

Province of Alberta

The 29th Legislature Fourth Session

Alberta Hansard

Thursday morning, November 1, 2018

Day 44

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta The 29th Legislature

Fourth Session

Wanner, Hon. Robert E., Medicine Hat (NDP), Speaker Jabbour, Deborah C., Peace River (NDP), Deputy Speaker and Chair of Committees Sweet, Heather, Edmonton-Manning (NDP), Deputy Chair of Committees

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Coolahan, Craig, Calgary-Klein (NDP)

Cooper, Nathan, Olds-Didsbury-Three Hills (UCP)

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Drever, Deborah, Calgary-Bow (NDP)

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Fitzpatrick, Maria M., Lethbridge-East (NDP)

Fraser, Rick, Calgary-South East (AP)

Ganley, Hon. Kathleen T., Calgary-Buffalo (NDP), Deputy Government House Leader

Gill, Prab, Calgary-Greenway (Ind)

Goehring, Nicole, Edmonton-Castle Downs (NDP) Goodridge, Laila, Fort McMurray-Conklin (UCP) Gotfried, Richard, Calgary-Fish Creek (UCP) Gray, Hon. Christina, Edmonton-Mill Woods (NDP)

Hanson, David B., Lac La Biche-St. Paul-Two Hills (UCP)

Hinkley, Bruce, Wetaskiwin-Camrose (NDP) Hoffman, Hon. Sarah, Edmonton-Glenora (NDP) Horne, Trevor A.R., Spruce Grove-St. Albert (NDP) Hunter, Grant R., Cardston-Taber-Warner (UCP),

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Rosendahl, Eric, West Yellowhead (NDP)
Sabir, Hon. Irfan, Calgary-McCall (NDP)

Schneider, David A., Little Bow (UCP)

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Smith, Mark W., Drayton Valley-Devon (UCP)
Starke, Dr. Richard, Vermilion-Lloydminster (PC)
Stier, Pat, Livingstone-Macleod (UCP)

Strankman, Rick, Drumheller-Stettler (UCP)
Sucha, Graham, Calgary-Shaw (NDP)
Swann, Dr. David, Calgary-Mountain View (AL)
Trader West Bottle Birth Weisensisk (UCP)

Taylor, Wes, Battle River-Wainwright (UCP) Turner, Dr. A. Robert, Edmonton-Whitemud (NDP) van Dijken, Glenn, Barrhead-Morinville-Westlock (UCP)

Westhead, Cameron, Banff-Cochrane (NDP),

Deputy Government Whip

Woollard, Denise, Edmonton-Mill Creek (NDP) Yao, Tany, Fort McMurray-Wood Buffalo (UCP)

Party standings:

New Democratic: 54 United Conservative: 26 Alberta Party: 3 Alberta Liberal: 1 Freedom Conservative: 1 Progressive Conservative: 1 Independent: 1

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Fildebrandt Panda
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Kleinsteuber

Legislative Assembly of Alberta

9 a.m. Thursday, November 1, 2018

[Ms Sweet in the chair]

Prayers

The Acting Speaker: Good morning.

Let us reflect on the things which make us strong, that make us loving, and that give us strength to represent our constituents to the best of our abilities. Amen.

Please be seated.

Orders of the Day

Government Motions

Provincial Fiscal Policies

13. Mr. Ceci moved:

Be it resolved that the Assembly approve in general the business plans and fiscal policies of the government.

[Adjourned debate April 12: Mr. Fildebrandt]

The Acting Speaker: Any members wishing to speak? The hon. Member for Fort McMurray-Conklin.

Ms Goodridge: Madam Speaker, it is truly an honour to rise today following a long-standing tradition of this Assembly to give my maiden speech. I would first and foremost like to thank my family, friends, and boyfriend. Your support, encouragement, and unconditional love have played such a key role in getting me here today.

Fort McMurray-Conklin is a stunningly beautiful place, containing many crystal-clear rivers, peaceful boreal forests, and stunning northern lights. While indigenous people have called our region home for thousands of years, the development of northeastern Alberta was originally due to the fur trade.

Fort Chipewyan was founded in 1788, 230 years ago, as a trading post by Peter Pond for the North West Company. In 1790 Sir Alexander Mackenzie travelled the region and was the first person to document the description of the oil sands. By 1870 Hudson's Bay Company established a post in Fort McMurray. While the indigenous within the region were very familiar with the bitumen, often using it to waterproof and caulk their canoes, it wasn't until the turn of the last century that we saw any commercialization of the oil sands.

It was in 1925 that Dr. Carl A. Clark developed the hot water separation model, a process that's been refined but is still in use today. In 1967 Great Canadian Oil Sands, which is now Suncor, opened their doors, proving that the oil sands could be developed on a commercial scale. In 1978 Syncrude officially opened their doors, and many of others have joined the scene in the years that have followed.

As you can see, the region I am blessed to represent has a rich history that long predates that of this province.

While I was writing my first formal speech for this Legislature, I decided to read and consult the maiden speeches of the MLAs that have served before me. Not only did I learn some interesting facts about the riding but also of the MLAs. For example, members who have served before me have been asking for an all-weather road to Chipewyan since at least 1975, which was when *Hansard* was officially established in Alberta. Fun fact: there's still no all-weather access road to Fort Chipewyan.

In my research I found out that I am the 21st person to represent this riding, the sixth person to be elected in a by-election, the first person born in Fort McMurray to represent this riding, the youngest person, the first female, but I also have the distinct honour to be the last person to represent the riding of Fort McMurray-Conklin as the boundaries will once again change come the next election to Fort McMurray-Lac La Biche.

I am quite lucky to have had the privilege of being personally mentored by some of the MLAs that have previously served the riding, including Guy Boutilier, Don Scott, and Brian Jean.

Fifteen years ago I became involved in politics through volunteering on Brian Jean's first federal nomination. I've had the honour and pleasure of working alongside him on various campaigns and projects through this period of time. He has become a true friend and an outstanding mentor to me. I know for a fact that I would not be here today if not for his support. It will be tough to fill your shoes, Brian, but I promise to do my best to honour your outstanding legacy. Thank you for your service to Fort McMurray-Conklin, to Alberta, and to all of Canada.

Since 1905 the area that is now within Fort McMurray-Conklin has gone through many changes evolving from Athabasca to the current boundary of Fort McMurray-Conklin and soon to be the new boundaries of Fort McMurray-Lac La Biche.

I'd like to take a moment to recognize some of the notable and remarkable members that have previously served the area: Jean Côté, who went on to become a senator; Michael Maccagno, who was the former Liberal leader; Brian Jean, former Wildrose leader; Norman Weiss, the first but luckily not last Fort McMurrayite to serve our amazing region; Adam Germain, who currently serves as a justice of the Court of Queen's Bench; and Don Scott, who is the current mayor of the regional municipality of Wood Buffalo. And a sincere thank you to all of those who have served before me for helping pave the road, literally and figuratively. Thank you for your foresight to pave highway 881 and to twin most of 63. It sure makes the travel a lot easier and a lot safer.

To Leo Piquette, un fier franco-albertain, qui a battu pour le droit de s'adresser à la législature albertaine en français: je suis extrêmement fière d'être capable de vous addressé en français aujourd'hui. Je dois remercier mes parents, qui ont pris la décision très sage de m'enregistrer dans le programme d'immersion à partir de la maternelle. J'ai pus compléter mon secondaire en immersion, ce qui m'a donné l'occasion de m'inscrire au campus francophone de l'Université de l'Alberta, le campus Saint-Jean, ou la fac, comme c'est connu affectueusement. C'est ici où j'ai obtenu mon baccalauréat ès arts en sciences politiques.

Now for the rest of you in English. To Leo Piquette, a Franco-Albertan who fought for the right to address this Assembly in French: I'm extremely proud to be able to address you in French today. A big thanks goes to my parents for their decision to enrol me in French immersion from kindergarten to grade 12, graduating from Father Mercredi high school with both an English and French diploma, giving me the opportunity to enrol in the University of Alberta's francophone campus St. Jean, or as it's affectionately known, The Fac, where I earned my bachelor of arts in political science.

After completing my degree, I returned to Fort McMurray to be with my family. Fort McMurray is and always has been my home. In fact, my family has called Fort McMurray home for almost 50 years. My dad, Gord, has worked in the oil sands for over 40 years now, and I was proudly at his side two weeks ago to see him recognized for four decades of service to Syncrude. His strong work ethic and determination have been guiding principles in my life.

My mom, Jan, owned and operated small businesses in town for almost 20 years before ending her career at Keyano College. My mom was the quintessential definition of a social butterfly. She once told me that strangers were simply friends you hadn't met yet. For my mother almost any outing took at least twice as long as it normally should have taken. She always stopped to talk to people she knew and often even people she didn't know yet. In so many ways it was my mom that allowed me to pursue my passion for politics, and perhaps she's the reason why I'm so good at doorknocking now.

Like me, my siblings Sara, Scott, and Brent are all proud to call Fort McMurray their home. My sister and her husband, Cameron, have two beautiful children Ezekiel and Astrid, and I fully admit I'm a very proud auntie.

To my mother: words will never be able to express how much I miss you, but I am so grateful for the lessons you taught me, the unconditional love you showed me and everyone around you. I will always aim to make you proud.

To my dad: you are my biggest cheerleader, my most trusted confidant, and my best volunteer. Thank you for always fighting for me, believing in me, pushing me ahead, and making me be my very best self.

To my sister, brothers, brother-in-law, niece, and nephew: thank you for making sure that I was always fed and keeping me very grounded.

To my boyfriend, Niall: thank you for being so understanding and supportive.

To all my friends that have encouraged me and kept me positive: thank you for being so considerate and helpful.

To my campaign teams – yes, teams; three in the last six months, ever increasing in size, skill, and enthusiasm to see the NDP defeated in 2019 and restore the Alberta advantage – thank you for your dedicated work and constant optimism.

To the people of Fort McMurray-Conklin: I am honoured to represent you, and I sincerely thank you for trusting me with your vote.

Fort McMurray is a lot of different things to a lot of different people. To many Canadians Fort McMurray represented hope, opportunity, and a fresh start. To the world's leading oil producers we're a tough competitor who refuses to lie down. For far too many elected officials across Canada, we're simply a cash cow. To the fringe eco activists we're the enemy. In fact, Tzeporah Berman, an NDP-appointed member of the oil sands advisory group, refers to my region as Mordor. But to me Fort McMurray has and always will be home. I was born and raised here. I've lived and worked here. Conservatives of every stripe, federal and provincial, have always had our back. They understand that when Fort McMurray works, Alberta works. When Alberta works, Canada works.

I will never back down. Not from the Alberta NDP, not from the Trudeau Liberals, and most especially not from the fringe eco activists seeking to landlock our oil sands. I will continue to be a proud, unapologetic supporter and defender of our oil and gas sector and pipelines. You see, this is our home, and we are going to defend it

Thank you.

9:10

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? The hon. Member for Airdrie.

Mrs. Pitt: Thank you, Madam Speaker. I just want to thank the hon. Member for Fort McMurray-Conklin for her first big speech in this House, her maiden speech. It was an absolute pleasure to hear about all of the wonderful things that happen in the region that she represents, the economic driver of this province and this country,

and the stories of the people that live within that community. I'm just wondering if my hon. colleague could just give us a little bit more insight into the people of Fort McMurray and area and what that means to her and what that means to our province. I think that we would all benefit from that conversation.

The Acting Speaker: Thank you, hon. member. The Member for Fort McMurray-Conklin.

