for a division. The division bell was rung at 11:01 a.m.]

[Fifteen minutes having elapsed, the Assembly divided]

[Ms Sweet in the chair]

For the motion:

Barnes	Hinkley	Piquette
Carlier	Hoffman	Pitt
Carson	Horne	Rodney
Ceci	Jansen	Rosendahl
Connolly	Kazim	Sabir
Coolahan	Littlewood	Schmidt
Cooper	Loyola	Schneider
Cortes-Vargas	Luff	Schreiner
Cyr	Malkinson	Shepherd
Dach	McCuaig-Boyd	Sigurdson
Dang	McIver	Smith
Drever	McPherson	Starke
Ellis	Miller	Sucha
Feehan	Miranda	Turner
Fildebrandt	Nielsen	Westhead
Fitzpatrick	Payne	Yao
Gotfried	Phillips	

Totals: For – 50 Against – 0

[Motion carried; Bill 205 unanimously read a third time]

Bill 14**An Act to Support Orphan Well Rehabilitation**

The Acting Speaker: The hon. Minister of Energy.

Ms McCuaig-Boyd: Thank you, Madam Speaker. I'm pleased to rise today to move third reading of Bill 14, An Act to Support Orphan Well Rehabilitation.

I'm proud of this bill, Madam Speaker. It is the product of months of work on this side of the House and within the Ministry of Energy to bring forward a plan that will significantly reduce the inventory of orphan wells in this province, and I'm gratified to see that it appears to have received support on all sides of this House and that members are prepared to move quickly to pass this bill and enable important work to begin.

As members know, Bill 14 will amend the Oil and Gas Conservation Act to enable the government to provide the Orphan Well Association with a loan and to allow the Orphan Well Association to use funds from the orphan well fund levy imposed on industry to pay it back. I think it's worth while spending a few moments to clarify some of the details of just how that will work, particularly in light of important questions that have been raised during the debate on this bill. Many of them are the same questions that our government considered as we deliberated the best way to take advantage of the \$30 million allocated in the federal budget.

First, this government takes the principle of polluter pay very seriously, as do the vast majority of Albertans. I'm sure that members on all sides of the House have heard this from constituents who want to ensure that industry lives up to its obligations to pay the costs of cleaning up orphan wells and not the provincial taxpayers. Madam Speaker, I am pleased to confirm that Bill 14 will respect this principle. The \$30 million allocated by the federal government in its recent budget will be used to pay any interest incurred by the provincial government in providing this loan. No provincial government funds will be required to pay the interest on this loan. The \$235 million loan figure was chosen with that consideration foremost in our mind, and the loan will be repaid by industry through the orphan fund levy imposed on industry.

11:20

Second, this government believes very strongly that decisions about which wells should be rehabilitated first should be made on the basis of greatest need. Resources should not be allocated based on political considerations. They should be allocated based on which wells pose the greatest immediate risk to communities, to public health, to safety, and to our environment.

Madam Speaker, the Orphan Well Association, or OWA, was established precisely for this purpose. The OWA is a delegated administrative authority, meaning that it operates at arm's length from government. More than 80 per cent of its board members are chosen by industry: three members from the Canadian Association of Petroleum Producers, or CAPP; two members from the Explorers and Producers Association of Canada, or EPAC. The vice-president of the Alberta Energy Regulator's closure and liability branch is the only voting member of this board who is chosen by a public body.

Similarly, the OWA is funded by industry through an annual orphan fund levy charged to industry by the Alberta Energy Regulator. The orphan fund levy is distributed amongst industry licensees according to their proportionate share of the total liability of the industry. In other words, the bigger your share of the active licences in Alberta, the more you pay. Bill 14 will allow the OWA to use some of the annual proceeds from that industry levy to repay the loan, thereby preserving the principle of polluter pay.