Ms Goodridge: Thank you for that question, Madam Speaker. Fort McMurray is a very diverse community, as many of you guys are aware. It's one of the most multicultural and also one of the youngest communities in Canada, which is quite fitting for me to be the youngest MLA and the first female. Fort McMurray has a very can-do attitude and a get 'er done spirit, not limiting people by their gender, their age, their education, or their race or religion, something that I'm very proud of and that I hope to continue pushing forward as the MLA for this region.

Thank you so much.

The Acting Speaker: Are there any other members under 29(2)(a)? The hon. Member for Drumheller-Stettler.

Mr. Strankman: Thank you, Madam Speaker. I'd, too, like to ask one of our newest members – as one of the elder members of the Chamber I'd like to have her explain her wonderful ability of bilingualism. I think that's astounding and shows a greater depth of experience that a lot of people may not understand. I'd like the member to give us some background to her bilingualism.

Thank you.

The Acting Speaker: The hon. member.

Ms Goodridge: Thank you, Madam Speaker. As I stated in my speech earlier, I had the opportunity of being enrolled in French immersion education in Fort McMurray from kindergarten all the way through to grade 12 and then went on to go to the francophone Campus Saint-Jean. It's something that I'm very proud of. In fact, in my most recent by-election I often would end up speaking with people at the doors in French as Fort McMurray has a very rich francophone population, and it was something that was quite an asset. As I've been travelling and have most recently won the nomination for the Fort McMurray-Lac La Biche riding, the francophone aspect has become even more valuable. I look forward to serving Albertans and using my skill to their benefit.

Thank you.

The Acting Speaker: Are there any other members wishing to speak?

Seeing none, are there any other members wishing to speak to the motion? The hon. Member for Innisfail-Sylvan Lake.

Mr. Dreeshen: Thank you, Madam Speaker. It's truly an honour to stand here today and to give my maiden speech as the MLA for Innisfail-Sylvan Lake, and as was mentioned yesterday, I have a proud pioneer history in this province, here in Alberta. My family settled and they built a new life in central Alberta, east of Red Deer, just east of the city, right in the middle of the constituency of Innisfail-Sylvan Lake. This was all before Alberta was even a province. It was just the Northwest Territories at that time, and it was even before this building was even built.

My great-grandfather was a surveyor for the railroad, and he set up a ranch in the area. My grandfather was a rancher. He also traded with pelts and skins, and he was a hunter, Madam Speaker. On the other side of my family they moved from the United States and broke the land into a grain farm well over a hundred years ago. So I have deep connection to agriculture and to the area of the land in my riding, and I'll always be proud of that.

Representing the community that was built by so many pioneer families: it is truly an honour. At that time for those families there were very limited government services, and I can only imagine what they must have went through to carry just what they could – they came across on wagons or trains – and that was it. They had to build and create a world and a community that they wanted. I think that's a remarkable story and a remarkable history that we have here in Alberta. I don't think it gets celebrated enough, and I think it's something that we should really cherish here.

I know some hon. members like to talk about the incredible or outstanding people in their riding, but I truly have incredible people in the riding of Innisfail-Sylvan Lake. During the Pine Lake tornado in 2000 that killed 12 people and injured hundreds more, it was remarkable to see neighbours that stood shoulder to shoulder helping one another, doctoring the injured, cleaning up the shoreline, and comforting those that lost so much. People were just trying to help out others any way that they could.

Although it was 18 years ago, Madam Speaker, I can still remember a boat that nosedived about 20 yards away from where my family took shelter. As a child I was pulling walls and sinks and debris from trailers out of the water, and I can still remember my father swimming to the resort to help, which from the water looked like a complete war zone. Neighbours would make food, and they would bring it to the local community hall that was set up as a makeshift camp for people that were displaced. It's powerful moments like this that really put life and politics into perspective. I think it really helps us to recognize what truly is important in life.

I have other amazing, resilient communities in my riding, Madam Speaker. The city of Sylvan Lake is one of the fastest growing and has been one of the fastest growing communities in Alberta. It has a beautiful beach, and if members in this Assembly haven't actually been to Sylvan Lake, I would encourage that they go there in the summer. It's a lot of fun. It's a great place with a lot of young families, lots working in the oil and gas sector. Also, as a bedroom community for the city of Red Deer, lots of people will travel back and forth between Sylvan Lake and Red Deer. It's a great place for young families to raise their families.

Spruce View and Bowden are other great communities. They're great farming areas. Actually, the first grand opening I went to as an MLA was in Bowden for a new grain terminal, which was of special significance for me because I worked for the minister of agriculture who got rid of the Canadian Wheat Board monopoly. As a farm kid we actually took our grain to an elevator when the Canadian Wheat Board monopoly got removed, and we dubbed it our freedom wheat. It was in the outstanding Member for Olds-Didsbury-Three Hills's riding, actually, in Trochu. But we delivered our wheat.

It was an amazing moment because so many people and people in this Chamber fought so hard for so many years to get rid of that Wheat Board monopoly and for farmers to be able to have the freedom to sell their property and to sell what they do. It was an amazing, amazing moment. I was even tasked, when I was working with the federal government, to work on legal pardons for peaceful civil disobedient farmers, one of which is just a couple yards away from me today, Madam Speaker.

There are other great farming communities in my constituency. Elnora and Delburne are on the eastern edge of my riding. I went to school at the Elnora elementary school and took shop classes in Delburne. I then went to Innisfail for high school and played hockey and started up their football program there. I think that's a great thing about being from Pine Lake, that you're in the middle of nowhere or

the centre of the universe, depending on how you want to look at it, because all these communities are equidistant from Pine Lake.

But these small towns and these public schools still provide great education today, and I think it's important that we can give these schools the resources and prioritize them because it is a great asset to have in a province like Alberta. One of my first roles as MLA was to attend the 100-year anniversary of the Elnora elementary school. More recently I attended the 125th anniversary of St Luke's Anglican church in Red Deer. Even though, yes, we are a young province, we still have amazing history in this province. Again, I believe it's very important that we take the time to celebrate it.

Now, not to dwell too much on politics, but I was humbled to be trusted and voted in during a recent by-election in July. I was given a mandate to serve the people of Innisfail-Sylvan Lake, and I take that very seriously and will every day that I am here. Having parents and a sister who are all teachers, Madam Speaker, they were the first to point out that I won the election with honours, receiving over 80 per cent of the vote.

9:20

Although it doesn't seem to be a popular opinion under this dome, people in my riding do not want a carbon tax that increases the cost of living in Alberta. People in my riding want a government that actually listens to Albertans, not to special-interest groups or special-interest labour groups that increase red tape and financial burdens on farmers. People in my riding want a government that stands up for our oil and gas sector, not that reinvents the record and pays lip service but actually takes steps to defend Alberta's interest.

Madam Speaker, people in my riding are proud to host the CFR. The Canadian Finals Rodeo is coming to Red Deer. Again, if people want to go down to Red Deer, it's an amazing place. Great agricultural and rodeo families come from my area. I know it's almost a political sin to actually name people, but Jack Daines is a legend from my area in the livestock and rodeo world. He's a great family friend, and I think what he's done for the rodeo industry is remarkable. On the topic of rodeo, even my grandfather in the '20s was actually a contestant and an outrider in the Calgary Stampede.

Madam Speaker, it's an honour to take my seat in this Legislature, which I believe is a safe place to debate ideas and to help find solutions that will make Alberta more competitive and successful. A couple of weeks ago I was honoured that at my swearing-in ceremony I could have so many family and friends and supporters and also the Lieutenant Governor, Lois Mitchell. Although as a lifelong Edmonton Eskimos fan I'd rather not talk football with her for the remainder of the season, I was truly humbled to actually be presented with the Grey Cup after my swearing-in ceremony.

I look forward to honouring the traditions of this place, fighting for the people of Innisfail-Sylvan Lake, and debating and bringing forth good policies for the betterment of Alberta. Thank you very much, Madam Speaker, for the time.

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

The Acting Speaker: Thank you, hon. member.

[Motion to adjourn debate carried]

Government Bills and Orders Second Reading

Bill 22 An Act for Strong Families Building Stronger Communities

The Acting Speaker: The hon. Member for Edmonton-Castle Downs.

Ms Goehring: Thank you, Madam Speaker. It's my pleasure to rise today on behalf of the minister to move second reading of Bill 22, An Act for Strong Families Building Stronger Communities.

The proposed changes in this legislation will increase fairness for indigenous families and improve support for children in and out of care. It will increase safety and accountability across the system. Most importantly, it will help improve the lives of more than 10,000 children and youth receiving services. Our government is committed to reconciliation and to making practical, commonsense improvements to Alberta's child intervention system. This legislation would address concerns that, as a social worker and a former member on the Ministerial Panel on Child Intervention, I have heard from children and families across Alberta. Bill 22 would make the intervention system fairer and more supportive for indigenous peoples.

Currently First Nations have no formal role in the court process involving member children. This means that First Nations are never aware that a child from their nation has been adopted by a nonindigenous family or is a subject of a guardianship order. They are given no opportunity to appear in court and to ask to have a say. Under Bill 22, First Nations would be automatically notified and could appear in court whenever someone applies for private guardianship of children of their band.

Currently there are two ways to apply for permanent guardianship of a child in care, through the Child, Youth and Family Enhancement Act, which requires a mandatory home study and a cultural connection plan, and through the Family Law Act, which does not. Under this legislation every guardianship application for a child in care would follow the same process. This would ensure that every application meets a child in care's unique needs.

The proposed legislation would also strengthen how we support child safety and well-being throughout the system. Bill 22 would introduce new guiding principles that highlight child safety and make indigenous involvement a fundamental component of that system. These principles would provide a guiding vision of how the system should operate for courts, caseworkers, media, and others. Mandatory decision-making criteria would also require courts and caseworkers to consider every facet of a child's safety and wellbeing when deciding whether to remove a child from home, grant a guardianship order, and make other life-altering decisions.

Currently children also lose financial supports for permanency if their guardian dies, moves away, or otherwise changes. Under this legislation financial supports would stay with the child to help pay for counselling, respite care, transportation, and other important services.

Our government is committed to accountability and transparency. Bill 22 would create strict new public reporting requirements, including requiring Children's Services to report every death, injury, and serious incident within four days. These changes would ensure that Albertans are aware how government is providing services and know when something has gone wrong. They would make the system more open and accountable than ever before, helping us create the system that children and families deserve.

This legislation is the first in a three-phase review of the Child, Youth and Family Enhancement Act. It acts on recommendations from the Ministerial Panel on Child Intervention and is part of Alberta's public action plan to better protect children and support families. Bill 22 represents an important step towards a stronger, safer tomorrow, where children are kept safe, where family and cultural connections are better respected, and where children are kept safely with their families and their communities whenever possible. These changes would make the system fairer and more

supportive for indigenous people. They would help improve safety and long-term well-being of children across Alberta.

I would like to take this opportunity to encourage my colleagues to support this bill, and I look forward to hearing the debate. Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak? The hon. Member for Calgary-Hays.

Mr. McIver: Thank you. I appreciate the opportunity to rise and speak on Bill 22, which is entitled An Act for Strong Families Building Stronger Communities. It's been a long road to get here, as you know, Madam Speaker. We served together on the ministerial panel. I just want to take a couple of minutes to talk about this. This whole thing really grew out of the tragedy of young Serenity, who would be eight years old if she was still alive today. We had debates and questions in this House about Serenity, and we may have debates and questions about Serenity's case in the future.