If we receive the support of this House and pass this bill, we will work quickly to finalize the terms of the loan agreement. The government is planning to have the loan fully repaid within 10 years, and the first repayment is planned for 2019-2020. Again, Madam Speaker, I want to underscore this point. The loan will be repaid by industry through the orphan fund levy. This government is ensuring that industry lives up to its responsibilities.

The OWA selects for rehabilitation based on its professional, risk-based assessment. I expect that if there are a number of orphan wells in a given area, some projects may be grouped together because it makes more economical sense to do that, but overall risk is the main factor in determining which wells will be cleaned up first. The OWA does have procurement principles that apply to the selection of contractors to undertake this work. The contractors are selected by the OWA, not by government.

If I might add, Madam Speaker, that I got calls in my constituency office immediately after this bill was announced, and I expect others would have. I would direct you to orphanwell.ca. There's a link there for people who wish to register for contract work.

The OWA will also be responsible for determining what additional staff resources they may need internally in order to manage this accelerated program. The government is planning to issue the loan in stages over a three-year period to allow the OWA to ramp up and maximize the benefits of these additional funds. The OWA publishes an annual report detailing its work over the previous year, including which wells were rehabilitated and at what cost. If you look at page 17 of the 2015-16 OWA annual report, for example, you will see that abandonment work was completed on 80 wells formerly licensed to Fairwest Energy Corporation in southeast central Alberta at an average cost of just under \$37,000 each.

Madam Speaker, I believe Albertans will receive a full and detailed accounting of just how these funds are being spent by the OWA, and for greater certainty my department is working on performance measures to help government evaluate the effectiveness of this program.

Third, the OWA will continue to have the option of selling productive orphan wells to interested buyers. Those decisions should of course be made in consultation with the affected landowners, who may have strong views on whether they wish production to continue on their property. I'm sure members on all sides of this House would agree that it is important for landowners to have a vote in this process.

Fourth, I want to underscore the benefits to our energy economy in ramping up this work at this time. There are many skilled workers in the oil field services sector, Madam Speaker. Those workers possess valuable skills, expertise that we will need as our energy economy recovers. Moreover, as long as there is drilling activity in our province, we will need workers with the necessary skills to one day shut in those wells, to undertake the necessary work to decommission those wells and remediate and ultimately reclaim those sites. If we want those workers to be here in the years to come, we need them now. We need to keep them here through the downturn, and I'm very pleased that this bill will allow us to do precisely that.

In conclusion, I'm gratified by the support this bill has already received. It is an important initiative for our province. It will accelerate the cleanup of orphan and gas well sites; it will protect communities, public health, safety, and our environment; it will create good jobs at a time when our energy economy is still emerging from the downturn caused by an unprecedented drop in the price of oil; it will keep skilled workers in our province; and it will ensure that industry lives up to its responsibilities to Albertans.

Madam Speaker, I'm proud to move third reading of this bill, and I look forward to its passage so we can get on with the important work it enables. Thank you.

The Acting Speaker: Thank you, hon. minister.

The hon. Member for Cypress-Medicine Hat.

Mr. Barnes: Thank you, Madam Speaker. I will be keeping my closing remarks brief. We are not thrilled that the \$30 million coming from Ottawa is taxpayer funded, taxpayer money. Our industry knows that they have the obligation to clean up. They believe in and they follow the polluter-pay model, and taking taxpayer money for regular orphan wells is, of course, a violation of that model.

However, I am supporting this bill in spite of this flaw because the reality is that the federal government does have an obligation to help with reclamation costs from a time when responsibility for wells was federal. The federal money that was given in the 2017 budget should be focused on reclaiming these legacy infrastructure wells from the period before industry and the province shifted to the industry reclamation model. Because the federal government does owe money to Alberta's oil and gas reclamation system from a time when the federal government failed to take reclamation seriously, Alberta's industry can reasonably accept this contribution. We as Official Opposition will support them in that request.