But out of that, Madam Speaker, grew a demand from the opposition to have an all-party committee look into children in care, and I will say that we were, rightly so, I would say, pretty aggressive about wanting to have that committee because it was obvious that some positive changes to the way we treat children in care needed to take place. We pushed pretty hard for that all-party committee, and we didn't get it. But I will say in fairness that the Premier finally did grant us a ministerial panel and even gave this place a new minister to look after Children's Services. As best I can tell, that minister is working very hard to discharge her duties, and I thank her for that.

We got to the ministerial panel, and here's what I will say. I would thank all members from all parties that were on the ministerial panel. In my view, we worked in a very nonpartisan way for the betterment of children in care in Alberta, because it matters.

Now, historically, as I understand it, Madam Speaker, this isn't a new problem. This has been an issue that has been with us for a long time, through this government, through previous governments, including one that I was part of. I will say that I'm not sure that the bill today is going to solve everything, but that doesn't mean it's a bad bill. In fact, in fairness to everybody, as I understand it, there are improvements required in the way that we treat children in care. There are improvements required in all 10 provinces in Canada and, as I understand, in all 50 states in the United States and other places across the world. This is a complex issue that I'm not sure we're ever going to get to a hundred per cent, perfect place on, but it's our responsibility to move forward and to improve where we can and to do better where we can. This appears to be an effort by the government to do so, so I appreciate that.

9:30

Now, one of the first impressions of this that I had was from our former colleague Manmeet Bhullar, who I think started to try to address this issue during his brief time as minister. One of the things that he told me that made an impression was that you'd be surprised how much better kids do with their own parents even if their parents don't appear to be what you would call ideal parents. In fact, if they would appear to be poor parents, in most cases the kids actually will do better with them than without them. It seems to be a fact. When you look into it, it seems to hold true. However, there are cases where, when children are in danger, through their parents or for other reasons – perhaps they don't have parents anymore – they need to be put into the care of the government, and it's our duty on all sides of this House to do the best we can to look after those children that are in our care.

Another thing that really was at the core, in my view, of what we discovered and talked about and learned and dealt with on the ministerial panel was the fact that about 69 per cent of kids in care are indigenous, and indeed certainly 69 per cent of Albertans are not indigenous, which is to say that a severely high percentage of kids in care originate from Alberta's indigenous communities, far greater than the percentage that those communities are part of Alberta society. One has to really look seriously at that, and I would dare say that the ministerial panel really did make an effort at doing just that.

Now, one of the pages of the bill that most people don't bother reading – at least, it's my understanding that definitions were changed and words changed – is page 22 of the bill. It says:

33 The following sections are amended by striking out "aboriginal" wherever it occurs and substituting "Indigenous."
And following that:

35 The following sections are amended by striking out "an Indian" wherever it occurs and substituting "a First Nation Individual."

Again, as I said, with about 69 per cent of the kids in care being indigenous, using language that's more respectful to First Nations and indigenous people I believe is a very important element of this. I thank the government for making those changes in this bill. I think that's more important than we know today. It will probably prove to be more important than we think in the days and years to come in the future.

We sat on the committee. Here's another thing that I will say. Again, I'm not sure that the bill is perfect, but I will say this. One of the things that we learned and dealt with was that over the last decades in Alberta there were dozens, probably, of reports on children in care that came forward and were passed by this Assembly on which there was little or no action taken. So I will say this. Since the government is taking some action on this, that's a step forward, and they deserve credit for that. In fact, if the bill is not perfect – the fact is that it's one of three, as described by the government; in other words, there are two more to come – then perhaps it would be important to look at the outstanding recommendations from the committee and the deliberations of the committee.

I'd prefer it done in a nonpartisan, across-the-floor way, again, to make sure that when we get through what are purported to be or expected to be three bills to deal with the recommendations of the committee, we cover as much ground as we can and we cover it with a common understanding of what the committee learned and, hopefully, with a common goal, which I believe we all have in this House, of making life better for kids when they're in our care.

Again, I think the most important principle we need to remember as we go through this is that when a child is in care, surely the minister has primary responsibility, but I think all 87 of us in this House bear a responsibility. I think that we ought to share that responsibility and work together to make sure those kids who are our responsibility are looked after in the best way that they can be.

There are several sections here that, again, I'm sure I'll have more to say about as we get into Committee of the Whole and whatnot. I haven't had possession of the bill to look at it for very many hours. The fact that if a child is going to be put in someone's care and they're over 12, they actually have a say: now, it says in the next section after that that the court can overturn that child's decision, but just the fact that even before that happens, a child that's over 12, before they're put in the care of different adults, will actually have something to say about that I think is a positive thing.

Lots of people in this House are closer to the age of 12 than I am. A couple are further away. I would say that most people here are closer than me, but even I can remember that I had some of my own

opinions at the age of 12. Some of them were even correct. Many kids today and ones in care will have opinions about where they'd like to be cared for and who they'd like to be cared for by, and I would suggest to you that many of their opinions would also be correct. To have their voice heard is a positive step, in my opinion, a positive thing coming forward.

Now, an element that I think is important is that under this bill financial supports in the future, when the child's condition changes, as I understand it, will follow the child, not the guardian. You know, if you think about it, you think: why did this have to change? Well, it does. It does, and the fact that it is changing as a result of this bill I see as a positive thing and one more thing that I think is worth talking about. Clearly, funds to look after a child are meant for the child. In having the child move to a different home, a different guardian for whatever reason, there shouldn't be a delay with the funding following because, of course, there is no delay in the child's needs. The new guardian should have access to those resources for the benefit of the child right away without delay and without any gap in the care that the child gets.

Again, I touched on it a minute ago with the matters to be considered: recognize the child's opinion. If it's deemed that the child is capable of forming an opinion, it has to be taken into account in relation to decision-making about their interaction with the child welfare system. I just talked about kids that are 12, but kids that are two and three and four and five also know where they're comfortable and where they feel loved and where they want to be. I think that the requirement to listen to a child at any age who's in the care of the government about where and how their care changes, to hear that child's opinion, is no small matter and one that I am happy to see as we move forward.

The guiding principles that provide the context by which the act must be interpreted so that the safety and well-being of the children are paramount considerations should ensure that portions of the act cannot be taken out of context. The principles will be overarching goals of the act.

9:40

I like that, Madam Speaker, because I think that if there's one thing that we learned as we went through this, it's that every child is an individual, that every family is an individual, that every guardian is an individual. If you try to get too prescriptive with the rules about how that child is looked after, even with the best, best, best of intentions, it can turn out that what's specifically good for one child is not necessarily good for the next child, and if they're both stuck under the same specific rules with no flexibility in them, then one child gets good treatment and another child doesn't. So I think an important learning of the committee was that rather than severely prescriptive individual rules, overarching, guiding principles I think are what will lead us to looking after kids in care better.

Certainly, we have to put responsibility – and, listen, we put tremendous responsibility – on the people that look after children in the system, both their guardians and the bureaucrats, the public-sector workers that supervise and look after this. It's a weighty responsibility, but using guiding principles rather than severely prescriptive rules actually allows those professionals, in my view, more leeway to do the right thing rather than check the box: the child must be okay because I checked the box. I'd much rather have those professionals saying: in my professional judgment, using these guiding principles, we made a specific decision for the child because we think it's in the child's best interests. In my view, that ought to be much more effective than a prescriptive box that gets checked without due consideration over whether it actually improves the child's life or makes it worse.

Madam Speaker, we spent a lot of time on this. There are a lot of children in care that are depending upon us to do the right thing. There's a lot more to be said, and you can take this as a threat or a promise, whichever you prefer, and that threat or promise is that I'm likely to be saying more about it because this matters to me.

But at this point I will take my seat and hear debate from my colleagues. I'll just say that I think we need to get this right.

Thank you.

The Acting Speaker: Thank you, hon. member.

Are there any other members wishing to speak? The hon. Member for West Yellowhead.

Mr. Rosendahl: Well, thank you, Madam Speaker. It's always a pleasure to rise in this House and speak on such a very important matter. I'm very pleased with and I'm in strong support of Bill 22, An Act for Strong Families Building Stronger Communities. The proposed changes in this legislation will increase fairness for indigenous families and improve support for children in and out of care.

The previous government, in my opinion, failed the indigenous peoples in West Yellowhead. I'm not going to mention any of the case files that I worked on, but there were many. The indigenous peoples in West Yellowhead were told that there weren't any indigenous peoples in West Yellowhead because there were no reserves. You'd hear this from the people I talked to, and the files that we reviewed were many, like I said. They weren't respected, and how can you respect people when these comments are made to them?

Hinton, by the way, has a 25 per cent indigenous population. Then we talk about Grande Cache, with the co-ops and the enterprises. There are a number of indigenous peoples in Susa Creek, as an example.

There are also many indigenous peoples in Edson and Marlboro that were treated this way by the previous government, many case files, like you said. Once people found out that my office and my staff would listen to these people and listen to the concerns and some of the tragedies, I guess, about how these families were treated – and we know for a fact that for some of the children that were removed from these families, in some cases it's pretty clear it was for no apparent reason. I agree that they should be removed in the event of protecting a child from harm. I totally, totally get that and understand that, and even the indigenous peoples understood that as well.

But it's a sad state of affairs when these people would meet with us and you would hear of the stories time and time again, whether it was at the office in Hinton or when we had office hours in Edson. There were lineups in the hallway because they found out that we would listen to them and that we'd present their cases to the minister and say: look, we need to look at these things to try and move things forward.

That's why it's so important that this bill move forward. It will increase safety and accountability, which the system lacked and didn't have. It would improve the lives of many of the indigenous peoples in West Yellowhead. Our government is committed to reconciliation. The biggest problem to get by with this is the fact that a lot of people bring up the issue of residential schools and what happened, and of course you can't ignore the '60s scoop as part of it. Even today a lot of the people will not identify themselves as being indigenous for the fear that we could take their children away. Today it still exists because of what happened. Then when you look at the way these case files were handled, I can understand the fear that these people have. Yet by the same token we did not address these concerns in a real, fair, and proper manner.

When we look at their role in court, they're left by the wayside because they don't understand. It's a white man's system, they say. Because they don't understand, they don't know how to participate, so they're left behind. Like it says, the First Nations are not even aware that a child from their nation is even being adopted by a nonindigenous family or is the subject of a guardianship order until it's too late because they weren't involved in the process. They had no understanding. When they do intervene too late, usually there are unintended consequences where the child is removed from the community. I know a particular case in Grande Cache that was exactly – exactly – as they said. That's exactly what happened to the family. Even though there was somebody there willing to take the child in, because of a failure or for whatever reason, they weren't even given a chance.

9:50

Our government is fighting for what matters for everyday Albertans, and this includes our indigenous peoples. It's important that we support this bill. Under Bill 22, First Nations would be automatically notified so that they could be part of the whole process of what's going on with them through the Child, Youth and Family Enhancement Act, which requires a mandatory home study and cultural connection plan, and that is important.

I'll bring up the issue of, say, Susa Creek school, for example. I was up there and visited with them. This is where the elders participate even in the school program and they teach the students about indigenous culture. They're right involved in that, so they're involved through the whole process of all these things to make sure that the young people understand about the culture and have participated up there. It was a fantastic opportunity that I had visiting with them at that school. It's just a small community school, but it's fantastic, the things that they do.

Under this legislation every guardianship application for a child would allow due process. This will ensure that every application meets a child in care's unique needs, which need to be respected. This proposed legislation would strengthen how we support child safety and well-being throughout the system, which was lacking for many years, as I said. The case files that we dealt with were something else.

Bill 22 will introduce new guiding principles that highlight child safety, make indigenous involvement a fundamental component of this system, which is very important to these people because a lot of them, like I said, Madam Speaker, just don't understand. White man's rules, they say. So it's important that when we do these things, we involve them.