Industry, however, should not come to expect Albertans to take on the responsibility of cleaning up the mess that industry makes, and with that in mind, I was glad to hear the minister talk about a 10-year time limit on the fact that this has to be restored and the taxpayers' liability reduced. I have no reason to think our world-class energy sector will expect the taxpayer to clean up after them. Industry needs to fulfill its obligation to repay this loan, not the Alberta taxpayer.

Madam Speaker, I will be voting in support of this bill. Thank you very much.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for Calgary-Mackay-Nose Hill.

Ms McPherson: Thank you, Madam Speaker. I'm happy to rise to speak in support of Bill 14, An Act to Support Orphan Well Rehabilitation. I thought it might be a good time to just revisit what an orphan well is. I know it's been spoken about before, but it certainly bears repeating. From the Orphan Well Association website:

In the upstream oil and gas industry, an orphan is a well, pipeline, facility or associated site which has been investigated and confirmed as not having any legally responsible and/or financially able party to deal with its abandonment and reclamation responsibilities.

We may see an abandoned well, but what we don't see is the farmer who isn't farming the land, the small businesses that aren't spending their money, the children that aren't getting to do as many activities as they could if that land was being farmed. Here's what else we aren't seeing. We aren't seeing the risk posed by unremediated or unrehabilitated wells, the risks to the environment, to safety, and to public health.

I worked in oil and gas for over 20 years, and I was fortunate to work for companies that took their responsibility seriously and developed their assets with rehabilitation and remediation in mind. It's something that's built into the business case for any well by a responsible exploration company. Currently the orphan well levy collected by the Alberta Energy Regulator goes into a fund that's

administered by the Orphan Well Association. This was a fair-weather structure that wasn't designed for the more challenging times we're facing now.

What happens if we don't do anything? Well, the number of orphan wells will continue to increase. There are currently over 2,000 orphan wells on the books with the Orphan Well Association. This is more than double the number of wells that they were dealing with last year. The rate of orphan wells has definitely accelerated.

11:30

As Brad Herald, chair of the OWA, was recently quoted: "We think it's critical to open the dialogue with Albertans and jointly develop a framework that improves the management of unproductive upstream oil and natural gas assets." This bill is an integral part of the process of remediation, reclamation, and rehabilitation of orphan wells.

We have a couple of options to address the issue of orphan wells. We can do nothing. We can stick our heads in the sand and be immobilized by how large the problem is. We would be letting down the people who own these lands, and we'd be letting down future generations. It's their environment that's being compromised. Or we can leverage the \$30 million federal funding to address the backlog while also creating good jobs for Albertans, the many skilled Albertans who have a great deal of experience in oil and gas operations and who can help address this very large problem.

The Energy ministry and this government recognize the scope and the seriousness of the issue. They've worked closely with industry, who raised the issue, and our government listened. Some of the best parts of Bill 14 include the liability management review. It's obvious the process that's been in place isn't robust enough to address this growing problem. The review will include industry experts to find better ways to protect Albertans and the environment. The review won't be one-sided because it's important that it's not. It's also important to engage people who normally don't agree on an issue and encourage them to work together to find common ground. This is certainly an improvement over simply engaging people who agree, as the government has been urged to do with other files. Without this legislation, without taking advantage of this funding, we will continue to see the problem grow.

The president of the AAMDC, Al Kemmere, recently stated: "Rural landowners and municipal districts have many concerns surrounding this issue. We're pleased to see [the] government is beginning its review and look forward to learning more about how we can address it."

This is timely and important legislation. Alberta has long relied on energy and agriculture to drive the economy of our province. This bill will ensure a brighter future for both industries, and for that reason, Madam Speaker, I encourage all members to support this bill.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak to 29(2)(a)?

Seeing none, are there any members wishing to speak to third reading? The hon. Member for West Yellowhead.