Mandatory decision-making criteria would also require a course and caseworkers to consider every facet of a child's safety and well-being when deciding whether to remove a child from a home, grant a guardianship order, and make many other life-altering decisions. This is fundamental. It's fundamental to build reconciliation when we're dealing with these people, to understand, to help them so that they succeed.

Under this legislation financial supports would stay with the child to help pay for counselling, respite care, transportation, and other important services that were never there before.

Bill 22 would create strict new public reporting requirements, which is a good thing. These changes will ensure that Albertans are aware of how our government is providing services and know when something has gone wrong. It was ignored for so many years, and it was pretty evident, like I said, by all the case files that we were dealing with. It was so many that it would fill a six-inch binder. That's how bad it was.

This legislation is the first in a three-phase review of the Child, Youth and Family Enhancement Act, which I pushed very hard with the ministry because it was sadly lacking in the past. Past government, like I said, ignored some of these people for many years. It acts on recommendations from the Ministerial Panel on Child Intervention as part of Alberta's public action plan to better protect children and support families, which is really needed.

Bill 22 represents an important step towards a stronger and safer tomorrow where more children are kept safe – that is very important, very important to the indigenous peoples of West Yellowhead and, for that matter, to all indigenous peoples across the province – where family and cultural connections are better respected. We failed them because we didn't respect their culture and their way of life. They were left behind far too long. I applaud the minister for bringing this forward, and I applaud the minister for recognizing and doing the things with this panel that looked at this problem, that existed for many years.

I would like to encourage my other colleagues to support this bill for those reasons that I've mentioned. I look forward to hearing the rest of the debate on this very important bill.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? Seeing none, are there any other members wishing to speak? The hon. Member for Calgary-West.

Mr. Ellis: Wonderful. Well, thank you, Madam Speaker. It certainly is an honour to rise on Bill 22, An Act for Strong Families Building Stronger Communities. You know, I have a prepared speech here, but I also have, sadly, a lot of experience in dealing with vulnerable kids. Certainly, as the only law enforcement member who was ever on the Alberta Secretariat for Action on Homelessness, I can tell you that this was an issue that came up. I think that even a decade ago the disproportionate number of children surrounding the vulnerable population of homelessness that was part of the indigenous community was certainly very, very sad. I see Bill 22 certainly as a step in the right direction. As my colleague from Calgary-Hays indicated, I do believe that there is a lot – a lot – more work that needs to get done.

Madam Speaker, the road to get to this point, of course, has been long. It's certainly been a harrowing one. I feel confident in saying that every one of us in the Legislative Assembly has learned and, ultimately, changed as we've collectively walked through this path. You know, the driving force behind the legislation before us started today with three people: first, the Alberta Child and Youth Advocate, Mr. Del Graff, who issued an investigation review in October of 2016; my friend and colleague the hon. Member for Calgary-Hays, who was tenacious in pushing for this ministerial panel to investigate Mr. Graff's disturbing findings - I certainly commend him for everything that he has done - and of course, finally, not lastly, most importantly, little Serenity. It is that case which has stuck in the minds and hearts of every single member in this Chamber. Let me just take a few moments, Madam Speaker, to address Serenity, for she and her family have been a guiding passion for me.

10:00

You know, I wear this pin on my lapel that says Children First. A lot of people think it actually has to do with the minister who wore it before me, but it doesn't. When I was part of the Alberta Secretariat, Minister Hancock was the minister in charge at that particular time, and he issued us these pins. It was very much something that was kind of a nice keepsake to have, but it wasn't until the Serenity case that it really started to hit me and, I believe, every single person in this Chamber what that really, truly means.

Many of us here have children. Children need and ought to be first in any of the decision-making that occurs inside and outside this Chamber.

For me it means that when I'm thinking about my portfolio, when I think of my policing, I think about the children and the impact on the families. Certainly, that's something that has been very near and dear to me and my decision-making. You know, before Serenity became a household name in Alberta, many of us always talked about children first, but I think with that particular case people were really starting to realize that those were just words and that action needs to take place.

Again, I commend a bill that is a step towards a goal, a very challenging goal. I think to suggest that any government in Canada, and I would say any government in North America, has this right would be inaccurate. I think there has been a lot throughout time, the last several years – you know, people have made efforts, I think with good intentions, but sadly there have been failures. There have been good things, but it's certainly a system that will require a lot more time, effort, and certainly a bipartisan approach to putting children first.

Madam Speaker, you know, it really wasn't until Serenity reached out through the pages of Mr. Graff's report that we truly understood the importance of what had transpired. That is what we're doing here today as we speak in support of this legislation that we have before us. We're committing to keep Serenity's spirit in our hearts as we take care of some of Alberta's most vulnerable citizens.

I don't think I'm speaking out of turn by saying, Madam Speaker, that we failed Serenity. I think we as an Assembly, we as a society, all of us failed her, and we failed her family. I vowed personally to her mother, who came to this Chamber, and her close relatives that also attended here that I would not fail her moving forward.

This is one of the reasons why I'm very proud to stand up and speak to this bill and I'm very proud of, again, my friend from Calgary-Hays for everything that he has done for this very important issue as well. I'd like to give credit to everyone involved, starting of course with the ministerial panel, who spent countless hours travelling around Alberta, hearing directly from those directly involved with the affected child intervention system.

But, Madam Speaker, I would be remiss in not mentioning a component that I did not see in this bill as it relates to a proposal that I previously had before this House related to an amendment to the Child, Youth and Family Enhancement Act, that would compel adults – compel all adults – who know that a child is being abused to contact either the police or the child welfare director in their region. I thought it was something that was important. I thought it was common sense. I said that if a child is being abused, if a child is being sexually abused, physically abused, adults need to know that you cannot turn a blind eye – you cannot turn a blind eye – to a child at risk.

Then we had Serenity's mother and family here, and the government, sadly, said no to something that I thought was common sense. Now, the minister had indicated to me that the police just weren't on board with that. Well, Madam Speaker, as a retired police officer I went to the source, and I asked the president of the Alberta Association of Chiefs of Police. I said, "Hey, do you have an issue with this bill as it pertains to possibly helping children and maybe something could possibly be added into Bill 22, as an example?" and he responded to me and said: "No. The bill that you showed me, that you've just presented to me, I don't have an issue with." I don't have an issue with. I said, "Well, what did you have an issue with that the minister seemed to indicate that the police would not be in favour of?" "Well, Member, I saw a first draft, and in that first draft we had some concerns but nothing that we could

not work through." So it is completely inaccurate that the Alberta Association of Chiefs of Police would not be supportive of a change in the Child, Youth and Family Enhancement Act that would compel all adults who know that a child is being abused to contact the police or the child welfare director.

So when the Member for West Yellowhead talks about failures, there's a failure right there. That's a failure right there, right in front of your face, and you and your government own that. Now, I promise that minister, that government, the previous government had flaws. No doubt.

When I was a member of the Alberta Secretariat for Action on Homelessness and just a young constable, I provided recommendations. It was I who identified youth homelessness as an issue in this province, Madam Speaker. Did the government act on it? No, they did not, and that goes back to what I'm saying, the failures of the previous government. They put the committees together, they did not listen, and here we are today.

But Bill 22, ma'am, stands out. What stands out to me in this bill is an overarching principle. The act must be interpreted and administered so that the safety and well-being of children are the paramount considerations. Again, let's point to the lapel pin. It's simple. It's important. Let's drill down and look at the principles that flow from that particular statement, Madam Speaker. Protection from harm, a child's best interests, safety and well-being being paramount: if only that had applied to Serenity. But if we adopt this principle, and we ensure that it happens, then these positive steps will help other children today.

10:10

Let's pull out another principle that was critical in Serenity's case, Madam Speaker. It's the lasting relationships with family, friends, caregivers, and others whom they have formed connections with. Serenity and her siblings had been thriving when they were sent to a home, where she died and her siblings were traumatized. For that reason, I'm especially pleased that the principle is part of the principles in Bill 22. It's important.

For the record, Madam Speaker, Serenity's siblings – we're in contact with the family – are thriving. They of course experienced enormous trauma in the situation that they were placed, but they're surviving, and I'm very proud of the positive stories that we are hearing coming from that family.

Madam Speaker, I just want to move to another area under the proposed legislation that makes me very happy, ensuring that decisions regarding a child receiving intervention services consider a number of key matters. I'll pick out the importance of ensuring that if the child is capable of forming an opinion, it should be taken into account. The Child and Youth Advocate has mentioned this in other reports he has issued as well, and that is a very good thing.

The Acting Speaker: Thank you, hon. member.

Are there other members wishing to speak under 29(2)(a)? Seeing none, are there any other members wishing to speak? The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Madam Speaker. I'm pleased to rise to speak to Bill 22. I was going to say that it's the culmination of a long process; it isn't actually, I think, the end of this process. I sincerely hope it isn't. Having talked with the minister and some of my colleagues in the House, I truly believe that it is not an end, although I think we have to acknowledge that it is a very important step forward and has come out of a lot of the very good work done by the all-party child intervention panel.

The process: I think it's important to remember how it is that we got here, and this is not something that has just come up. This has

been an ongoing challenge for the government of Alberta – certainly, events prior to this government coming into power. I think it's important to never forget the late and very much missed Manmeet Singh Bhullar and the work that he did on this file, and ministers before and since, every one of whom I think in their heart had children's interests at the forefront.

But I think we also have to acknowledge that there have historically been some tremendous shortcomings in Alberta's child intervention system, and nowhere is that more true than in indigenous children's experience, indigenous families' experience with the child intervention system, that has for many, many, many years been an extension of a colonial attitude, which is manifest in residential schools and is manifest historically in the '60s scoop. And in many ways – we heard this from many indigenous people through the process – it feels like the child intervention system is really no different than those things. It is about separating indigenous kids from their families, and that must end. I believe that Bill 22 is an important step in the right direction. It's not an end in itself – I don't think we're there yet – but I think it is an important step in the right direction.

The process itself was a very, very good process, and I want to thank the minister and the government for agreeing to make this a truly open, all-party, nonpartisan process. It is an emotional issue. It will continue to be an emotional issue. I would hope in the debate on this bill that we continue to do a good job of not making it a hard partisan issue, that we really focus on outcomes for children, which is why I think all of us are here.

I want to take this time on the record and formally to not just thank the minister but to thank the members who were on the panel, Madam Speaker, yourself included, members here in the House today who were part of that process: members from the United Conservative opposition who provided a lot of thoughtful input; the hon. Member for Calgary-Mountain View, the Liberal caucus; members on the government side who provided tremendous insight and lived experience working with child intervention. Also, the experts that we had on the panel: Bruce MacLaurin from the University of Calgary, Tyler White from Siksika Health Services, Dr. Peter Choate from Mount Royal University, and the newly made senator Dr. Patti LaBoucane-Benson. They're very proud of her for ascending to the Red Chamber in Ottawa, and I know she will represent Alberta, Métis people, indigenous people, and Ukrainians very well in the Senate. I'm very proud of the opportunity to have gotten to know all those people.

Most important, though, are all of the people who participated in the process, who came out, shared their deeply personal stories, and the opportunity we had in the all-party panel to travel the province, to travel and meet on-reserve in treaties 6, 7, and 8, to hold open houses around the province, to hear from Métis people, to hear from now adult children who have lived experience in the child intervention system. It was not a fast process. In fact, it needed to be a methodical and thoughtful process, and it was. It was that, so I give the minister and the government a lot of credit going back almost two years now, when this panel was first struck. The first iteration of it, frankly, wasn't good enough. I was joined by members of the opposition side to call for changes to the terms of reference, and to the government's credit they heeded those calls.