Mr. Rosendahl: Thank you, Madam Speaker. It's a pleasure to rise today to talk to Bill 14, An Act to Support Orphan Well Rehabilitation. We know that Albertans are concerned about the growing problem of orphan and aging oil and gas wells in many constituencies throughout the province. Many landowners, municipalities, other stakeholders, indigenous groups are

concerned about the impact that these have, and they deserve a government that has their backs. That's why we're leveraging the \$30 million federal assistance into a significant loan so that the Orphan Well Association can address the significant backlog of facilities needing attention while maintaining the polluter-pay principle. It's important that we maintain that.

When we look at the definition, as I explained before, it goes beyond, that orphan wells are wells, facilities, or pipelines where the original owner or licensee is not capable of paying for the required closure processes. This includes the many miles of pipe that we know exist out there: infrastructure, roads, well sites, office sites, and old camps that exist everywhere out there on the land base. These are the things that certainly need to be addressed when we're talking about the issue of orphan wells and those kinds of things.

The Orphan Well Association, or the OWA – let's be clear – is a not-for-profit organization funded by the oil and gas industry through the orphan fund levy. It's important to remember that concept. It is run by an independent board of directors and has done a lot of good work over the years. It was stated by the minister about the reports that you can access. It is not connected to the government. They decide which contractors get the work, not the government. It's important to remember that basic fact.

The government of Alberta has regulatory tools, for example, and other legal remedies to require the individual companies to pay the industry levy, so it's important to understand that.

My constituents tell me all the time that the industry is not living up to its responsibility to clean up the abandoned oil and well sites all throughout the constituency, and it's important that that needs to be addressed. We agree that it's important to escalate the important work of cleaning these up to minimize the environmental risks that exist out there. The other part of it is to keep skilled oil field workers working in this economic downturn. It's important to understand that this process is important to do that. But if you look at why we got ourselves into the mess in the first place, it was that fact that the previous government failed to address it over the years.

Albertans won't pay the cost of providing this loan. Instead, they'll enjoy the benefit it brings. The loan would mean employment benefits of 1,650 jobs over three years that will be created in the oil field and environmental service sectors, keeping those industry jobs in Alberta, which is so important. This will allow important work to happen quickly. The opportunity has knocked, and we're opening that door. In quoting the Premier of Alberta:

This is about creating jobs and fixing a long-standing problem. Albertans are concerned about the growing number of orphaned oil and gas wells, and the landowners directly impacted deserve a government that takes this issue seriously. We're proud to work with industry to get orphaned wells cleaned up – it's good for our environment, good for landowners and the jobs created will help make life better for [all] Albertans.

Thank you very much.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak to 29(2)(a)?

Seeing none, are there any other members wishing to speak? The hon. Minister of Energy.

Ms McCuaig-Boyd: Thank you, Madam Speaker. I just wanted to close by thanking all the members for the very good debate, the very good questions that we got.

I did want to acknowledge – and I failed to do that in my comments – that this was an idea that we worked on with industry, and they take this problem as seriously as we do in government. I wanted to also acknowledge that the vast majority of industry does

their job in reclaiming sites, but this bill is about working with those who have failed in their responsibilities.

I'm very excited for the support that we are getting on this bill, and I look forward to getting on this with important work.

Thank you, Madam Speaker.

[Motion carried; Bill 14 read a third time]

Bill 15

11:40 Tax Statutes Amendment Act, 2017

The Acting Speaker: The hon. President of Treasury Board and Minister of Finance.

Mr. Ceci: Thank you very much, Madam Speaker. It's my privilege to rise today to move third reading of Bill 15, the Tax Statutes Amendment Act, 2017.

I appreciate the fruitful discussions on this bill and the general understanding of its importance. This bill makes necessary changes that not only ensure our tax legislation remains aligned with federal tax legislation but also ensure support programs delivered through the tax system are administered as consistently and efficiently as possible.

Madam Speaker, I'll quickly recap the amendments. The Alberta Corporate Tax Act. We're updating this act to reflect changes that were made to the federal Income Tax Act. This will protect provincial revenue and the integrity of our tax system by preventing a few small businesses from using certain structures to multiply their access to the small-business tax rate. The intent of the existing legislation is for the preferential rate to only apply to a small business's first \$500,000 of income. These amendments are consistent with the intent and ensure small businesses do not take advantage of a loophole.