That process has resulted in this bill. I believe that it has taken us forward and we are in a better place. I would hope that the government would learn from this process that perhaps there are opportunities in other areas where we could follow a similar process, which I think would actually result in a little less noise in the Chamber and a little more in the way of thoughtful governance for our province. I would hope that that's something we'd see more in the future regardless of who the next government would be. I can

assure you that if we find ourselves in that position, that's something you could hold me to. But this process itself was a very good one, and again I want to make sure that everyone knows that I believe it was a very positive process.

The details of the bill and I think where things will be improved for the children who find themselves in contact with the child intervention system and for their families – probably the number one thing that I'm happy to see is an increased emphasis on safety. As the minister has said, the previous Child, Youth and Family Enhancement Act focused on survival, just their survival. I think that none of us want to simply survive. I think we want to be safe. We want to thrive. We want opportunity. So changing from the word "safety" being in the old act I believe it was one time – having not had a chance to count every single word – to I think it's upwards of 15 to 20 times that this word "safety" now appears in the amended act, that's a vast improvement.

The Member for Calgary-Hays had talked about the principles that we're talking about here. When we're making laws, we certainly do need to have black letter law. You do need to say that the rules enable you to do this or prevent you from doing that, to say that you must do these things in this order. That's important. It's very important in child intervention. But one of the things that we heard from the front-line child workers – and let me just pause at that point to mention the people from within the system, both the people on the front lines of the child intervention system, the management, and people who are policy makers and who work in oversight, people who work in agencies, foster parents themselves. These are all people who had come and spoken with the panel as well.

10:20

What we heard from the front-line workers in particular is that there is a procedure manual that is upwards of a thousand pages, and when there's an unfortunate incident, the thousand-page procedure manual becomes an 1,100-page procedure manual and then 1,200 pages, and who knows where it ends. While it is important that we have actual procedures and that we can't simply have a free-for-all, I think what is more important is that we have a principle that drives the work that we do.

We heard some really compelling stories, where, in fact, a front-line child intervention worker was sitting before the panel, sitting next to his boss, and said, "Here's a situation where I went outside the rules because in the moment it was the right thing to do for that child," and we had a good outcome as a result. He turned to his boss and said: I hope I'm not in trouble. Technically he was outside that thousand-page binder, but what he was doing was the right thing for that child in the moment, and it was a good outcome for that child

Those are the kinds of things that I hope the 13 new matters to be considered when supporting child safety and well-being that are embedded in the act – I hope that we can move to a place where the best interests of the child, given all of the complexities and all of the context of that particular child's situation, are weighed and considered.

The other thing that we heard time and again from the panel is the importance of cultural connection, so the mandatory home study and cultural plan that's embedded in this act is a welcome change. I had a nice opportunity to talk with Adam North Peigan of the '60s scoop survivors' society yesterday, and he's very encouraged by that particular aspect of the bill, as am I. I think it's very, very important that as this moves forward, the minister, the government, and all of us continue to engage in dialogue with indigenous communities to ensure that, in fact, what we are intending in this bill is actually helping and that walking together and cocreating that

future, which is some of the terminology that has surrounded and framed the work that we've done and the reports and the outcomes – these are very important things. They shouldn't just be words on a piece of paper. They must be thoughtful actions that are put into practice every single day. I'm hopeful that that will be the case.

That, then, ties to First Nations automatically being notified of every application for private guardianship. There were cases that we heard repeatedly where indigenous communities would not know, would not be notified when children who were part of their community were subject to a private guardianship or permanent guardianship order. That exacerbated or really, frankly, was an indication of the continued colonial mindset, where kids are taken away. So ensuring that indigenous communities continue or will be engaged in that process is very important.

Then also consolidating all of those private guardianship applications under the Child, Youth and Family Enhancement Act as opposed to splitting them between the Family Law Act and the Child, Youth and Family Enhancement Act, I think, will also help. As the minister said the other day, the best court proceeding is no court proceeding at all. If we can avoid getting to court in the first place, that's always preferable. Sadly, sometimes the courts do need to be involved. But ensuring that notification is a very, very important part of that.

Focusing on the child: you know, one of the things that I've observed in not just the child intervention system but in this huge machine that is government is that when an individual goes within and between different departments or their status changes – you turn 18; you turn 65; you hit a certain income threshold – you fall off a cliff. All of a sudden your supports are gone, or you need to know to apply somewhere else. So the fact that financial supports for permanency will not end when a child's guardianship changes: that in the past was a challenge. Those supports and that funding following the child: frankly, it's amazing that that wasn't the case in the past. It's unfortunate, but this bill would change that. I think that's really, really important.

Also, moving from the 16 matters that should be considered in all decisions offered too much latitude and flexibility. I talked earlier about the importance of principle. Sometimes it is also important to have some black letter laws, so the 13 matters that are to be considered, must be considered, when supporting child safety and well-being are welcome. The fact that those are also updated from the previous 16 is very important.

One area that I noted when I first saw the 13 changes, which I thought was important, was the identification of indigenous identity as one of the matters that must be considered. As we know, 70 per cent of kids in care are indigenous. That is a vast overrepresentation relative to the population of our province. I believe that less than 5 per cent of kids across the province are indigenous, but 70 per cent of those kids in care are indigenous. That's very important. Equally, cultural connections are important to indigenous people, but they're also important in Alberta's multicultural society. We talked about that with the minister when we discussed this bill first: those multicultural connections regardless of what the culture is should also be considered. I'm pleased to see that that is embedded in the bill

I'll conclude my remarks by saying that the bill is an important step forward, but we're not done. I'm glad to hear the minister acknowledge that there's a phase 2 to this, which would come forward in future legislation and would address the questions that we heard about. The band designate and that role: that work is ongoing in consulting with indigenous communities and band designates to make sure that that is properly resourced and properly considered. While I will certainly vote in favour of this bill – and I

am optimistic about the future, and I think this is a turning point — it's important that we keep going. Rest assured, the Alberta Party caucus will continue to be steadfast in our pursuit of making sure that the promise of this bill is realized, that the changes that have been committed to going forward are in fact made, that the principles that are enshrined in this bill are followed.

Thank you, Madam Speaker.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? Seeing none, I will now recognize the hon. Member for Calgary-Shaw.

Mr. Sucha: Thank you, Madam Speaker. It's my honour to rise and speak to Bill 22, An Act for Strong Families Building Stronger Communities. I really want to reflect on how we got here before I kind of go into the premise of the context of the bill it's under. It's important as we debate this to know and recognize where we've come from.

Through you, Madam Speaker, I want to acknowledge that there are a significant number of kids in the gallery here today, and through you I would like to say that they're very lucky to be here because we're on our best behaviour right now.

Nonetheless, it's remarkable because when I look at the kids up in the gallery, I am reminded of one thing, which is that when all of us, whether it's myself, the previous speaker, the gentleman in our House wearing the lapel pin – we were never taught about the residential schools. For most of us it was not until we were in university, for many of us it was finding out second-hand or of our own volition, but we were never taught about this.

It was pretty remarkable a year ago, when I took my son to an indigenous event, the launch of indigenous week in Calgary. I sat him down, and I wanted to talk about residential schools with him because I knew that it would come up. I knew it would be a topic that is important for him to understand. When I asked him about it, he had already learned about it. He had learned about it from a lot of the schools, from a lot of amazing teachers, who I see up there as well, who have taken it upon themselves to inform kids about our history, recognizing that there were some positives that came out of the history of Canada and the colonizations and that there were some negative things that we needed to learn from. Unfortunately, residential schools were one of those things. It's led us to a situation where we have a very troublesome child intervention system, where 69 per cent of kids in government care are indigenous children.

It's imperative for us as a House to make sure that we follow through on our commitments with the TRC and with UNDRIP to solve these problems. I know that for our Premier this has been something that has been very important to her since she was an opposition member, and I know that it's important for many members in this House.

10:30

So I want to open by thanking all members of the ministerial panel, including myself, including yourself, Madam Speaker, and the members of the House who spent a vast amount of time thoroughly reviewing the process to bring forward recommendations that we have here today.

The Member for Calgary-Hays alluded to it, that this is a long road. It will be a very long road. It took over 150 years for us to get here, and we're going to have to work collaboratively with communities, side by side, to find solutions because we will continue to find hurdles in this. I do want to recognize that many things said here today acknowledge that this is one step, one step of many steps that we need

to take to improve our child intervention system. This legislation does continue that path that the ministerial panel set towards ensuring that every child in Alberta has a safe home, that we follow through with our commitments to work with our indigenous communities to allow our children to carry their cultural heritage.

I would like to echo the thanks that we had from the Member for Calgary-Elbow acknowledging Tyler White, Dr. Peter Choate, Bruce MacLaurin, and now Senator Patti Benson, who put in a lot of thorough work. It was really neat because everyone brought a different background to the table. I think that even when you looked at the panel members, from people who have lived experience as social workers to individuals who might not have any social work background at all, like myself, we brought a different perspective to the table as we crafted this and really looked at different ways that we could ask critical questions.

One thing that this piece of legislation acknowledges – and this is something that we all carry, and many of us carry this because, as I alluded to, our education is different than the children in the galleries – is that we carry an innate bias because we didn't learn about the truth of what happened with our indigenous children when they were growing up. As we look towards ensuring that all of the child reviews go through the Child, Youth and Family Enhancement Act, it ensures that as children in care are growing up, they're learning about their cultural background and that we are ensuring that that is taken into serious consideration.

That's also very important because – and it's something that's not brought up as often but has to be considered when we're talking about our indigenous communities in Alberta – half of our indigenous communities don't live on-reserve. Half of our indigenous Albertans are living in urban settings. The Member for West Yellowhead talked about the challenges that he faces in the fact that there were no land settlement claims in his area. We run into a risk where, when we talk about learning of one's cultural heritage and learning about where they've come from and their religious, spiritual beliefs, if we don't look at every perspective, they lose those beliefs.

It reminds me of a constituent I actually ran into when I was door-knocking a couple of summers ago. She was a victim of the '60s scoop. It wasn't until she became an adult that she actually started discovering and researching and trying to determine her identity. It's neat now because she's able to contribute to the community in a very positive way, but not everyone is given that opportunity. So it's imperative, as we place children in care, that we take that into consideration

We also realistically are looking at ensuring that we're informing our First Nation stakeholders, the responsible bands, about when a child is going into care so that they can have a voice in the conversation, they can be part of the conversation, and then they can help lead us as a government and as a ministry to do what is best for that child in care. When we were in the ministerial panel and we talked with some of our First Nations stakeholders and leaders, it was neat to see this perspective. You know what? I hope I actually grow as a parent by hearing this perspective, where we talked about how the child is in the middle and that we have the community wrapped around the children. That is the approach that as a government we should take, that it's not just governments that have to decide these things – this is how we've gotten into these troubles before – but that we as a whole community wrap around that one child and ensure that that child has the best upbringing and the best living when they are growing up.

The other thing that was very important to take into consideration – and I do acknowledge the alarming rate, that 69 per cent of children in care are indigenous. But one of the things that was added to matters

of consideration, which I think really stands out, is that the child's race, spiritual beliefs, colour, gender, gender identity, gender expression, age, ancestry, place of origin, family status, sexual orientation, and any disabilities the child may have are put into consideration. That's important because it also needs to be recognized that there are children from many other cultural backgrounds that are put into the child intervention system.