The act will also be amended to require tax preparers who fill out 10 or more provincial tax returns to file the returns electronically. It will also implement a penalty if they fail to comply with this requirement. A separate penalty will be implemented for corporations that fail to file tax returns electronically if required to do so. These penalty provisions are consistent with federal tax legislation and are necessary to promote compliance with Alberta's tax laws. Electronic filing also reduces administration and compliance costs for both government and businesses, Madam Speaker.

With regard to the Tourism Levy Act an amendment to the Tourism Levy Act will allow levy collectors, more specifically accommodation operators, to file a waiver to extend the assessment period when an assessment is issued against them. This means operators will have more time to resolve issues if there is a dispute over the amount of tax owing.

With regard to the Alberta Personal Income Tax Act on the personal income tax side we are making several changes to the Alberta Personal Income Tax Act. The most significant change relates to the carbon levy rebate payments. We're making an amendment that will allow for rebate entitlements to be delivered in quarterly payments as low as \$25 rather than the current \$100 minimum payment. With this change, the program will no longer have to prepay rebates. Prepaying rebates for up to six months resulted in recoveries when household compositions changed or people moved away from this province. This will ensure that going forward, carbon levy rebate payments do not have to be recovered when changes in household status affect eligibility for that rebate.

Madam Speaker, this directly addresses the concern we heard from Albertans who received a reassessment notice from the Canada Revenue Agency seeking to recover rebate amounts

received by a family member who had died. In order to rectify the situation for those who received these notices, we are also taking measures to forgive these amounts. Families in these circumstances do not have to return rebate payments, and those who already have will be reimbursed later this year. The same will apply to benefits received under the Alberta child benefit and the Alberta family employment tax credit going back to January 1 of this year.

We're also amending the Alberta Personal Income Tax Act to implement a broader political contributions tax credit, as announced in Budget 2017. The objective of that is to encourage greater participation in the political process while fostering a healthy and competitive political environment. Additional technical amendments to this act will ensure Alberta's policies with regard to provincial dividend tax credits as well as our tuition and education tax credits are not affected by recent changes to federal legislation.

In closing, Madam Speaker, this legislation is just another example of how this government is working to make life better for all Albertans by protecting the integrity of our tax system and by helping families keep more money in their pockets.

I request that all members of this House support this bill so that we can move forward with implementing these important changes. Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. minister.

Are there any other members wishing to speak? The hon. Member for Strathmore-Brooks.

Mr. Fildebrandt: Thank you, Madam Speaker. Now, with the government filibustering their own bills lately, you'd think that, at the very least, they could provide a bit more information about some of the effects that this bill will have. When I first spoke to this bill, at second reading, I asked the minister for information that would assist this side of the House in making an informed decision. I wanted to know the costs that would be incurred by Alberta taxpayers to issue more carbon tax rebate cheques on a quarterly basis.

I will repeat that question now in the hope that at least someone on that side of the House can provide an answer before we vote. We want to know: how many people are estimated to be affected by this change in the legislation? How many people would the Canada Revenue Agency try and claw back the rebates from in the instance of a death in the family? If the number is low, it may be cheaper for the government to simply eat the cost of a \$25 or \$50 cheque instead. This bill will instead pay for almost 30 per cent more cheques to be issued every year. If the government would be willing to provide the administrative costs of this expanded endeavour, that would at least allow us to make a more informed decision before we vote.

But so far, at least, instead of providing us with this information, the government has decided to rag the puck on bills that have the unanimous support of all parties in this House. If the cost of administering and mailing out almost 30 per cent more cheques a year is a larger cost than forgiving the \$25 or \$50 rebates of those who have passed away, then we need to determine if this portion of the bill should be changed or not. We as stewards of the province's finances should choose the most prudent and cost-effective way to operate. That's what this government does not yet seem to understand. They're not watching their pennies or, for that matter, their nickels, their dimes, their quarters, their loonies, their millions or billions.

A few extra envelopes, a few extra postage stamps, a few extra hours spent administering the carbon tax rebate will add up as a real cost to taxpayers. Let's say that the cost of this expanded carbon tax rebate costs only 1 per cent of the total rebate program. That would

be over \$100,000 in additional costs to taxpayers. I'm quite sure that we would not have to cover that much money if we were to cover the costs of just a few \$25 or \$50 rebate cheques when someone passes away.

Yet the government does not view finances this way. The Minister of Finance said that he would keep spending in the budget to inflation plus population, yet he's increased – he's increased – the budget of his own ministry by three times that amount. They've excluded the entire cost of the CLAP from the budget as a way of trying to fool Albertans into believing that they've kept spending below the rates of inflation and population, yet this is a spending increase that will add up to \$5 billion a year, and they won't even address it as a part of the main set of books in the budget. It's just one more example of how this government is overlooking smaller costs, allowing them to pile on yet more debt.

When we proposed savings of \$293 million by reducing regulations, it was no shock that the NDP refused to even consider the idea. By streamlining our government, we can save hundreds of millions of dollars. It means reducing the work when it is not needed. Are the administrative hours needed for almost 30 per cent more rebate cheques to be sent out, or is there a cheaper way to solve the problem? Is it cheaper to let a widow or a grandchild or a child just keep the \$25 or \$50 cheque when it's sent in error? This is a textbook example of regulatory overreach increasing the cost of government. We need to be watching our pennies. It's necessary to pay for almost 30 per cent more stamps and envelopes to send these rebate cheques.

Perhaps it's not, but the government has thus far refused to provide these numbers to make a more informed decision. Frankly, the private members on the government side of the House should be asking this information of their cabinet. Their job is not just to sit there and vote for whatever is put in front of them. Their job is to also ask questions of their own ministers, to get more information, to make an informed choice themselves, not to be mere voting machines for a government. Perhaps that is a too optimistic view to take of how this government would work, however. This government refuses to provide these numbers and allow members of this House, at least on this side, to make an informed decision. We know that this government has these numbers, or at least we hope that they would have these numbers.

11:50

This all began because a constituent of mine from Strathmore brought this issue forward. She works in an office right near the A&W, actually, beside my office. I know her quite well, Darlene. She brought this forward, and we would probably not be debating it right now if she had not.

Darlene's grandmother had passed away, and she was the first person to vocalize her opposition to this government's incompetence in the carbon tax rebate system. She was asked by this government to return her deceased grandmother's carbon tax rebate cheque, an absolutely disgusting act on the part of a government that couldn't have the foresight to think: what would happen if cheques were issued to deceased people? Now, those deceased people will have actually been paying the carbon tax, but apparently the estate of that family is not entitled to the rebate for that. So this government, without thinking ahead, asked for the money back from her. She came to my office, and she came to some of our local papers like the *Strathmore Standard* and the *Strathmore Times*, and soon enough it became a big issue.

You know, yesterday I had a school group visiting from the Brentwood elementary school in Strathmore. You know, we were doing some questions and answers, and one of the students asked me, "How many people have to complain before the government

changes something?" I said: "Oh, that's actually a very interesting question. It really depends."

The examples I gave him were two contrasting examples. Yesterday, members might recall, I had a rather large box of petitions on my desk. They were not a prop, Madam Speaker; they were petitions. They were petitions from people in Strathmore-Brooks against the carbon tax, thousands of petitions from constituents of mine who do not want the carbon tax. Albertans are overwhelmingly against the carbon tax, but the government refuses to listen. I told the student: "Sometimes that's just the way it is. You can beat the government with facts. You can have overwhelming public sentiment on your side. Sometimes they just won't listen. The only way to deal with that is to defeat them, and that's what we're going to do."