This was something that we recognized and focused on. Whether this child is coming from a First Nations background or from a different ancestry, if their parents were refugees or permanent residents or immigrants: this gets put into consideration and we ensure that these children are given the resources to know about their heritage and know about their culture. That's, to be honest, what makes Canada so great, that we can all stand up here and celebrate what makes us unique and where we've come from. It's something that I think this legislation encompasses to make sure that we ensure that we do not give up as well.

The other thing that we've talked about, too, is that the director will make sure that we look at serious injuries. That's imperative, too, because in the past we have been very responsive only to deaths that generally occur. When a serious injury or serious incident occurs, it's an opportunity for us to look at the practice and learn from that practice and to grow from that. I remember in the ministerial panel that many members brought up some concerns that we don't necessarily look at the serious incidents and serious responses that happen.

Now, you know, I'd be remiss to not say that I wish we were never in a situation where we would have had to strike a ministerial panel, but the time that we were brought together was a very sort of pivotal time because it was a time in which we had started to move forward with our commitments to the TRC and UNDRIP. But it was also a time where we had learned so much from data analytics, which Bruce MacLaurin brought a lot of to the table, and also a lot of research that we have been able to take from areas of mental health and other academic and field research, that has allowed us to learn about things like the psychological trauma, even the psychological trauma that comes from a child being removed from their parents and from their guardians. What we learned and the emerging practices should always be what guide us when we are writing legislation and we are following through.

Ensuring that every five years an all-party committee is struck to review this legislation is very important to ensure that we carry on best practices in the field, that the field continues to evolve, and that we continue to get the proper feedback from our First Nations stakeholders and from all stakeholders on how to guide this practice, because many of them recognize that it's taken a long time for us to get here. We are starting to see some amazing practices coming out from other provinces that are charting the same path that we are, so it's imperative that we move forward from those.

With that being said, if we talk about the parameters for where we place children, that safety has become very imperative, that we ensure that safety is a key focus, and that we give a bit more discretion to that determination while recognizing innate biases that may exist, our having more explicit safety concerns and feedback is going to ensure that we have a proper system for all children there.

10:40

The other thing that we heard consistently in the ministerial panel was about supports to children and making sure that we provide the proper wraparound supports and that these things follow our kids who are in care. That's an important imperative because consistently we do hear about challenges between, across jurisdictions. Ultimately, as we talked about the focus on putting the child in the middle and that we ensure that the supports that our

government is providing follow that child as well, because realistically it's about working with that child – whether those supports are done through family guardianship or returned to the parent or if we're even looking at foster care, that will allow for the child to get the best supports needed.

It was also interesting because in our travels with the ministerial panel we spoke with a lot of foster parents. We spoke with a lot of people who had adopted indigenous children. Reflecting back to the Child, Youth and Family Enhancement Act setting up a path to ensure that the child has cultural connectivity, a lot of these parents – some who were nonindigenous had indigenous children – really appreciated having those supports and being able to work with communities and having a guided plan to ensure that their child had that cultural connectivity and that they were able to learn about their heritage and their background because they knew that at the end of the day it would help that child flourish and grow and it would help them as parents to be able to best support their children and, whether as foster parents or adoptive parents, do the best job that is possible for them.

With that being said, I look forward, as we move through the process of this bill, to hearing from all members, and I'm excited to support this as one of many steps that our government will be taking to ensure that we improve the lives of children in care.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? Seeing none, I'll now recognize the hon. Member for Airdrie.

Mrs. Pitt: Thank you, Madam Speaker. I appreciate the opportunity to rise today and speak to Bill 22, An Act for Strong Families Building Stronger Communities. Where to start? There's a lot of stuff in this legislation, that was tabled just yesterday, and I will appreciate the opportunity to have a fulsome debate on this as the days come and be able to take this back to my constituents for some feedback.

I have a few things that I would like to say upon my initial reading of this piece of legislation. First, actually kind of buried near the end of this legislation, it says:

- (d) the response of the Minister's department to recommendations in a report made by the Child and Youth Advocate under section 15 of the Child and Youth Advocate Act, if the recommendations relate to this Act or the administration of it;
- (e) the response of the Minister's department to recommendations in a report made under section 53 of the Fatality Inquiries Act, if the recommendations relate to this Act or the administration of it.

Madam Speaker, I would be remiss to not point out that that is why we are here. When the report on Serenity was tabled in this House and opposition members asked what the minister was going to do in regard to recommendations of the report, the minister refused to give anything except that he has received the recommendations of this report, would refuse to act on any of the recommendations in this report. This Assembly lost it and rightfully so. The public was upset. The opposition was upset. Serenity, a little child who was so badly abused: no one cared. This government wasn't acting like they were caring.

Madam Speaker, I was pleased that after cries from the opposition, emergency debate, this panel was put together. I wish it was a legislative panel and done in a more transparent and open and public way, where all members could participate, if not at the table at least be able to listen, but that was not the case. I'm grateful for the work that the members on that panel did. There was a lot of travelling over the summer months. I do appreciate that.

I'll start at the back of this legislation for the start of my chat. Madam Speaker, I'm just going to point out some of the changes that I see in this legislation and make some highlights for the benefit of this Assembly. One of the changes here, under section 4, is in section 2.

(d) the benefits to the child of lasting relationships with the people with whom the child is connected, including family, friends, caregivers and other significant individuals.

Madam Speaker, there was a policy that has appeared in a number of government documents that highlights unlimited reunification attempts with child and family, kinship caregiver providers. There is no mention in this piece of legislation in regard to safety in this particular area. During the visits of the child during a reunification attempt, what is the measure? What is the process? Who is checking these homes? Does that matter? I think it does. It most certainly does. At what point do we stop? At what point is it no longer in the best interests of the child to have such an unstable situation over and over again?

Madam Speaker, I have a very close personal friend who's been waiting five years to have some sort of stability in their home for an indigenous child that they have been taking care of since he was just a baby. They've gone through unlimited reunification attempts with the family – with the parents, with the grandparents – and the band, that's refused to accept this child although he should be theirs. He's been put in very unsafe situations. He's been put into a visit situation with his father where there have been four other criminals in that home, and no one checked it. This child comes back screaming. His emotional and mental health has absolutely deteriorated because of this situation that has continued to happen. Yet I don't see this addressed in this bill.

Emphasized in here is

(g) the importance of stability, permanence and continuity of care and relationships to the child's long-term safety and well-being.

That's highlighted in here. That's not what's happening, Madam Speaker.

(j) any decision concerning the placement of the child outside the child's family must include a plan to address the child's need for permanent, formalized ties to people who care about the child and must take into account...

Above all, that should be what's talked about.

It actually took until the government's third speaker to mention the safety of the children. Culture is extremely important, and there are lessons that we have learned more significantly over the past number of years. Culture is important, and I'm so happy to see that that is what's in here. Safety is important, too, Madam Speaker.

 the benefits to the child of a placement within the child's extended family, or with persons who have a significant relationship with the child.

It needs to be clarified: not always blood. Not always blood. There are so many people in our society that have children whom they love and have created long relationships with. We all hear about these stories in our constituency offices, about these children in kinship care, in foster homes, where they have been with these families for 12 years and a long-lost relative is found, and now all of a sudden that relationship is not important. That's not okay. At what point do we ask ourselves and point out that it's detrimental to the child, who should be our priority here?

10:50

The part that was omitted from this legislation was in the previous section 2(d) and reads:

A child who is capable of forming an opinion is entitled to an opportunity to express that opinion on matters affecting the child,

and the child's opinion should be considered by those making decisions that affect the child.

I know that part was removed and that there's a different section that says that the opinion of a child over the age of 12 is to be considered in a matter of the court. It's good that that age is clarified, but a five-year-old has a very close connection with his mom even though she's not the tummy mommy, Madam Speaker, and his or her decision should be factored in as well.

Perhaps the government could clarify the rationale behind the age that appears later, in section 8.

A private guardianship order shall not be made without the consent in the prescribed form of

- (a) the guardian of the child, and
- (b) the child, if the child is 12 years of age or older.

I appreciate that the guardian of the child is considered to be a voice in this matter whereas the only change from the previous was that they removed:

(c) a director, if a director is not the guardian of the child. I would like some clarity around the age of 12 because I think children have a voice and have a say, and that should be absolutely considered in these situations, Madam Speaker.

Clause (m) in this same section, 4, reads:

There should be no unreasonable delay in making or implementing a decision respecting the child.

How do we provide accountability? I need some clarity on that, Madam Speaker. We know in many, many cases that this has been falling through the cracks and there's been no permanency, there's been no stability for many children who are in care in our province. That's not okay.

That's what's highlighted here, the biggest thing: the act must be interpreted and administered so that the safety and the well-being of children are of paramount consideration. Again, the act must be interpreted and administered so that the safety and well-being of children are of paramount consideration. We have to remember that in every single section of this.

I understand that this is part 1 of 3 in legislation to come in regard to the findings of the child panel. I hope to be able to offer some words of my constituents in regard to the making of that legislation, and I will be putting forward amendments to the legislation that we see before us here today, Madam Speaker.

In section 5, section 52 is amended. Just a question on this. Notwithstanding any other enactment, a person may not apply to any court to be appointed as a guardian of a child who is [currently] in the custody of a director, or is the subject of a temporary guardianship... or a permanent guardianship... order.

"Not" is the word that's added. Before it was, "any adult may apply to the Court in the prescribed form for a private guardianship ..." So why is it now "not"? A question around that. I would like some clarity. I know we can do that in Committee of the Whole. I just don't understand that part of this section.

I would like to highlight what I think is actually really great, the notice to the bands. If a First Nations member is to serve in court, they must be notified within 30 days. I think that's a good move towards stability and permanency in the system. And it's a way to engage family members in the beginning stages as opposed to, you know, five, six, seven, 10, 12 years down the road, when strong bonds are made. Then it gets a whole lot trickier, Madam Speaker.

In section 53.1(1), band participation in proceedings:

A band that is required to be served with notice of an application under section 53(1.1) may attend Court the first time the matter is heard in Court and may make submissions to the Court regarding the band's participation in the proceedings.

A lot of this actually, really, does seem common sense as long as proper notification has happened. If a band chooses not to have a representative at the court during those proceedings, it probably would be unfair for them to attend at a later time, in the middle. However, I question that there may not be room for error, that, as we know, all humans are guilty of, Madam Speaker.

Sorry. I made a couple of notes all over this thing. I absolutely need more time to be able to do that. I will give notice now that I will be putting forward an amendment to section 105.71.

Mental health has not been considered actually anywhere in this legislation. Nothing. There's nothing in there. That's so significantly important. There's a significant amount of trauma, as was actually mentioned by another hon. colleague in this Assembly, that occurs when families are separated, when a child is removed from the home and sometimes put into a culture shock. Either way, it's a traumatizing situation for these children and for the family members in so many significant ways, close ones and distant relatives, Madam Speaker.

In subsection (d)

- (i) "serious injury", in respect of a child is clarified in here. It means
- (ii) a life-threatening injury to the child, or an injury that may cause significant impairment of the child's health.

"Or mental health" should be added. We have done great work around advancing and lessening the stigma of mental health in our province and in our country. We talk about PTSD. You know, we talk about childhood trauma. We know lots about early childhood education.

The Acting Speaker: Thank you, hon. member.

Are there any members wishing to speak under 29(2)(a)? Seeing none, are there any members wishing to speak to the bill? The hon. Member for Edmonton-Mill Creek.

Ms Woollard: Thank you, Madam Speaker. I'm really happy to be speaking in support of Bill 22, An Act for Strong Families Building Stronger Communities. Like many of the speakers before me, I come at this from a point of view of having spent a long time working in various parts of Alberta, a lot of time working in indigenous communities, First Nation communities. A couple of things really made an impression on me, and I was thinking about them as we spoke.

I spent one year working within a First Nations community, working with a member of the community for a full year, working in a portable, you know, where we had, like, 22, 23 children. You get to know people quite well when you're there so much. I grew to just value her understanding and knowledge of the community and her ability to work with children really highly and also came to appreciate so much the importance of listening and working to develop relationships. And I think a lot of what we're doing here is going to come down to that.

We have to have the trust of the people we work with, we have to listen to people and find out what their concerns are, and we have to develop the relationship enough so that we can find out what is important. In the past there have been far too many assumptions made as to how our procedures and laws needed to be enforced, and it just didn't work.

I wound up continuing to keep in touch with the woman I worked with, and she still does fantastic work in the school. She is so highly regarded by all the community. If I were to work up in that area of northern Alberta again, she's the first person I would be in contact with to find out what's going on and who to talk to.

11:00

But half of it – and I learned this in a lot of communities in northern Alberta – is listening to people. People aren't going to come straight out, necessarily, and say, "I need this or this or this,"

but they're going to tell you their stories, and they're going to help you understand where they're coming from and what they're hoping for, especially what they're hoping and what their goals are for their children. If you don't understand that and if you don't understand what they're bringing to the lives of themselves and their children, you're not going to be able to make much of a difference. To make changes we have to learn to listen and communicate, and I think this bill goes a way to supporting those actions.

[The Deputy Speaker in the chair]

When I talk about communicating, I was reading through and I was thinking that it's lovely talking about how people are enabled to take part, to go to court, you know, be advised of measures involving children, but then we have to make sure that they understand where they will go if they want to speak on behalf of the child, and how will they get there. Transportation is an issue all over our rural areas, and if people don't have a way to get there and if a family is impoverished and needs help to get gas so they can make it to court, then that's important, and that's a part of the process we need to take to make sure that they will be involved.

We need to make sure we communicate in a way that's understandable to people. I know of many people, not necessarily indigenous, who are intimidated by our bureaucratic communication. They will get a letter from government and just put it to one side because it is gobbledygook to them, and it is really important to recognize when that is an issue. Not to be condescending, not to talk down but to make sure that the meaning is clear and also the forms of communication.

Talking to my former coworker from up north makes me realize, too, the importance of building relationships. When we have our caseworkers and our people that work with children, we need to really work on having consistency so people can develop a relationship with the workers so that they know who to talk to and they know how to go about securing help to find out what they need to know. A lot of the points people made earlier were on the same topic. A lot of it is getting down to human interconnection, interaction.

We have to be flexible, too. We have to have our actions be flexible enough so that if someone wants to come and speak about their concerns about a child or someone they know, their own child or someone else's, but they need somebody to come and be supportive for them, we can make that happen. We can allow that. We have to be really careful not to be overly rigid. So consistency of caregivers, flexibility, developing relationships, and building trust.

You know, it always amazed me and impressed me that all the families I would meet with in northern Alberta did trust the schools to take good care of their children. They would place them into their care for days and years at a time. We have to work to maintain that trust. As Children's Services we have to make sure that they do trust the system. To do that we have to show that we are trustworthy, and we have to make sure that we continue putting our words into practice.

I think this is a good bill. I think it's a really important one. It's really going to be important that people, everywhere they come into this – in Children's Services, if it's the children, the parents, the caregivers, anybody involved – are all part of the process and are all involved and respected.

Thank you very much, Madam Speaker.

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

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

Dr. Swann: Thank you very much, Madam Speaker. I'm pleased to stand to talk about Bill 22 and the important principles that are part of this reading because this is about establishing core principles that will serve to guide not only these changes but two future phases of changes.

I was privileged to be part of the ministerial committee and want to join others who are celebrating the hard work of not only the committee itself but the tremendous sacrifices and efforts put forward by the staff of the child intervention system, including those on the reserve and those in the contracted agencies that provide many of these critical services, which, if we are true to the foundational principles of this Legislature, which have been reiterated over the time that I've been here, are to put children first. These are children and families that are critically challenged, and I was very pleased to be part of this important committee review, admittedly spurred by a very tragic incident, the Serenity case, and initiated around the whole death review process and how it still lacks transparency in some eyes.

On the other hand, there were real concerns in the indigenous community that in making names public, they weren't respecting some of the traditions and cultural practices and confidentiality of some of the community and the impacts that making a public statement or a public reference to a child who had either died or was seriously injured in care might have on their families, so wrestling with that in the first instance, with that whole balance between the right of the public to know and the right of families to have some privacy and confidentiality, and the timing that suited their family and their adjustments most appropriately.

This particular bill, Bill 22, focuses almost entirely, as it should, on the first priority of indigenous children because they are such a big part of the children-in-care experience, close to 70 per cent in this last year. It reflects the long history of trauma and cultural genocide that these folks have experienced.

To those in our western culture who still say to me, "They should get over it," I say, "You don't get over the profound loss of everything that makes you human, that makes you a culture, that makes you an identity." The loss of roots, values, communications is so profound that we can't even register a connection to these profound intergenerational losses that leave people rootless and confused and in many ways further traumatized in a series of systems that are so oriented to western white culture that it not only doesn't help in many of the systems that we've developed – education, health care, social services – but it actually further traumatizes in many cases the very people that they say they're there to help, not deliberately but because of the lack of understanding of the tremendous cultural damage that has been experienced by indigenous people.

I want to say a little bit about the foundational issues that I think are missing here. They are mentioned in our recommendations but, again, need to be raised every time we talk about culture and disadvantage and intergenerational trauma, and that is social determinants of health. These folks have not had the educational supports, the environmental supports, the social supports, the health supports, the income, the jobs, the prosperity in their culture that are absolutely foundational to being secure, to being well, to being able to cope with the stresses and strains that we all cope with every day: the losses, the injuries, the traumas that we may experience.

11:10

We have resilience because we have many of these social determinants that many of these folks, most of these folks, do not have and that are transmitted, then, to the children. We have this perpetual cycle of lack of supports, lack of security, and the need to intervene with respect to children's safety and health, but in so

doing, we run the risk of further traumatizing the family and further separating children from their roots and values.

This bill appropriately focuses on what we can do in the immediate, but it does not, to my mind, say enough about the social determinants of health, poverty, employment, and culturally sensitive education and health systems that would actually start to address in a preventative way the ongoing challenges that we're going to be facing with our fastest growing population, our indigenous population. We must get at the root issues here – not only psychological trauma but ongoing physical trauma, drug addiction, mental health issues in these communities – with wraparound supports and a serious commitment to getting at the root issues that create stability, create health, create the ability to respond to the traumas that are a part of everyone's lives but a significant part of our indigenous community.

The other thing I need to say in relation to the principles involved in this bill is that placing urgent health and safety issues can mean ignoring further long-term trauma from separation, loss of culture, family and kinship support, and fundamental security that contributes to the success over the next 20 or 30 years of this individual, their success in the workplace, their success in family life, their success in work life, and their very self-esteem.

The other issue that this bill does not address and that I want to highlight again because it must not be lost regardless of what happens in the next government is one of the very recurring themes that we heard around the table, and that was the importance of a band designate, a person in each indigenous band that has a responsibility to be a link between the western social support in child and family services and the band child and family support services.

But there's nobody there to make that link and make that communication and plan together about on- and off-reserve. Because many of these children are going on- and off-reserve with either care or counselling or various services that are needed, this band designate stood out as being not recognized, not supported, not consistently present, and frustrated in their ability to deliver on the very services that they were charged with by the chief and council – they're appointed by the chief and council – and frustrated with the families who want to see more co-ordination between on- and off-reserve services.

They are a critical piece of this, and I'm disappointed that the band designate issue could not have been dealt with now, before we get into another chaotic election season and the potential for tremendous changes in government. That was a prominent issue that they brought to us that was critical to making these changes effective and appropriate.

I'm also, I will say, pleased to see the reference to all cultural groups and their sensitivities, their importance in all child services interactions. It's a new, to me, although welcome recognition that culture and tradition and spiritual practices have a very foundational place in recovering a sense of identity, a sense of family and culture, stability. The growth and pride in this culture has to come based on so much of what we heard from the Truth and Reconciliation Commission and, certainly, the United Nations declaration on the rights of indigenous peoples. Those are foundational to this, and I applaud the government for building on those in a very significant way in relation to indigenous people but also now in this bill recognizing all cultures as having legitimacy and importance in the child care and intervention system.

I myself have friends working in the various cultural communities and the education system in Calgary who tell me stories that would really shock many of us about the trauma and difficulties of many of the new Canadians and their cultures as well. So it was very important for me to see in this bill the recognition

that all cultures have an equal right to having qualified, experienced people in those cultures being a part of the transition planning and the ongoing counselling and service provision and service planning that goes on to reduce failure in the fostering and guardianship processes.

I'll loop back and just talk a bit about what the outcomes of this bill will be because I've simply talked about principles and applauded the government for taking the recommendations of this committee and moving on them in a very substantial way, if in a limited fashion and somewhat – well, almost entirely – focused on the indigenous community.

This bill will require that an indigenous child's First Nation must be formally notified of any application for private guardianship to allow them to make representation. It will require that all private guardianship applications must be made under a single statute, which the bill designates as the Child, Youth and Family Enhancement Act. Presently private guardianship applications can also be made under the Family Law Act. However, unlike the Child, Youth and Family Enhancement Act, the Family Law Act does not require a mandatory home assessment. A shocking realization in my experience on the committee was that mandatory home assessments were not required. Any international adoption and fostering required that, but somehow it wasn't the case here.

This bill will require that anyone who wishes to become the permanent guardian of a child must first undergo a mandatory home assessment by government social workers and be approved. It requires a cultural connection plan to be written for every indigenous child subject to a private guardianship order. Again, I'd like to ensure that that extends itself to other cultural groups as well.

This bill requires funding to follow a child instead of being tied to the guardian so that financial support isn't lost or delayed if the guardian dies or is unable to continue in that role and responsibility for the child moves to another caregiver. It will require courts and caseworkers to consider 13 culturally themed criteria in making a decision involving a child's welfare, including whether to remove them from the home at all. Presently culture is listed as only one of 16 matters to be considered.

This bill will require the government to publicly report every death, injury, or serious incident involving a child within four business days. Again, I think that was a very contentious issue and needs to be revisited at some point to ensure that we're sensitive to each individual family's case and circumstances if we're really interested in protecting the family and those siblings that may be left in the home from unwanted traumatic experience relating to that public disclosure before they're ready, before they have prepared themselves to deal with the fallout.

The bill will require the Minister of Children's Services to post findings and recommendations made after government reviews of every death, injury, or serious incident involving a child within one year and publicly respond to any external recommendations. Much of this will now fall to the office of the Child and Youth Advocate as we have through this committee made recommendations that were quickly adopted and moved to the responsibility of the Child and Youth Advocate, who has a very important role and an independent role, I might add, that is critically important for this to be a credible role at all in analysis.

I would just point out parenthetically that we were hoping that we would see the disability child advocate be independent of government for the same reason, so that this could be a bona fide, independent, credible critic of services to children and youth with disabilities. Unfortunately, the government did not choose to do that, but we will continue to watch that development and do applaud the government for creating the position. Now, let's make it a credible position for the disabled or differently abled children and

youth, many of whom actually fall into this category because many of these children, 7,000 I understand in Alberta, cannot find adoptive homes, largely because of their disabilities.

11:20

The Deputy Speaker: Questions or comments under Standing Order 29(2)(a)? The hon. Member for Calgary-Elbow.