But, on the other side, sometimes one person makes a difference, just one person. In this case Darlene made a difference. Darlene spoke up, and she just had one case. It wasn't a petition; it was just her case. She spoke up, and she caught the attention of Albertans across the province and, frankly, a lot of people across the country because people saw how unjust and ridiculous it was for the NDP to be demanding carbon tax rebates back from deceased family members. So I told the student who was here, who actually will be joining us for question period later today: "You know, sometimes you can have thousands of people on your side, and it won't make a difference. The government won't listen. But sometimes one voice can make a difference, and Darlene made a difference here."

Her case, I think, became the impetus for this change. While it certainly shouldn't have happened to begin with, we'll give credit where credit is due. Governments make mistakes, and if governments recognize those mistakes, take responsibility, and change them, we should commend that. So I commend the Minister of Finance for listening on this issue and fixing what needed to be changed.

Now, my constituents voted for me because they wanted to get back to balanced budgets. They didn't want more debt, they didn't want more spending, and they didn't want more regulations. When Darlene came to me about the Canada Revenue Agency clawing back her deceased grandmother's carbon tax rebate money, she wanted action. She wanted to protect her finances. She was watching every penny, and she expects her government to do the same. I know that she would not want us to spend a thousand times more than her rebate cheque to solve a problem that could potentially be fixed by this government simply allowing folks to keep the money. Again, we need more information to make an informed decision here.

The entire carbon tax, though, has been a mess from the very start. Albertans are overwhelmingly opposed to it. Even the majority of people who voted for the NDP are now against it. The NDP did not run on a carbon tax. They have no democratic mandate for it. They are making the carbon tax potentially even more expensive to administer now. The NDP refuses to disclose the information that we've requested. It's very simple information, and if the government would simply put it on the table and if it matches up to show that it is the most cost-effective way forward, we would be very happy to support that.

Now, the only instance of a member being close to giving us the information was my very good friend from Calgary-Currie. He hates it when I do this, but my very good friend from Calgary-Currie said:

Now, of course, administrative costs will be higher with more payments being issued, but we in the ministry don't expect the increase to be significant, Madam Chair, and even with the change we estimate the cost of administering the rebate to remain below \$10 million annually.

We'll take him at his word that the cost of issuing 30 per cent more cheques will remain under \$10 million.

That is almost the same cost as the request by the Newell Foundation in my constituency to integrate the Bassano hospital with the Bassano seniors' care project. Instead of important projects in this province, the government would rather spend it on a failed attempt at some elusive social licence, which, as the great Canadian prophet Rex Murphy said, is never meant to be given when granted. He's a sort of John the Baptist of pipelines, if you will.

This government has decided that it will tax Albertans for the privilege of driving their cars and heating their homes. Then the NDP will spend another \$10 million a year to mail back cheques to those they have just taxed for that privilege. The government is taking money away from Albertans and charging them just to mail it back to them, and now they want to charge Albertans potentially even more to administer it because they couldn't figure out how not to rip off families who have deceased ones.

If this is the most cost-effective way to stop the Canada Revenue Agency from clawing back dead family members' money, then I'll support the bill, but I hope that they have learned an important lesson from this and that they do not repeat this kind of bureaucratic bungling moving forward in the future.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak?

The hon. President of Treasury Board and Minister of Finance to close debate.

Mr. Ceci: Thank you. I just wish to say that I appreciate my cosponsors, who were here in the House when I couldn't be here. It seems clear that the bill is needed at this time to redress some important things that we found out as a result of bringing in an important rebate for families, which will be a total of \$410 million in 2017-18. Madam Speaker, that is good news.

It's clear that our friend across the floor has no intention of supporting this bill, so I don't really think we need to wait too much longer before we vote. I hope that all members of this House can support it.

The Acting Speaker: Thank you.

[Motion carried; Bill 15 read a third time]

The Acting Speaker: The Assembly will stand adjourned until 1:30 this afternoon.

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

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