Mr. Clark: Thank you, Madam Speaker. I had the honour of serving with the Member for Calgary-Mountain View on the panel, as I mentioned earlier in my comments. A lot of the things he's talking about, I think, are important. I would like to hear more of his thoughts, specifically on the need for the periodic review and what his thoughts are on what should be in scope for that review, timing and those sorts of things.

The Deputy Speaker: Calgary-Mountain View.

Dr. Swann: Well, thank you. I'm happy to rise and extend my thanks to my colleague from Calgary-Elbow, who was also a very active and vigorous participant in this committee, contributed a lot.

I was referring to the 7,000 children in Alberta who do not seem to be adopted and do not seem to come into care in a sustained way, in a permanent way, because in spite of many people looking to adopt children, these 7,000 kids with disabilities are not a priority for many families, so many of these will fall to guardianship experiences with the government and, unfortunately, go through many different care settings. There are some unique situations in the province that still need to be addressed in order to try and provide the best developmental opportunities, health and safety and development of these children.

I was also pleased to see in this bill a recognition that we need to review these services. Children must be first. In fact, I think every bill that we review in this House should go through a screening of: how is this going to impact our children, present and future? That should be a fundamental criteria of every policy we develop in this place. And to review this every five years, to me, is a very important and responsible thing to do because clearly this practice is a sensitive one that has many dimensions to it. It says that we've recognized that perhaps one of the most important roles that our government has is the care and management of our most vulnerable children. And that needs to be reviewed periodically.

I'm particularly concerned, though, that we get on to phase 2 and phase 3. Whatever government takes over in the new year or balance of people there are in the Legislature, I hope there will be a serious commitment to following through on phases 2 and 3 of the amendments and changes to the Child, Youth and Family Enhancement Act and the Family Law Act, which clearly have some, as the recommendations state, need for amendment.

Thanks, Madam Speaker. That's all I have to say. I welcome further discussion of the principles involved here and whether or not we've covered them and whether this bill covers them adequately.

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

Mrs. Pitt: Thank you, Madam Speaker. Just a question for the hon. Member for Calgary-Mountain View. I commented on the lack of any mention in this piece of legislation in regard to mental health, and I was wondering, because you were a member on the panel and attended many of those events and certainly have an expertise in that area: would you be able to maybe answer some questions or share some concerns in regard to the lack of mental health mentioned in this first piece of legislation?

Dr. Swann: Thank you very much. I think that's something close to my heart. Certainly, we did discuss it around the table repeatedly because much of the root of these children needing care had to do with mental health and addiction issues in this large indigenous cohort that we see every year requiring public care.

Mental health and addictions are a recurring theme, and they were discussed as being not appropriate in many cases for indigenous communities. They're western based. They're culturally blind. In many cases our mental health and addiction issues focus on pharmaceuticals. They are still struggling with racism, that many indigenous people communicated was entirely unhelpful when they reach out for help with either addiction or mental health issues. There is a real need for the same kind of cultural lens and cultural learning to happen within health, including mental health and addiction services. A real cultural shift has to happen in our own services to really make appropriate connections with indigenous populations.

The Deputy Speaker: Any other speakers to the bill? Barrhead-Morinville-Westlock.

Mr. van Dijken: Yes. Thank you, Madam Speaker. I rise today to speak to Bill 22, An Act for Strong Families Building Stronger Communities. Here we are, November 1. Welcome to November 1, 2018, everyone. We're in a digital age, yet I notice on our desks we have paper calendars that we still manually move out of our desk. So everybody can take their paper, throw it in the garbage, and now we're in November. It's November 1, 2018, and we're still learning. We're still needing to improve. We still have work to do, and I'm glad to be here to help and contribute to the work that's being done to improve our Child, Youth and Family Enhancement Act.

The question is: how did we get here, and where are we going? You know, we take a look at how we got here. This update is as a result of the work that's been done by the Alberta all-party ministerial panel, the child intervention panel, formed after the death of Serenity, a four-year-old First Nations girl who was a ward of the state living in kinship care before she died in a tragic story, in a story that has gripped us all to the point of: we can do better, and we must do better. So where are we going?

I understand this is the first of three stages that the minister has identified for updates to the Child, Youth and Family Enhancement Act. The changes to Alberta's child welfare system under Bill 22, this first stage, will largely centre on First Nations needs. According to the *Edmonton Journal* this morning – I was reading the report from Emma Graney – of the 10,647 children currently receiving intervention services in Alberta, 6,547 are indigenous. That translates into 61 and a half per cent. You know, that number varies, I'm sure, up and down a little bit here and there, but we as a society can and must do better to help serve these children and their families.

One thing that strikes me with Bill 22 is that I believe the bill is around the safety of the children but also around the communications that we have within our society and how we can learn from each other. Even in 2018 we can continue to learn from each other and do better for these children. We all understand that life does have difficulties, and as a society we as communities and as families try and work through these difficulties as best we can. It is incumbent upon us to recognize each of our individual roles in helping to improve the situation. We have a job to do here with helping to improve legislation. There are people that are out on the front lines working day to day with individual cases that have a job to do.

It's very interesting that as an elected official we do have the opportunity, and not everybody in our society has the opportunity,

to do a ride-along. My son-in-law is an RCMP officer, and I got to do a ride-along with him this summer and see some of the work that he is also charged with doing within the community. Some of it is dealing with disadvantaged families and some of the struggles that they're going through, to help along with that.

So every member of society has a role. We have a role here today in this House to try bring forward legislation that will help, and I believe Bill 22 is a good start. It's a good step towards improving the recognition of culture in families, in how that dynamic plays out in the lives of children.

11:30

I was very fortunate as a young child. I grew up in the '60s and the '70s. My uncle and aunt adopted five children. They were of indigenous descent, and these five are the cousins that I grew up with, playing with day in and day out. You know, we look at that and we say that there was good to that, but there was also negative to the fact that they were removed from their culture. We try and improve and do better going forward. And these cousins – three are alive yet today. I hold them very near and dear to my heart because they were part of my childhood and my upbringing. It was never ever really recognized that they were any different, and they weren't. They were part of the family. So our experience – we can all bring something to the table to try and help to guide the way we move forward, and I value their input in this discussion because they have lived many decades of trying to understand it themselves.

As it stands right now, the First Nations leadership has no role to play in court processes involving band member children. That communication has to start. It needs to be there. Bill 22 will change that. First Nation leaders are also not being made aware that children are being adopted out and off-reserve, often into non First Nations households, or of children being the subject of a guardianship order. Bill 22 changes this with automatic notification to First Nations of court process, adoption, and guardianship of their children. Again, communication. We need to have that open communication and understanding. There is also need of protection of individual rights and individual identification, that type of thing, that we have to work through.

According to the minister at the press conference yesterday every child will be given a mandatory home study, a cultural connection plan, and ongoing supports that meet their needs. Every case is an individual case, and we have to recognize that and try to, as a society, in the best interests of the child and the safety of the child, work together with families and communities identifying what's in the best interest of that child.

In cases where the guardian dies, moves away, or changes, funding supports have not followed the child in the past, and I believe this is wrong. Funding for services such as counselling, respite care, transportation, and others will now follow the child, and that's an important step to move forward, to help recognize some of the pitfalls before.

The courts and caseworkers are mandated to look at every facet of a child's well-being before making decisions to remove them from a home, apply a guardianship order, or make other decisions. Under Bill 22 the Children's Services minister becomes responsible for key reports about children in care, and the department will have four days to post online all deaths, injuries, and serious incidents. So a very tight timeline there, and I believe that's also good.

We have all learned from Adam North Peigan, president of the Sixties Scoop Indigenous Society of Alberta, who was also in the article this morning in the *Edmonton Journal* on Bill 22.

If we look at the atrocities of the Sixties Scoop and what happened with children's services coming into our communities and removing our kids, it really took the onus off the Indigenous people from any kind of decision-making whatsoever . . .

What this bill does is it allows Indigenous communities to have more input and more decision-making in what's in the best interests of our kids.

In order to properly serve these children as a society, we need to continue to learn from each other.

The updated act will be governed by a set of guiding principles. I believe that these principles are a good starting point to help us develop the system as we move forward. We are essentially, one, protecting children from harm, identifying, highlighting the safety of these children. Two, the importance of community and family in a child's life, recognizing that this is an important part of the identity of that child and trying to protect that. We can recognize that the children benefit from maintaining connections and relationships going forward and try to protect that and keep that as a high priority, a guiding principle. Indigenous peoples should be involved in the planning and decisions impacting their families and their children. These are all good principles to begin with. I suspect we may find that there are more principles that can be added that will help the act to become more fulsome and to continue to evolve over time.

Madam Speaker, this looks like common sense. It is a shame that such common sense became so uncommon in the child welfare system, but I do believe that we continue to learn, even in 2018. We're in 2018, and we're still learning. We're still trying to improve the systems that we have in place, and we will continue to improve and recognize where there can be improvement. I am pleased to recognize in Bill 22 also the review, every five years a review, meaning a wholesome review to make sure that we are not saying, "Okay, we're going to go through these three stages and we're done and we've perfected it," because I believe that we will again find some pitfalls that we can do better. It's important that we identify and learn from mistakes in the past. Under Bill 22 survival of the child is no longer good enough. Safety is paramount.

When we are done with Bill 22, we are not done here. As I mentioned, I am told that there are two more stages coming to update the act. But, more importantly, the debate does not stop. There will be a mandatory review of the act every five years, and that way we are able to assess and evaluate our performance and make the changes that are needed on a continual basis. We will never ever forget Serenity or the other children that have died in our child welfare system who shocked us into making these changes.

Throughout the all-party child intervention panel process stakeholders seemed nervous that we as legislators would not support kinship care. Kinship care is a positive thing. What happened in Serenity's case was criminal, and there were missteps along the way. I think we all recognize that now. It was not an issue with kinship care. It was in our delivery of the system that highlighted this difficulty.

Now, according to the minister's briefing on Bill 22, Bill 22 will now require that all private guardianship applications must be made under the Child, Youth and Family Enhancement Act, which automatically triggers a comprehensive home study and cultural connection plan. Previously these private guardianship applications could also be made under the Family Law Act, which did not require the home study and cultural connection plan. The question did arise: does this now mean that all children in divorce proceedings and other proceedings such as that will now get a home visit or cultural plan study? I think we could get some clarification on that.

Madam Speaker, as I've said, I believe this is a good step forward. I encourage everyone to have a fulsome discussion. We also recognize that failures have been done in the past, failures are in the present, but we can't be sitting here in the blame game. We need to identify where failures are, own those, and move forward. The best way we can move forward is to work together towards solutions.

11:40

I look forward to hearing more debate and learning more about the bill in detail in the days ahead. With that, Madam Speaker, I would move to adjourn debate at this time.

[Motion to adjourn debate lost]

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

Any other speakers to the bill?

Seeing none, are you ready for the question?

Hon. member, you moved it on behalf of the minister. Would you like to close debate on behalf of the minister?

Ms Goehring: Thank you, Madam Speaker. It's been a wonderful morning listening to the discussion and the debate regarding this really important bill, and I look forward to hearing further discussion on it.

Thank you.

[Motion carried; Bill 22 read a second time]

Mr. Feehan: Madam Speaker, we've accomplished much this morning and noticing the time, I would like to recommend that we close for this morning and reopen at 1:30.

I'd also like to invite everyone in the House and everyone listening to join us for the Métis flag raising occurring at the Federal Building at 12:30 this afternoon. We'd love to see you all there.

Thank you.

[Motion carried; the Assembly adjourned at 11:42 a.m.]

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